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## AGENDA

Council Meeting to be held  
at Darebin Civic Centre,  
350 High Street Preston  
on Monday, 26 February 2018  
at 6.00pm.

Public question time will  
commence shortly after 6.00pm.



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

Darebin City Council acknowledges the Wurundjeri people as the traditional owners and custodians of the land we now call Darebin and pays respect to their Elders, past, present and future.

Council pays respect to 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.



**Italian**

Questo è l'ordine del giorno della riunione del Consiglio Comunale di Darebin per la data che compare sulla prima pagina di questo documento. Se desiderate informazioni in lingua italiana sugli argomenti dell'ordine del giorno, siete pregati di chiamare la Linea Telefonica Multilingue del Comune al 8470 8888.

**Greek**

Αυτή είναι η ημερήσια διάταξη για τη συνεδρίαση του Δημοτικού Συμβουλίου Darebin, για την ημερομηνία που φαίνεται στο εξώφυλλο αυτού του εγγράφου. Αν θα θέλατε πληροφορίες στα Ελληνικά σχετικά με τα θέματα σ' αυτή την ημερήσια διάταξη, παρακαλούμε καλέστε την Πολυγλωσσική Τηλεφωνική Γραμμή του Δήμου στον αριθμό 8470 8888.

**Chinese**

這是一份戴瑞濱市議會議程表，其開會日期顯示於此文件之封面。如果您欲索取有關此議程表的中文資料，敬請致電 8470 8888 聯絡市議會的多語種電話專線。

**Arabic**

هذا هو جدول أعمال اجتماع مجلس بلدية داربيبن والذي سيحدد في التاريخ الوارد في الصفحة الأولى من هذه الوثيقة. إذا أردت الحصول على مزيد من المعلومات في اللغة العربية حول المواضيع المذكورة في جدول الأعمال، فيرجى الاتصال برقم هاتف البلدية المتعدد اللغات 8470 8888

**Macedonian**

Ова е дневниот ред за состанокот на Општината на Градот Даребин, која ќе биде на датумот покажан на предната корица од овој документ. Ако Вие сакате некои информации на Македонски јазик, за предметите на овој дневен ред, Ве молиме повикајте ја Општинската Повеќејазична Телефонска Линија на 8470 8888.

**Vietnamese**

Đây là nghị trình cho cuộc họp của Hội đồng Thành phố Darebin; ngày họp có ghi ở trang bìà tài liệu này. Muốn biết thêm về chương trình nghị sự bằng Việt ngữ, xin gọi cho Đường dây Điện thoại Đa Ngôn ngữ của Hội đồng Thành phố qua số 8470 8888.

**Bosnian**

Ovo je dnevni red za sastanak Gradske općine Darebin čiji je datum održavanja naznačen na prvoj strani ovog dokumenta. Ako želite više informacija o tačkama ovog dnevnog reda na bosanskom jeziku, molimo nazovite općinsku višjejezičnu telefonsku službu na 8470 8888.

**Croatian**

Ovo je dnevni red sastanka u Darebin City Council za dan koji je naveden na prednjem ovitku ovog dokumenta. Ako želite informacije o tačkama ovog dnevnog reda na hrvatskom jeziku, molimo da nazovete Council Multilingual Telephone Line (Višjejezičnu telefonsku liniju) na 8470 8888.

**Portuguese**

Esta é a pauta para a reunião da Câmara Municipal de Darebin a ser realizada na data que consta na capa deste documento. Se você deseja informação em Português sobre os itens desta pauta, por favor ligue para a Linha Telefônica Multilíngue da Câmara no 8470 8888.

**Serbian**

Ово је дневни ред за састанак Darebin City Council-а (Градско веће Darebin) који ће се одржати на дан који је наведен на насловној страни овог документа. Ако желите информације на српском о тачкама дневног реда, молимо вас да назовете Council Multilingual Telephone Line (Вишејезичку телефонску линију Већа), на 8470 8888.

**Somali**

Kuwani waa qodobada shirka lagaga wada hadli doono ee Degmada Degaanka Darebin ee taariikhda lagu xusey boga ugu sareeya ee qoraalkan. Haddii aad doonysid wararka ku saabsan qodobadan oo ku qoran Af-Somali, fadlan ka wac Khadka Taleefanka Afafka ee Golaha oo ah 8470 8888.

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# Agenda

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## 1. MEMBERSHIP

Cr. Kim Le Cerf (Mayor) (Chairperson)

Cr. Steph Amir

Cr. Gaetano Greco

Cr. Tim Laurence

Cr. Trent McCarthy

Cr. Lina Messina (Deputy Mayor)

Cr. Susanne Newton

Cr. Susan Rennie

Cr. Julie Williams

## 2. APOLOGIES

## 3. DISCLOSURES OF CONFLICTS OF INTEREST

## 4. CONFIRMATION OF THE MINUTES OF COUNCIL MEETINGS

<b>Recommendation</b>
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**That** the Minutes of the Ordinary Meeting of Council held on 18 December 2017 and the Special Meeting of Council held on 12 February 2018 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](http://darebin.vic.gov.au/questionsandsubmissions) by 3pm on the day of the meeting; or
- (b) by email to [Q&S@darebin.vic.gov.au](mailto: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. URGENT BUSINESS**

**7. PETITIONS**

## 8. CONSIDERATION OF REPORTS

### 8.1 RATES FINANCIAL HARDSHIP POLICY

**Author:** Chief Financial Officer

**Reviewed By:** Director Corporate Services

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#### Report Background

Darebin City Council has an existing Rates Financial Hardship Policy. A recent internal audit has identified opportunities to make the policy more accessible to those in the community who are facing financial hardship.

#### Previous Council Resolution

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

#### Council Plan Goal/Endorsed Strategy

Goal 6 - A well governed Council

#### Summary

The Rates and Financial Hardship Policy provides a framework to provide financial relief to individual ratepayers experiencing difficulty in meeting their rate payment obligations due to financial hardship by:

- Providing assistance to ratepayers experiencing difficulty in meeting their rate payment obligations due to financial hardship to make an application to Council for assistance relating to any unpaid rates or charges levied on a property under the *Local Government Act 1989* (the Act).
- Outlining how staff will manage the assessment of applications received for the deferment or waiver of rates, charges and penalty interest.

<b>Recommendation</b>
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**That** Council adopts the revised Rates Financial Hardship Policy attached as **Appendix A** to this report.

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#### Introduction

As part of good governance it is best practice to regularly review policies and processes. The Rates Financial Hardship Policy has been reviewed to ensure that it:

- Is consistent with Council's strategic objectives
  - Is responsive and reflective of the needs of Council's ratepayers
  - Reflects current legislative and regulatory requirements
-

- Provides clarity and guidance to Council staff on how assistance may be provided to ratepayers experiencing or at risk of experiencing financial hardship.

### **Issues and Discussion**

The Rates Financial Hardship Policy has been modified as follows:

- The purpose of policy was updated to make clear that it is a framework to provide financial relief to individual ratepayers experiencing difficulty in meeting their rate payment obligations due to financial hardship.
- Added a policy objective:
  - The objective of this policy is that individuals are provided an opportunity to seek assistance with their financial hardship and are treated in a consistent, equitable and confidential manner.
- Added policy principles:
  - Information about this hardship program will be made accessible to the community and Council will be proactive in communicating its program.
  - Hardship assistance will only be granted to individuals experiencing financial hardship with regard to the rates on their primary residence.
  - A range of forms of assistance will be made available.
  - The process must be simple for the ratepayer to use.
  - Ratepayers are encouraged to utilise financial counselling, legal and other supports.
  - Legal action to recover debt should be the last resort.
  - All decisions are made in accordance with the Act.
- Clarified and reordered the policy detail.
- Added legislative framework section.
- Removed requirement for ratepayers eligible for the municipal rates concession to provide an annual declaration to confirm that financial hardship still exists.

Changes to the Rates Financial Hardship Policy have been made to make it more accessible to those experiencing financial hardship including those who have had long residence in the family home in a neighbourhood where property values have increased dramatically since the initial purchase of the property.

### **Options for Consideration**

- Adopt the Rates Financial Hardship Policy as attached to this report (recommended).
- Adopt the Financial Hardship Policy as attached to this report with further amendments.
- Resolve to retain the existing policy with no further changes.

### **Financial and Resource Implications**

Financial implications to Council are likely to be limited and relate to the timing of payments received for outstanding rates, charges and interest or interest waived where there is demonstrated financial hardship.

**Risk Management**

No material risks have been identified.

**Policy Implications****Economic Development**

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

**Environmental Sustainability**

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

**Human Rights, Equity and Inclusion**

This report has considered and complies with the Human Rights and Responsibilities contained in the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

**Other**

There are no other factors which impact on this report.

**Future Actions**

The updated Rates Financial Hardship Policy will be published on Council's website after Council adoption.

**Consultation and Advocacy**

- Coordinator Revenue Services
- Coordinator Equity and Diversity

**Related Documents**

- Rating Strategy

**Attachments**

- Rates Financial Hardship Policy (**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.



## Rates Financial Hardship Policy

Responsible Business Unit:	Corporate Services
Responsible Author:	Chief Financial Officer
Date Authorised by Council:	February 2018
Effective Date:	February 2018
Date to be Reviewed (4 years)	February 2022
Objective Document ID Number:	A878365
Version Number:	V2.0



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## 1 Purpose

This policy provides a framework to provide financial relief to individual ratepayers experiencing difficulty in meeting their rate payment obligations due to financial hardship.

To provide guidance to and enable ratepayers experiencing difficulty in meeting their rate payment obligations due to financial hardship to make an application to Council for assistance relating to any unpaid rates or charges levied on a property under the *Local Government Act 1989* (the Act).

To provide guidance to staff on how assistance may be provided to ratepayers experiencing or at risk of experiencing financial hardship through the process and assessment of applications received for the deferment or waiver of rates, charges and penalty interest.

## 2 Objectives / principles

The objective of this policy is that individuals are provided an opportunity to seek assistance with their financial hardship and are treated in a consistent, equitable and confidential manner.

The following policy principles form the basis of this hardship policy:

- Information about this hardship program will be made accessible to the community and Council will be proactive in communicating its program.
- Hardship assistance will only be granted to individuals experiencing financial hardship with regard to the rates on their primary residence.
- A range of forms of assistance will be made available.
- The process must be simple for the ratepayer to use.
- Ratepayers are encouraged to utilise financial counselling, legal and other supports.
- Legal action to recover debt should be the last resort.
- All decisions are made in accordance with the Act.

## 3 Council Policy

Eligible ratepayers in genuine financial hardship will be provided with assistance and an explanation of their entitlements to rates and charges payment options.

The application form should be completed and will be used by Council to review all requests for the waiving or payment deferral of any individual rates and charges and interest owed to Council due to financial hardship unless the applicant has provided all the information necessary to make the decision in another written format or via interview.

Council may request further financial details and may also request an interview in order to arrive at its decision. Council recommends that all financial hardship applicants seek financial counselling as counselling services have access to a greater range of support options.

### 3.1 No waiver of rates and charges

Council will not waive in whole or part any rate, levy, special rate or special charge.


Rates and charges will not be waived to ensure that financial hardship assistance offered to one ratepayer or group of ratepayers does not adversely impact other ratepayers

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through a higher rating burden being applied to other properties to raise the same level of rates revenue.

### 3.2 Payment Deferral Rates and Charges

Payment deferral occurs where Council agrees to a ratepayer not making rates payments. This option would generally only apply to long term cases of financial hardship.

Rates, charges and interest continue to be charged against the property but collection is not enforced.

Payment of rates and charges will be deferred until such time as the ratepayer's circumstances improve or the property is sold or transferred to another owner, at which time Council would collect the outstanding amount of rates, charges and interest.

Rate notices will continue to be sent to rate payers to ensure they are aware of the growing debt.

Council may reject a deferral application or cease a deferral arrangement if the total outstanding balance of rates and charges exceeds 50% of the property's Property Capital Improved Value.

Ratepayers experiencing or at risk of experiencing financial hardship may have payment of rates and charges deferred in full or in part subject to the following conditions:

- a) Application for deferral of rates and charges may only be made for a residential property that is the principal place of resident of the applicant.
- b) Ratepayer or their representative must submit a written application to the Revenue Coordinator demonstrating financial hardship.
- c) On receipt of an application the rate or charge may be deferred either for a set period or an indefinite period.
- d) Where practicable the ratepayer must enter into an agreement with Council on a payment schedule and continue to those payments.

The deferment decision is made by the Chief Financial Officer upon recommendation from the Coordinator Revenue Services

3.2.1 On deferment being approved, the following shall occur:


- a) The ratepayer will be advised in writing of the outcome.
- b) The property will be flagged as a deferment property and no debt recovery action shall be taken even though rates, charges and interest will still accrue.
- c) Deferment will be reviewed annually and an application will be sent to the ratepayer with the Valuation and Rate Notice seeking confirmation that the financial hardship still exists except where the applicant is a ratepayer eligible for the municipal rates concession in which case the deferment can be extended without making contact with the ratepayer.

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3.2.2 A deferment will be deemed withdrawn on the basis of any of the following conditions:

- a) The ratepayer advises that the financial hardship conditions no longer exist.
- b) Annual confirmation of ongoing hardship is not received within 30 days of application being sent except where the applicant is an aged pensioner.
- c) The ratepayer no longer owns or occupies the property.
- d) The ratepayer has defaulted in meeting any agreements with Council in regards to the deferment.
- e) The total outstanding balance for the property of unpaid rates and charges exceeds 50% of the Capital Improved Value of the property.

The Chief Financial Officer will determine if any deferment agreement is to be withdrawn subject to the above clauses upon receiving a recommendation from the Revenue Coordinator.

### 3.3 Waiving of Interest on Overdue Rates and Charges

The waiver of interest may apply to interest already incurred on overdue rates and charges and/or withholding of any future interest that would be incurred.

3.3.1 Interest waivers fall under three categories which are:

- a) Administrative waiver – ratepayers may have interest waived in the event of an administrative issue, error or omissions which caused or significantly contributed to the failure to pay rates in a timely manner. An example of an administrative error may include:
  - ❖ Failure to process a change of address notified to Council in writing and the rate notice was sent to a wrong address.
  - ❖ Processing of a payment to an incorrect assessment causing interest to be charged incorrectly.
- b) Waiver on compassionate grounds – ratepayers may have interest waived where they have demonstrated compassionate grounds for a payment being late. Acceptable compassionate grounds would generally relate to family illness or death. Requests for waiver must be in writing to the Revenue Coordinator and will be assessed on an individual basis.
- c) Financial Hardship waiver – ratepayers may have interest or part interest waived where they have demonstrated that the payment of such interest would cause severe financial hardship. Applications for waiver must be in writing to the Revenue Coordinator and will be assessed on an individual basis.


3.3.2 If an application to waive interest is approved the following shall occur:

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a) Waivers on compassionate grounds and administration waivers shall be one off and ratepayers will need to re-apply on each occasion a waiver is sought. The ratepayer must:

- ❖ Attend to the immediate settlement of the outstanding rates and charges; or
- ❖ Enter into a payment arrangement where a set amount is paid on a weekly, fortnightly or monthly basis.

If the arrangement is not maintained, the amount of interest waived may be withdrawn and reinstated on the assessment.

b) Waivers sought under financial hardship, an update will be sought on an annual basis and arrangements extended where appropriate. The property shall be flagged and while rates will still accrue, no interest will be charged.

A waiver of interest granted under financial hardship will continue unless any of the following until:

- ❖ Ratepayer advises that the financial hardship conditions no longer exist.
- ❖ Annual confirmation of ongoing financial hardship is not received within 30 days of request.
- ❖ The ratepayer no longer owns or occupies the property.
- ❖ The ratepayer has defaulted in meeting any agreements with Council in regards to the waiver.

### 3.4 Delegations to Waive Interest

The Coordinator Revenue Services is authorised to waive interest charges up to \$250 for any one property.

For requests to waive interest over \$250, the Coordinator Revenue Services will review applications in accordance with this policy and prepare a report for the Chief Finance Officer for consideration and approval. The waiver of interest will be confirmed in writing once it has been approved.

The Chief Finance Officer and Coordinator Revenue Services have delegated authority from Council under Section 171(A) of the Local Government Act 1989, to waive in whole or in part, interest charges due where the application of the interest would cause financial or undue hardship.

### 3.5 Calculations on Interest

Interest will be charged on overdue rates and charges in accordance with Section 172 of the Local Government Act 1989, namely:


- a) On instalment payments from the date the instalment was due
- b) The interest is calculated at the rate fixed under Section 2 of the Penalty interest Rates Act 1983.

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#### 4 Confidentiality

Applications for financial hardship will be treated in accordance with Council's Privacy Policy.

#### 5 Legislative framework

Council is governed by the Act which contains specific provisions on deferring and waiving rates, charges and interest. The relevant sections of the Act are detailed below:

Section 170 – Council may defer in whole or in part the payment by a person of any rate or charge which is due and payable for a specified period and subject to any conditions determined by the Council if it considers that an application by that person shows that the payment would cause hardship to the person.

Sections 171 and 171A – Council may waive the whole or part of any rate or charge or interest on the grounds of financial hardship.

Section 172 – A Council may exempt any person from paying the whole or part of any interest either generally or specifically.

#### 6 Definitions

Deferment	<p>Deferment is a postponement of payment in whole or in part and can be for a specified period and subject to any conditions determined by Council. Rates and charges are deferred until such time as the ratepayer's circumstances improve or the property is sold or transferred to another entity.</p> <p>Rates, charges and interest normally accrue during this period. However, a partial interest waiver may be granted.</p> <p>Where deferment has been granted, a Valuation and Rate Notice must be issued as required under the provisions of the Act – Section 158(4)(d). The notice should be marked so as to confirm the 'Deferred Status'.</p>
Ratepayer eligible for the municipal rates concession	<p>A ratepayer who holds one of the following eligible cards:</p> <ul style="list-style-type: none"> <li>• Pensioner Concession Card</li> <li>• Veterans' Affairs Gold Card (given for TPI, War Widow, EDA or POW).</li> </ul>
Waiver	<p>A waiver is a one-off abandonment, which removes the liability to pay the debt.</p> <p>In terms of this policy it may be offered to include the whole or part of any interest.</p>

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**8.2 RAINBOW FLAG****Author:** Coordinator Equity and Diversity**Reviewed By:** Acting Director Community Development

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**Report Background**

Following changes to the *Marriage Act*, it is appropriate that Council consider protocols to fly the Rainbow Flag at the Preston City Hall. The report also considers Council's continued commitment to upholding and advocating for recognition and protection of human rights for all members of our community.

**Previous Council Resolutions****6 July 2015**

- (1) *Council notes that the Australian Human Rights Commission 'considers that the fundamental human rights principle of equality means that civil marriage should be available, without discrimination, to all couples, regardless of sex, sexual orientation or gender identity'.*
- (2) *In line with previous Council resolutions in support of human rights and marriage equality, the Acting Mayor writes to neighbouring Councils, all local State and Federal MPs, the Victorian Equal Opportunity and Human Rights Commission and the Australian Human Rights and Equal Opportunity Commission advising them of this motion and request that they consider support for this important human rights issue.*
- (3) *Through its various communication channels, Council actively encourages the Darebin community to support the Marriage Equality campaign and join a contingent of local residents and traders attending the Marriage Equality event at the State Library on Saturday, 15 August 2015.*
- (4) *Following consultation with the Darebin Sexuality, Sex and Gender Diversity Advisory Committee and relevant organisations, Council receives a report in late 2015 on other legal and human rights issues affecting LGBTIQ communities and actions that Council can take to address and advocate on these issues.*

**12 December 2016**

- (1) *Note the statements recommended by the Sexuality, Sex and Gender Diversity Advisory Committee as detailed in this report.*
- (2) *Demonstrates support for Darebin's LGTIQ community by endorsing statements recommended by the Sexuality, Sex and Gender Diversity Advisory Committee as detailed in this report.*

**15 May**

*In support of Darebin's LGBTIQ communities, Council resolves:-*

- (1) *As part of Council's Community Support program for 2017/2018, an allocation of \$20,000 is made specifically for initiatives that support the goal of making Darebin safer or more inclusive for LGBTIQ people. This should include: (a) promotion to local LGBTIQ community groups, and (b) encouraging a range of applications including initiatives to support young people, rainbow families, older residents, multicultural residents, Aboriginal residents and initiatives that enable allies to make our communities more inclusive for LGBTIQ people.*

- (2) *To Raise and fly the rainbow flag at City Hall from IDAHOBIT Day, Wednesday 17 May 2017, until marriage equality legislation is passed by federal parliament. This should be coupled with:*
- (a) *Printed or online information explaining that Darebin council is flying the rainbow flag in solidarity with LGBTIQ communities and in protest of inequitable laws that affect Darebin residents, and*
  - (b) *A physical or online indicator be established to mark progress around the world towards marriage equality.*
- (3) *That the flying of the rainbow flag does not apply to specific days throughout the year when other ceremony flags have been requested to be flown.*

## Summary

Goal 5 – Involving our diverse community

Darebin Equity and Inclusion Framework 2018-2028 (Draft)

## Summary

The Rainbow flag is a widely recognised, international symbol of the LGBTIQ community and by extension, it represents this community's desire for full and equal rights.

In May 2017 and just prior to IDAHOBIT, Council resolved to keep the rainbow flag flying above Preston City Hall until the Marriage Act was changed by the Federal Parliament to allow LGBTIQ Australians to marry.

The intention was to make visible Council's support for marriage equality and also highlight the passing of time in the campaign for equality. The Rainbow flag continues to fly above Preston City Hall.

Now that the Marriage Act has been changed and marriage equality achieved, consideration of options for the Rainbow flag is required.

<b>Recommendation</b>
-----------------------

**That Council:**

- (1) De-install the Rainbow flag (raised in May 2017 in support of Marriage Equality) and transfer it as a significant heritage object to the Darebin Heritage Library Collection, with an associated commissioned story that captures and preserves in perpetuity Council's progress in its support for the LGBTIQ community including the achievement of marriage equality.
  - (2) Continue to fly a Rainbow flag around the key annual dates of Midsumma and IDAHOBIT, and at any other times as agreed.
- 

## Introduction

Since 2015 the Rainbow flag has been raised annually above the Preston Civic Centre as part of the official Council event to acknowledge IDHAHOBIT (International Day Against Homophobia, Biphobia and Transphobia) on 17 May.



In May 2017 and just prior to IDAHOBIT, Council resolved to fly the Rainbow flag above the Preston City Hall until the Marriage Act was changed by the Federal Parliament to allow LGBTIQ Australians to marry.

### Issues and Discussion

Following the implementation of the changes to the Marriage Act, it is appropriate to consider the options to capture the significant history surround the flying of the Rainbow flag by Council.

Council's first Sexuality, Sex and Gender Diverse Action Plan was enacted in 2012 and our inaugural Sexuality, Sex and Gender Diversity Advisory Committee has met quarterly since then.

Council has publicly supported marriage equality since 2015. We are an official supporter of the *No To Homophobia* campaign and have been since 2015, and have pledged to "Stand up against homophobia, biphobia and transphobia. Always."

Council support for marriage equality is based on our commitment to a community free from discrimination, with respect and dignity for all. LGBTIQ people make up a significant proportion of Darebin's population and we have a legal responsibility to support and advocate for our community.

In 2016, Council reaffirmed its support for marriage equality via a free vote in Parliament.

In May 2017 and just prior to IDAHOBIT, Council resolved to keep the Rainbow flag above the Preston City Hall until the Marriage Act was changed by the Federal Parliament to allow LGBTIQ Australians to marry.

The Marriage Act has now been changed and marriage equality achieved (effective 8 January 2018).

As per the May 2017 resolution, the flag was due to come down but has continued to fly above the Preston City Hall during the Midsumma Festival Period (14 January 2018 to 4 February 2018) as an interim measure until resolution on future direction.

### Options for Consideration

The following options have been identified:

- Option 1

Place the physical Rainbow flag in the Darebin Heritage Library Collection with a commissioned story that captures and preserves in perpetuity Council's progress in its support for the LGBTIQ community including the achievement of marriage equality. This would provide multiple access points for the public to read about the story of the flag, understand Council's actions and their historical context, and download associated images. A replacement flag would need to be purchased should this option be progressed.

- Option 2

Continue to fly the Rainbow flag around the key annual dates of Midsumma and IDAHOBIT, and at any other times as agreed/endorsed.

- Option 3  
Fly the Rainbow flag as a permanent fixture on an additional flagpole alongside existing flags, in order to continually affirm Council's commitment to recognise and uphold the rights of the Darebin LGBTIQ community. (A new flagpole would need to be commissioned at Preston Civic Centre should this option be progressed).
  
- Option 4 (Officer Support)  
A combination of Option 1 and 2 above, that is; Place the physical Rainbow flag in the Darebin Heritage Library Collection with a commissioned story that captures in perpetuity Council's progress in its support for the LGBTIQ community including the achievement of marriage equality. This would provide multiple access points for the public to read about the story of the flag, understand Council's actions and their historical context, and download associated images. And;  
  
Fly a Rainbow flag around the key annual dates of Midsumma and IDAHOBIT, and at any other times as agreed.

### **Financial and Resource Implications**

All options involve negligible costs that are able to be managed via operational budgets.

### **Risk Management**

There are no risks identified in this paper.

### **Policy Implications**

#### **Economic Development**

Nil

#### **Environmental Sustainability**

Nil

#### **Human Rights, Equity and Inclusion**

Council support for flying of the Rainbow flag is based on our commitment to a community free from discrimination, with respect and dignity for all. LGBTIQ people make up a significant proportion of Darebin's population and we have a legal responsibility to support and advocate for our community.

#### **Other**

There are no other factors which impact on this report.

### **Future Actions**

- Communication with external and internal stakeholders including SSGD Advisory Committee, VLGA, Cities of Yarra, Banyule and Moreland.

**Consultation and Advocacy**

- Coordinator, Equity and Diversity
- Human Rights Officer
- Diversity Policy Officer
- Manager, Advocacy and Communication
- Manager Families Diversity and Community
- Victorian Local Governance Association
- Banyule, Moreland and Yarra Councils

**Related Documents**

- Sexuality, Sex and Gender Diverse Action Plan 2018-2020

**Attachments**

Nil

**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 ENDORSEMENT OF NEW MEMBERS OF THE DAREBIN SEXUALITY, SEX AND GENDER DIVERSE ADVISORY COMMITTEE

**Author:** Coordinator Equity and Diversity

**Reviewed By:** Acting Director Community Development

#### Report Background

This report proposes the appointment of three new members of the Darebin Sexuality, Sex and Gender Diverse Advisory Committee (SSGDAC).

#### Previous Council Resolution

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

#### Council Plan Goal/Endorsed Strategy

Goal 5: Involving our diverse community

Darebin Sexuality, Sex and Gender Diversity Action Plan 2012-2016 (extended to 2017).

#### Summary

An expression of interest process has been undertaken to recruit community members from/connected to Darebin's LGBTIQ community to three vacant positions on the SSGDAC.

The applications received and officer evaluation against the selection criteria has been provided to Councillors separately as a confidential document (in accordance with Privacy Legislation).

This report is to advise Council of the three people selected by the panel and seeks Council endorsement of each of these people as new appointees to the SSGDAC.

#### Recommendation

**That** Council appoints:

- (a) \_\_\_\_\_
- (b) \_\_\_\_\_
- (c) \_\_\_\_\_

to the Sexuality, Sex and Gender Diversity Advisory Committee for a three year term commencing 27 February 2018.

#### Introduction

- The SSGD Advisory Committee was established in response to a Council resolution on 5 March 2012.
- The purpose of Darebin's SSGD Advisory Committee is to advise Council on issues and barriers to equality affecting people in the City of Darebin who identify as lesbian, gay, bisexual, transgender, intersex or queer (LGBTIQ).

- Members of Darebin's SSGD Advisory Committee also promote and advocate for equality and social inclusion of the SSGD community within the wider context of the Darebin community, and raise awareness about sexuality and sex and gender diversity as facets of social diversity.
- As required by the Terms of Reference, membership of SSGD Advisory Committee seeks to be reflective as much as possible in terms of representation of the various groups that form the LGBTIQ community.
- Membership comprises of:
  - A nominated Darebin Councillor
  - One Council officer, and others as required, whose role supposes understanding the specific challenges and barriers to equality facing LGBTIQ communities and who can implement actions to address issues raised by the Committee
  - A minimum of two representatives from community-based organisations that support LGBTIQ communities on a range of issues
  - Up to ten community members representing the diversity of the Darebin LGBTIQ community
- The Terms of Reference stipulate that appointments to the Committee are for a period of three years. Members have the option to reapply for a further three years (once only).

### **Issues and Discussion**

The Sexuality, Sex and Gender Diversity Advisory Committee requires the recruitment of three additional members in order to:

- Fill vacancies created by the resignation of two members in the past 12 months; and also
- Expand the diversity of community representation within the Committee membership

At its November 2016 meeting, SSGD Advisory Committee members identified the need for greater committee representation of people who are transgender or gender diverse in order to better reflect the full spectrum of sexuality, sex and gender diversity.

The same discussion also identified a need to broaden the diversity of the committee to better reflect the Darebin community in terms of age, gender, Aboriginal or Torres Strait Islander heritage, cultural diversity and (dis)ability.

An EOI process was developed and the opportunity advertised via LGBTIQ-focussed networks, organisations, community groups and media outlets as well as in local media and through Council's multicultural, multifaith, Aboriginal and Torres Strait Islander, youth and disability networks. Promotion (face-to-face) at Midsumma Carnival via Council's stall was particularly useful and successful.

### **Options for Consideration**

- (1) Appoint new members as recommended.
- (2) Not appoint members - means that SSGDAC will continue to meet and operate but decisions including any recommendations to Council may not fully reflect the diversity of Darebin's LGBTIQ community or the diversity within the Darebin community more broadly.

(3) Not endorse one (or more) of the applicants.

### **Financial and Resource Implications**

This report has no financial or resource implications.

### **Risk Management**

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

### **Policy Implications**

#### **Economic Development**

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

#### **Environmental Sustainability**

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

### **Human Rights, Equity and Inclusion**

Increasing the diversity of the Sexuality, Sex and Gender Diversity Advisory Committee will strengthen Council's human rights, equity and inclusion work by ensuring a broader diversity of voices and perspectives to guide Council's decision-making.

### **Other**

There are no other factors which impact on this report.

### **Future Actions**

- CEO to formally write to successful applicants to advise them of their appointment to the SSGD Advisory Committee.
- Officers to notify unsuccessful applicants.

### **Consultation and Advocacy**

- Consultation with SSGD Advisory Committee members (meeting Tuesday 28 November 2017)
- Coordinator, Equity and Diversity Unit
- Coordinator, Health and Wellbeing Unit
- Human Rights Officer
- Diversity Policy Officer
- Youth Services Engagement Officer

### **Related Documents**

- Council resolution to establish a Sexual Orientation Advisory Committee – 15 August 2011
- Council resolution to change name of Committee to Sexuality, Sex and Gender Diversity Advisory Committee – 15 April 2013.
- Sexuality, Sex and Gender Diversity Advisory Committee Terms of Reference 2015.

- The Charter of Human Rights and Responsibilities Vic 2006.
- Darebin Equity and Inclusion Policy 2012-2016 (extended to 2017)
- Darebin Sexuality, Sex and Gender Diversity Action Plan 2012-2016 (extended to 2017)

### **Attachments**

- Terms of Reference - Sexuality, Sex and Gender Diverse Advisory Committee  
(**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.





**Sexuality, Sex and Gender Diversity  
Advisory Committee**

**TERMS OF REFERENCE**

## Sexuality, Sex and Gender Diversity Advisory Committee

### TERMS OF REFERENCE

#### 1. Introduction and background

Darebin's Sexuality, Sex and Gender Diversity (SSGD) Advisory Committee aims towards realising and developing equality for all in Darebin regardless of sexuality, sex or gender identity (in Council's view, this is inclusive of intersex status). The Committee supports Darebin City Council's commitment to achieving social inclusion, recognising sexual orientation and sex and gender diversity as significant aspects of community diversity, and to enhancing the capacity of Council to address barriers to equality that lesbian, gay, bisexual, transgender, intersex and queer (LGBTIQ) residents face.

The establishment of Darebin's SSGD Advisory Committee is in response to the identified need to:

- Build Council's organisational competence in working with LGBTIQ communities through a better understanding of issues and facts
- Support Council's community engagement with local LGBTIQ groups and communities
- Build Council staff confidence in designing accessible and equitable services, policies and programs that engage LGBTIQ communities
- Engage Council in a discussion about its role in addressing and reducing homophobia, biphobia and transphobia and other forms of sex or gender identity based discrimination in the community

At a Council meeting held on 15 August 2011, Council made the resolution to:

[...]

*(3) Establish a Sexual Orientation Advisory Committee and advertise for community members to apply and that Council receive a further report with the proposed members and terms of reference.*

[...]

The Darebin Same-Sex Attracted and Gender Diverse advisory committee was established in response to this resolution on 5 March 2012.

At members' request, and to use more inclusive language that reflects the fact that everyone in our community has a sexuality and sex and gender identity, the committee changed its name to become the Sexuality, Sex and Gender Diversity Advisory Committee (Council resolution 15 April 2013).

#### 2. Purpose and objectives of SSGD Committee

The purpose of Darebin's SSGD Advisory Committee is to advise Council on issues and barriers to equality affecting people in the City of Darebin who identify as, lesbian, gay bisexual, transgender, intersex or queer (LGBTIQ). Members of Darebin's SSGD Advisory Committee will also promote and advocate for equality and social inclusion of the SSGD community within the wider context of the Darebin community, and raise awareness about sexuality and sex and gender diversity as facets of social diversity.

##### 2.1 Policy context

Darebin's SSGD Advisory Committee supports Darebin City Council's goal articulated in the Council Plan 2013-2017 of a "Healthy and Connected community" where people live free from discrimination. It contributes to upholding Council's broad understanding of diversity highlighted in the Council Plan's Diversity Statement:

*"The City of Darebin is today home to people of diverse races, ethnicities, faiths and beliefs, abilities, gender, talents and aspirations, sexualities and sex and gender identities, age and occupations, income and lifestyles. The community of Darebin cherishes this diversity and values it as an important civic asset. Council plays a role in promoting, encouraging, fostering and harnessing this asset and giving it the opportunity to flourish and be celebrated, acknowledged and respected."*

Darebin's SSGD Advisory Committee also supports Council's commitment to complying with its obligations under the *Victorian Charter of Human Rights Act 2006*, the *Victorian Equal Opportunities Act 2010* and federal anti-discrimination law, notably the *Sex Discrimination Amendment (Sexual Orientation, Gender Identity Intersex Status) Act 2013*.

Finally, the committee supports the implementation of Darebin's *Equity and Inclusion Policy 2012-2015* and *Community Health and Wellbeing Plan 2013-2017*, both of which reflect Council's commitment to principles of equity, diversity, social justice and freedom from discrimination, as well as the implementation of the *Darebin Sexuality, Sex and Gender Diversity Action Plan 2012-15*

## 2.2 Guiding principles

The guiding principles of Darebin's SSGD Advisory Committee are grounded in a social inclusion and human rights based framework, affirming:

- That all residents who live, work or study in Darebin have the right to equal access to services, projects and programs initiated by Darebin City Council and to participate in all aspects of civic life, regardless of sexuality, sex or gender identity
- The rights of all members of LGBTIQ communities in Darebin to observe their own sexuality and cultural practices without fear of discrimination or any form of social disadvantage
- The need for continued awareness raising, advocacy and community based action to address barriers to equality facing members of LGBTIQ communities

## 2.3 Objectives

The objectives of Darebin's SSGD Advisory Committee are:

- To provide Council and other local community-based service providers with an effective channel of communication to reach LGBTIQ communities
- To promote recognition and enhance understanding about sexuality and sex and gender diversity as aspects of social diversity and about barriers to equality facing LGBTIQ communities
- To represent the specific requirements and interests of LGBTIQ residents to Council and advise Council on these
- To contribute to the development, implementation, monitoring and evaluation of Council policies, projects and services that impact or that may potentially impact LGBTIQ communities
- To contribute to the implementation and evaluation (and further planning and development as required) of the Darebin Sexuality, Sex and Gender Diversity Action Plan 2012-15.

### 3. Membership

Membership of SSGD Advisory Committee will seek to be reflective as much as possible in terms of representation of the various groups that form the LGBTIQ community.

Membership will comprise of:

- A nominated Darebin Councillor
- One Council officer, and others as required, whose role supposes understanding the specific challenges and barriers to equality facing LGBTIQ communities and who can implement actions to address issues raised by the Committee
- A minimum of two representatives from community-based organisations that support LGBTIQ communities on a range of issues
- Up to ten community members representing the diversity of the Darebin LGBTIQ community

Apart from Councillor(s) and officers, the committee's membership should not exceed twelve.

#### 3.1. Membership diversity

The committee should reflect the full diversity of the Darebin LGBTIQ community, first in terms of sexualities and sex and gender identities and second in terms of age, ability, Indigenous status, cultural and linguistic background, education and income levels, employment status, carer role, etc. This will be a key consideration in the selection and recruitment of members. The Committee will seek to build and reflect diversity within membership and be inclusive in practice.

#### 3.2. Reimbursement of members' expenditures

To allow diverse participation, Council will support participation through provision of assistance for childcare, transport or other specific needs (interpreting, assistant support...) as required.

Application for assistance should be made at the expression of interest stage (see 4.1 below), but can also be made at any time if changing circumstances mandate it.

#### 3.3. Role of members

Members of the SSGD Advisory Committee will fulfil their role by:

- Providing input, views and advice on the implementation of the *Darebin Sexuality, Sex and Gender Diversity Action Plan 2012-2015* and contributing to the planning, implementation and evaluation of a range of projects where relevant
- Advising Council on barriers to equality facing LGBTIQ communities with a view to supporting Council in enhancing all aspects of its business including the development of new policies and strategies, projects, services, communications and workforce development
- Assisting in shaping and promoting a range of projects (e.g. Council's participation at Midsumma Carnival and Pride March and celebrations of International Day against homophobia, biphobia and transphobia),
- Facilitating Council's engagement with the community and assisting Council to connect with Darebin LGBTIQ residents and to take into account, balance and reflect the different perspectives and requirements of all groups that form the LGBTIQ community

#### 4. Terms and method of nomination

##### 4.1 Method of nomination

Nomination for the appointment of members of the SSGD Advisory Committee will be called through an expression of interest process. The process will be advertised widely through appropriate promotion (including a public notice in local newspapers, promotion on Council's website...) and by communication to LGBTIQ organisations and community groups and other community groups.

- All appointments will be determined by Council.
- If a member does not attend at least two (2 i.e. half of the minimum number of meetings to be held) meetings per year without prior notification being given, their position may be considered vacant.
- Irrespective of the reason for it, if a vacancy occurs, it will be filled at the discretion of Council and made effective through a letter signed by Council's Chief Executive. Members nominated to fill a vacancy are appointed for the remainder of the term of current members only.

##### 4.2 Terms of appointment

Appointments to the Committee will be for a period of three years. Three months prior to the end of this term, the supporting officer will review appointment and a subsequent expression of interest will be invited. Members will have the option to reapply for a further three years (once only). All nominations will be subject to Council approval.

#### 5. Meetings and procedures

The SSGD Advisory Committee will meet at Council's offices a minimum of four (4) times a year, with the possibility to organise additional meetings as required.

Dates and times of the meetings will be determined by Council, taking into consideration members' constraints. Assistance with attendance might be offered (see 3.2. above) to allow diversity in participants.

##### 5.1. Chairperson

A nominated Councillor will act as Chair of the Committee. In the absence of Councillors at a meeting, the Committee members will determine to appoint a Chair for the purposes of conducting the meeting.

The responsibilities of the Chair include:

- Guiding the meeting according to the agenda and time available,
- Facilitating fruitful discussions, with care not to enter into operational matters and ensuring members understand these are outside of the scope of the committee,
- Assisting members to abide by the Code of conduct (see 5.4. below), including by taking action in case of breaches,
- Reviewing and approving minutes before distribution as needed,
- Where appropriate, updating Council on the progress and discussions of SSGDAC, e.g. through Councillors' reports at Council meetings.

##### 5.2. Officer support

Darebin City Council's Diversity Policy Officer will take responsibility for providing executive support to the Committee including provision of meeting agendas and minutes.

Committee agendas will be forwarded to SSGDAC members by email no later than one week (five working days) before a scheduled meeting.

Minutes will be provided to Committee members no later than two weeks (ten working days) after a scheduled meeting, including details of proceedings and clearly expressed resolutions (where applicable), and including relevant documentation as attachments where necessary.

Records of agendas and minutes will be maintained in accordance with *Public Records Act* requirements.

### 5.3. Recommendations to Council

The role of the Darebin Sexuality, Sex and Gender Diversity Advisory Committee is to provide **advice** to Council. As such it does not have any decision-making powers.

Where the committee wishes to make recommendations to Council, a consensus of all members present will be sought.

In the absence of such consensus, and provided there is a **quorum of at least half of the members** (apart from Councillor(s)/Chair and officer(s)) present at the meeting, the recommendation will be put to a vote with the majority recommendation being endorsed as the committee's. Officers can never take part in the vote. In the event of a tie, the Chair may exercise a casting vote.

It is up to the supporting officer to follow up on the Committee's recommendation, including deciding on the most appropriate means to report back on it to Council or internal departments.

The Committee **does not have an operational role and may not direct Council staff** in the performance of their duties.

### 5.4. Conduct of Committee members

Members will:

- act honestly and treat others with respect. Failure to do so will be dealt with by the Chair as appropriate
- exercise reasonable care and diligence
- not make improper use of their position or make improper use of information acquired because of their position

Where there is a requirement for confidentiality, this is to be noted in the minutes if the matter arises during a meeting, or made clear to members if arising in communication outside of a meeting (e.g. provision of a draft policy ahead of a meeting, for discussion and feedback at the meeting), and addressed accordingly.

Members must disclose a conflict of interest in relation to any matter the Committee is concerned with or that the committee will, or is likely to, consider or discuss. The conflict of interest, including the nature of the relevant interest, must be disclosed before the matter is considered and must be recorded in the minutes.

Members of Darebin SSGD Advisory Committee are **not authorised to speak to the media or make public statements on behalf of the Committee (and much less Council)**, unless the member is a Councillor. In that case, any engagement with the media will be in accordance with Council's standard media and communications policy.

Members are authorised to disclose general information such as objectives of the Committee, membership procedures, list of activities and information in regard to any issues that have already been previously dealt with and approved in the Committee's discussions.

Members must ensure that new issues raised by the public or community are brought back to the Committee for consideration before any public information or response is provided in relation to the issue.

## **6. Monitoring and evaluation**

Operations of the SSGD Advisory Committee will be evaluated annually via a number of methods (including reflective self-evaluation of the Committee) to ensure that the Committee is achieving its objectives. Results of the evaluation will be reported in an annual progress report submitted to Council detailing the Committee's activities and achievements.

The Terms of Reference for the Committee are also required to be reviewed annually no later than October (prior to the Statutory meeting) and any changes are to be endorsed by Council.



**8.4 POLICY AND ACTION PLAN FOR ELIMINATION OF SINGLE-USE PLASTIC**

**Author:** Coordinator Water and Waste Strategy

**Reviewed By:** General Manager Operations and Capital

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**Report Background**

This report is in response to Council's resolution of Monday 5 June 2017 regarding the elimination of single-use plastic.

**Previous Council Resolution**

At its meeting held on 5 June 2017, Council resolved:

*'That:*

- (1) Council notes the Environment and Planning Committee are scheduled to table a further report on the Environment Protection Amendment (Banning Plastic Bags, Packaging and Microbeads) Bill 2016 to Parliament on 8 June 2017.*
- (2) Officers develop a policy and action plan, with the aim of eliminating the use of single use plastic bags, all plastic glasses, straws, cutlery, food boxes and coffee cups at Council events. In addition, the policy and action plan should to be actioned by 31 December 2017. The policy should consider the elimination of single use items used at all Council run events, including but not limited to organised or formal sports and recreational events, markets conducted on Council land, buildings and or roads managed by Council. In addition, Officers develop and implement a policy to ensure stallholder guidelines reflect the changes above.*
- (3) Council implements a communication and education campaign that encourages the community and traders across the municipality to eliminate single use items.*
- (4) Pending the outcome of the Environment Protection Amendment (Banning Plastic Bags, Packaging and Microbeads) Bill 2016, Council seeks advice from Officers on the possibility of banning plastic bags through Councils General Local Law.*
- (5) Officers run a competition for local schools to create a logo and/or introduce a fictional character for Council to use on advertising material, including the use on emails and websites, with the aim of promoting waste reduction and encouraging buyer and user behavioural change.*
- (6) Officers provide updates on the policy development, action plan, and design of the competition at Councillor briefings on a monthly basis.*
- (7) Council write to the management of Coles, Woolworths and other supermarket chains in Darebin requesting that they follow the example of Aldi stores of not supplying plastic bags to shoppers.*
- (8) Officers consider an amendment to the Council Plan and Action Plan to reflect the above objectives.'*

**Council Plan Goal/Endorsed Strategy**

Goal 1 - A sustainable city

Darebin Waste and Litter Strategy 2015-2025

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## Summary

This report responds to Council's resolution of 5 June 2017 on eliminating the use of single-use plastic. A Draft Policy (**Appendix A**) has been developed to support the elimination of single-use plastic items in Council operations and at events held on/in Council land/buildings/venues (Council sites), whether these events are run by Council or others. Transition periods of up to two years are identified to enable engagement and changeover arrangements for sporting clubs and contracted leisure facilities.

A comprehensive Action Plan has been developed to support the resolution to eliminate single-use plastic items. It is proposed to report results to Council after one year of implementation of the policy.

The competition for Darebin school students to create a logo or fictional character campaign image for single-use plastic reduction was judged in November 2017. The winning entry from Maeve Gunning, Year 6 Bell Primary School, may be used to support the community and traders campaign encouraging single-use plastic elimination. This will occur after the Action Plan implementation and the State Government announces its actions and timelines on single-use plastics ban in Victoria.

<b>Recommendation</b>
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**That** Council adopts the Single-Use Plastic Free Events Policy attached as **Appendix A** to this report.

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## Introduction

At its meeting of 5 June 2017 Council passed an eight-part resolution with the aim of eliminating the use of single-use plastic in Council and Darebin.

This report focuses on the following two actions from this resolution:

- Develop a policy and action plan with the aim of eliminating the use of single-use plastic items at Council run events, including but not limited to organised or formal sports and recreational events, markets conducted on Council land, buildings and or roads managed by Council and a policy to ensure stallholder guidelines reflect these changes.
- A competition for local schools to create a logo/fictional character for Council to use to promote waste reduction and encourage buyer and user behavioural change.

The other actions have either been completed or will be the subject of future advice. This includes:

- Letters have been sent to the Victorian Government advocating for the Plastic Bags Ban.
- Letters have been sent to Coles, Woolworths and other supermarket chains in Darebin requesting they not supply single-use plastic bags.
- Amendments were made to the Council Plan and Action Plan to reflect the elimination of single-use plastic items resolution and actions.
- On 18 October 2017 the State Government announced that legislation to eliminate single-use plastics bags will be introduced. Consultation is currently occurring on this.

A community and trader communication and education campaign will be developed following adoption of Council's Single-Use Plastic Free Events Policy and implementation of the Action Plans and after the State Government has announced its intended actions and timelines on single-use plastics bans in Victoria.

## Issues and Discussion

### Draft Single-Use Plastic Free Events Policy

The Policy (**Appendix A**) is proposed to apply to anyone planning, running and approving events, conducted at Council owned or managed sites. Events include all civic, commercial or community events, all large and small scale events, meetings, functions, workshops, markets, festivals, expos, parties, information sessions, conferences and organised/formal sport or recreational events.

Key aspects of the Draft Policy are that:

- Single-use plastic bags are not to be used, sold or distributed for transportation or promotional purposes;
- Single-use plastic plates, bowls, cups, straws, cutlery and take away food containers are not to be used, sold or distributed;
- Single-use bottled water is not to be provided, sold or distributed by Council. Alternative, free access to water must be provided;
- Single-use disposable cups and lids are not to be used, sold or distributed by Council;
- All avoidable plastic packaging, including cling wrap, plastic bags or similar must not be used in the purchase, sale, distribution and transport of food or goods;
- Balloons are not to be used, sold or distributed;
- Event materials are to be reused where possible (including event signage and promotional banners and flags);
- The event site or venue must be left litter free and returned to pre-event conditions; and
- Event organisers are expected to play a key role in educating staff and audiences on single-use plastic free practices.

The Draft Policy allows exemptions for single-use plastic items where they are necessary to meet health and safety requirements, or where there are no other practical alternative products or distribution methods available. All exemptions require prior, written General Manager approval.

In the development of the policy and action plan the following three key issues were raised where there were specific concerns regarding potential adverse outcomes:

- Bottled water
- Single-use disposable cups
- Dog waste bags

These are discussed in the Options for consideration section below.

### Transition period for clubs and leisure facilities

The Draft Policy proposes a two-year transition period for sporting clubs and leisure contracted facilities to enable engagement around single-use plastic elimination.

Current leisure contracted facilities include: Northcote Aquatic and Recreation Centre, Darebin Community Sports Stadium, Darebin International Sports Centre, Sullivans Stadium, Northcote Golf Course and Bundoora Golf Course.

Engagement with these groups and venues will aim to ensure that the introduction of this policy does not result in less healthy food or drinks being consumed. The transition period and its outcomes will be monitored and reviewed at the Policy review date.

### Action Plan to Eliminate Single-Use Plastic

A comprehensive Action Plan has been developed collaboratively across Council, to establish the framework to support the resolution to eliminate single-use plastic items. The Action Plan outlines 170 actions required in order to implement the Draft Policy. Actions are prioritised, with required resources and implementation responsibilities clearly outlined.

The Action Plan is an operational document and will continue to be updated. New actions will be further developed as engagement with sporting clubs and contracted leisure facilities progresses. Six monthly progress reports will be provided to the Executive Management Team on progress against the Action Plan. A report will be provided to Council of actions and outcomes following the first year of implementation.

### Schools Image Competition

Council held a competition with Darebin schools for students to create a campaign image (for example – a logo or fictional character) on waste and single-use plastic reduction.

A total of 150 entries were received from students at seven schools, ranging from Prep to Year 10. No entries were received from Year 11 or 12 students. The judging panel, comprised of the Mayor, Deputy Mayor, a Darebin Environment Reference Group member and two Council officers selected winners from 15 shortlisted entries across three different age groups. Maeve Gunning, Year 6 Bell Primary School was the overall winner, with her drawing of the world seeking help asking us to say NO to single-use plastic (see image below). Other winners were Ava Sampson de Moiser (Year 2, Bell Primary School) and Ally Murray (Year 10, Northern College of the Arts and Technology).



Competition Winner Maeve Gunning,  
Year 6, Bell Primary School

Prizes were awarded to winners in December. The winning schools – Bell Primary School and Northern College of the Arts and Technology will receive their chosen environmental education sessions or items at a time that best suits them. The winning entry may be used to support the campaign with community and traders to encourage single-use plastic elimination.

## **Options for Consideration**

### **Bottled Water**

It takes up to 3-7 litres of water and a litre of oil to produce one litre of bottled water. These bottles are often only used once and frequently become litter. In Melbourne, we have some of the world's best and safest drinking water and as such, substituting single-use bottles for tap water doesn't impact on quality or taste.

Sales of bottled water are a current source of income for some Council venues and for some operators at Council events, in Council owned or Council managed venues (e.g. sporting clubs and food vendors).

Following Council's resolution in June 2017 some Council venues, including the Northcote Town Hall and Darebin Arts and Entertainment Centre, have already made water and reusable cups/glasses available to patrons. This is a good result but it is noted that there has been an impact on income.

For other organisations such as sporting clubs and large outdoor events, removing the ability to sell bottled water may impact income and raises concern that unhealthy substitutes may be chosen instead.

The following options were considered:

#### **Option 1: Cease all sale, provision or distribution of bottled water at Council events and in Council owned or Council managed sites**

This would apply regardless of whether the sale/provision/distribution of bottled water is being made by Council or by a leaseholder/stallholder (eg: sporting club or food vendor).

While this option most closely adheres with the resolution, there are financial and potential social implications for Council, sporting clubs, businesses, vendors etc. and potential health implications for those who may choose less healthy options if bottled water is unavailable.

#### **Option 2: Cease all sale, provision or distribution of bottled water by Council.**

Council venues would not sell or supply bottled water. Alternative, free access to water would be provided.

Sporting club, vendors at festivals and others participating in Council events or in events at Council sites would be permitted to continue bottled water sale and provision as normal. However, they will be required to consider and promote reusable options (eg: providing jugs and reusable glasses for patron's water use, promotion/supply of refillable drinking bottles etc.).

While this option does not meet the full requirements of the resolution, it allows for, vendors, sporting clubs and other community groups to continue to sell/provide/distribute bottled water as a healthier option for patrons and limits the impacts on their revenue.

**Option 2 is the recommended option included in the Draft Policy.**

### **Single Use Disposable Cups**

Paper single-use disposable cups that are commonly used in Council venues and events are predominantly lined with polyethylene – a single-use plastic. In large quantities this lining can contaminate paper recycling. In Council's residential and business recycling collections however currently the volume of disposable paper cups is small enough for this to be tolerated.

Other non-plastic, single-use options to paper coffee cups, are compostable or biodegradable cups. These cannot be recycled nor composted in Council's current kerbside collection services, so go to landfill.

Plastic disposable coffee cups, lids and wooden stirrers are used by Darebin Libraries in large amounts (\$9,000 annually) to provide a drinks service in libraries and for events. Changing to reusable cups, will have management, storage, wash-up and financial implications as significant investment is anticipated to enable changed practices (eg: purchase of dishwasher, crockery, cutlery, hire, transport equipment, shelving, staff time etc).

The following options were considered:

Option 1: Single-use disposable cups and lids are not to be used, sold or distributed at Council events and at Council owned or managed sites

This option most closely adheres with the resolution.

Under this option, participants may be unable to obtain a coffee, tea or other drinks, unless they bring their own cup, buy a reusable one on site, or the drink provider/seller also provides reusable cups and can accommodate washing.

Costs for Council to introduce this are identified as significant. Cost and other implications are also expected to be significant for local clubs, vendors or stallholders at Council events.

Option 2: Single-use disposable cups and lids are not to be used, sold or distributed by Council at Council events and at Council owned or managed sites. Others selling, distributing or providing drinks in single-use disposable cups must promote and consider: using or supplying/selling reusable cups, providing a discount for customers using re-usable cups and display promotional materials on reusable options.

Option 2 enables vendors at festivals, sporting clubs, leaseholders and others to continue to sell, provide and distribute drinks in single-use disposable cups at all Council sites and events. It does not impact on their sales and provides promotion and incentives for reusable options.

Council would provide leadership in Council-managed venues and buildings with the introduction of reusable cups through a staged approach subject to resourcing provided for storage, crockery and dishwashers.

**Option 2 is the recommended option included in the Draft Policy.**

### **Dog Waste Bags**

Council currently provides biodegradable dog waste bags in selected Council parks in line with the Waste and Litter Strategy 2015-2025 best practice waste management. This costs \$12,000 annually for bags, maintenance and staffing. The bags currently go to landfill as our organics waste processor is not licensed to compost dog waste.

An option to discontinue provision of bags was considered but is not recommended as dog waste is a large litter problem and is a pollutant of waterways.

The Draft Policy proposes that this practice continue. An education campaign encouraging the reuse of suitable bags from home, rather than Council provided bags, is proposed. Council officers will continue to investigate alternative, non-plastic solutions which address health and environmental issues.

### **Financial and Resource Implications**

Estimated costs have been based on actions outlined in the Action Plan to date and there may be further costs relating to transition actions still under development.

Costs for Year 1 are estimated at \$162,000 with costs estimated at \$70,000 annually across Years 2 - 4. A major cost in Year 1 (\$80,000) is the installation of commercial dishwashers. There are some small savings from ceasing buying of disposables which have offset some of the costs.

### **Risk Management**

Risks are anticipated to centre chiefly on satisfaction or dissatisfaction with Council's Final Policy on single-use plastic elimination and its implementation. Risks will be mitigated through clear communication, detailed engagement (as proposed for contracted leisure venues and clubs), longer transition periods and support for transitioning to single-use plastic free events/venues/sites. Clear Action Plans also support this.

### **Policy Implications**

#### **Economic Development**

No significant impact on economic development is anticipated as a result of this report. Dependent on Council's decisions, the Final Policy may potentially impact on sales of bottled water and drinks in single-use disposable cups for vendors, leaseholders, sporting clubs and others participating in festivals and events at Council sites.

#### **Environmental Sustainability**

Single-use plastic has many negative environmental, social and economic impacts. Estimates indicate Australians use four to six billion single-use plastic bags annually, with only 3% of these recycled and 80 million ending up as litter. Plastic does not biodegrade, it only breaks down into smaller pieces, becoming microplastics, which are now found in marine and human food chains. The impact of plastic is of growing global concern.

#### **Human Rights, Equity and Inclusion**

There are no factors in this report which impact on human rights, equity and inclusion.

#### **Other**

There are potential health impacts if vendors/clubs/leaseholders and others are unable to provide bottled water at events on Council sites. This is particularly so if other access to water is not provided at these events/sites. The result may be – people go without water or a less suitable and healthy option is chosen. This may also be similar if sale of healthy food in single-use plastic is replaced by sale of less healthy options.

**Future Actions**

- Continue to update Council's Action Plan to Eliminate Single-Use Plastic
- Monitor and provide feedback on the State Government's ban on single-use plastic bags
- Commence community and trader communication and education campaign following adoption of Council's Single-Use Plastic Elimination Policy and implementation of Council's Action Plans and after the State Government has announced its intended actions and timelines on single-use plastics bans in Victoria.
- Defer the provision of advice to Council on the possibility of banning plastic bags through a General Local Law until the State Government has announced its intended actions and timelines and the above community and trader campaign has been undertaken.

**Consultation and Advocacy**

- Darebin Environmental Reference Group (consulted regarding recommended options)
- Parks and Gardens
- Aged and Disability
- Community Experience and Learning
- Creative Culture and Events
- Families, Diversity and Communities
- Civic Services
- Procurement and Contracts
- Property Management
- Public Places
- Leisure and Community Facilities

**Related Documents**

- Council Plan 2017-2021
- Council Plan Action Plan 2017-2018
- Darebin Waste and Litter Strategy 2015-2025

**Attachments**

- Single-Use Plastic Free Events Policy (**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.





# Single-Use Plastic Free Events Policy

February 2018

<b>Objective Document ID Number</b>	A2488501
<b>Responsible Officer</b>	Manager Environment and Community Outcomes
<b>Custodians</b>	Environment and Community Outcomes
<b>Endorsed by Date and Person</b>	
<b>Date/s Issued and/or Communicated</b>	
<b>Date to be Reviewed</b>	February 2019
<b>Version Number</b>	1.0

**Darebin City Council**  
Single-use Plastic Free Events Policy

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### 1. Objectives

The purpose of this policy is to set out Council's commitment to eliminate single-use plastic at events run by Council and events held on Council land, in Council buildings, Council venues or on roads managed by Council.

### 2. Background

Darebin City Council's Single-use Plastic Free Events policy has been developed in response to a resolution passed by Council on June 5<sup>th</sup>, 2017 which requires:

*Officers [to] develop a policy and action plan, with the aim of eliminating the use of single-use plastic bags, all plastic glasses, straws, cutlery, food boxes and coffee cups at Council events. In addition, the policy and action plan should be actioned by 31 December 2017. The policy should consider the elimination of single use items used at all Council run events, including but not limited to organised or formal sports and recreational events, markets conducted on Council land, buildings and or roads managed by Council. In addition, Officers develop and implement a policy to ensure stallholder guidelines reflect the changes above.*

Single-use plastic has many negative environmental, social and economic impacts. It is estimated that annually Australians use four to six billion single-use plastic bags alone, with only 3% of these being recycled and 80 million of these ending up as litter. Globally, at least 8 million tonnes of mishandled plastic waste washes into our oceans and rivers each year.

Plastic does not biodegrade; rather it breaks down into ever-smaller pieces. Recent evidence shows that microplastics – tiny plastic fibres and fragments – are being found in marine and human food chains and their impacts are a growing concern.

Council has made a commitment to minimise the harmful effects of single-use plastic items by eliminating their use from Council run events and events held at Council sites.

### 3. Scope

The policy applies to Council staff, contractors or other Council representatives engaged in the operation of Council business; all events and individuals or organisations planning, organising, running, and/or approving events, conducted in or on Council owned or managed sites. This includes, but is not limited to, all civic, commercial or community events; all large and small scale events, meetings, functions, workshops, markets, festivals, expos, parties, information sessions, conferences and organised/formal sport or recreational events.

The policy covers single-use plastic items used in purchasing, packaging, sales, distribution, transportation or clean-up practices associated with events.

#### **Darebin City Council**

Single-use Plastic Free Events Policy

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The policy exempts single-use plastic items necessary to meet health and safety requirements, or where there are no other practical alternative products or distribution methods available. All exemptions require prior, written General Manager approval.

#### 4. Definitions

**Civic event** – any event organised by Council staff.

**Council sites** – Buildings, venues, land, roads or any other location owned or managed by Council.

**Event** – any planned activity that occurs in a certain place, during a certain time, which involves a small or large gathering of people and has some level of impact on the immediate surroundings.

**Contracted Leisure facilities** – include Northcote Aquatic and Recreation Centre, Darebin Community Sports Stadium, Darebin International Sports Centre, Sullivan Stadium, Northcote Golf Course and Bundoora Golf Course.

**Single-use plastic bag** – a type of disposable bag or pouch, often used only once or for a short period of time, made of thin, flexible, plastic film, used for containing and transporting goods.

**Single-use plastic items** – any disposable plastic products used only once or for a short period of time, including but not limited to plastic bags, cups, bowls, plates, cutlery, take away containers, bottled water, cling wrap, straws and balloons and other similar items. For the purpose of this Policy, it also applies to disposable paper (coffee) cups with plastic linings and/or lids.

#### 5. Policy

Organisations or individuals planning, organising, running and/or approving Council events or events conducted at Council sites must ensure the following event requirements are met:

- Single-use plastic bags are not to be used, sold or distributed for transportation or promotional purposes;
- Single-use plastic plates, bowls, cups, straws, cutlery and take away food containers are not to be used, sold or distributed;
- Bottled water is not to be provided, sold or distributed by Council. Alternative, free access to water must be provided;
- Single-use disposable cups and lids are not to be used, sold or distributed by Council;
- All avoidable plastic packaging, including cling wrap, plastic bags or similar must not be used in the purchase, sale, distribution and transport of food or goods;
- Balloons are not to be used, sold or distributed;

- Event materials are to be reused where possible (including event signage and promotional banners and flags);
- The event site or venue must be left litter free and returned to pre-event conditions; and
- Event organisers must play a key role in educating and guiding their event staff and audience on single-use plastic free practices. This includes considering whether single-use plastic items are needed in the first instance, providing useful information, and promoting reusable alternatives.

Sporting clubs, food and other vendors at festivals and others participating in Council events on/in Council land/buildings are permitted to provide, sell or distribute single-use bottled water and disposable cups. However, they must promote and consider using and supplying/selling reusable options (eg: providing jugs and reusable glasses for patrons' water use, promote/sell/supply refillable drinking bottles or reusable cups etc); provide a discount to those choosing reusable cups (eg: bringing their own); and display promotional materials on reusable options.

Council officers will support and assist organisations or individuals organising an event to comply with this policy, however, if there is poor adherence to this policy, officers may recommend that these events not be supported or approved by Council in the future. Events on Council managed land will need to commit to comply with the policy before any Council sponsorship for that event is approved.

## **6. Exemptions**

Exemptions to this policy may be made for health and safety reasons or where there is no other practical alternative product or distribution method available. All exemptions require prior, written General Manager approval.

The exemption process, including keeping of exemption records, will be established by Environment and Community Outcomes following adoption of this policy.

## **7. Policy Commencement and Transition Period**

This policy will commence once approved by Council.

A transition period will apply to enable Council Teams and Departments to fully implement their Single-use Plastic Action Plans. The transition period that applies is identified in each of the Council Departmental Action Plans.

An initial two year transition period from the approval date of this policy specifically applies to sporting clubs, and leisure contracted facilities to allow for the transition to the Policy requirements. During this transition period Council officers will work with these clubs and facilities to assist in planning. This transition period policy condition will be monitored and reviewed at the first policy review.

### **Darebin City Council**

Single-use Plastic Free Events Policy

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**8.5 CLIMATE EMERGENCY DAREBIN****Author:** Manager Environment and Community Outcomes**Reviewed By:** General Manager Operations and Capital

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**Report Background**

In February 2017 Council adopted Terms of Reference for the establishment of the Darebin Energy Foundation as an interim committee tasked with determining the most appropriate governance model for a foundation. This report outlines the work of the interim committee and makes recommendations about future actions.

**Previous Council Resolution**

At its meeting held on 27 February 2017 it was resolved that Council:

- (1) *Adopt the terms of reference in Appendix C for the Darebin Energy Foundation and appoints the following Councillors as representatives for the Foundation: Councillor Gaetano Greco (Latrobe Ward), Councillor Lina Messina (Cazaly Ward) and Councillor Susan Rennie (Rucker Ward) and the Mayor.*
- (2) *Refer \$25,000 for the operation of the Darebin Energy Foundation to the 2017-2018 budget considerations.*
- (3) *Considers a further report regarding the most effective long term Darebin Energy Foundation governance model by February 2018.*
- (4) *Adopt the terms of reference in Appendix D and appoints the following Councillors as representatives for the Darebin Nature Trust: Councillor Susanne Newton (Latrobe ward), Councillor Steph Amir (Cazaly Ward) and Councillor Trent McCarthy (Rucker Ward) and the Mayor.*
- (5) *Refer \$25,000 for the operation of the Darebin Nature Trust to the 2017-2018 budget considerations.*
- (6) *Considers a further report regarding the most effective long term Darebin Nature Trust governance model by February 2018.*
- (7) *Note the work of the Energy and Environment Working Group to develop these proposals and that the working group has completed its function and will have no further meetings.*

At the Special Council meeting held on 13 November, 2017 the following Councillors were appointed as members of the Darebin Energy Foundation : Cr Kim Le Cerf (Mayor), Cr Lina Messina (Deputy Mayor), Cr Gaetano Greco, Cr Trent McCarthy and Cr Susan Rennie (Proxy).

**Council Plan Goal/Endorsed Strategy**

Goal 1 - A sustainable city

Darebin Climate Emergency Plan

<b>Recommendation</b>
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**That Council:**

- (1) Notes the outstanding work of the Darebin Energy Foundation Interim Advisory Board and writes to the members to thank them for their time and commitment.
  - (2) Adopts the Climate Emergency Darebin Advisory Committee Terms of Reference attached as **Appendix A** to this report.
  - (3) Calls for applications for the community/independent members of the Climate Emergency Darebin Advisory Committee and receives a further report regarding appointment of the community/independent members.
  - (4) Appoints the Mayor and Councillor ..... as Councillor representatives of the Climate Emergency Darebin Advisory Committee.
  - (5) Considers an allocated operational budget for Climate Emergency Darebin in the 2018/2019 budget considerations.
  - (6) Considers a further report regarding an independent Climate Emergency Darebin model by February 2019.
- 

**Introduction**

The Darebin Energy Foundation Interim Advisory Board (DEFIAB) was developed in accordance with the Council resolution of 27 February 2017 and attached Terms of Reference in **Appendix B**.

Subsequently the adoption of the Darebin Climate Emergency Plan in August 2017 included an action to: *revise the Terms of Reference (for the Darebin Energy Foundation) to ensure alignment with the Climate Emergency commitment.*

The overarching goals of the Darebin Climate Emergency Plan are:

- to provide maximum protection for the community of Darebin and for people, civilisation and species globally, especially the most vulnerable;
- to restore a safe climate at emergency speed by eliminating greenhouse gas emissions and enabling drawdown of excess carbon dioxide in the air;
- to encourage research to find safe ways to protect people, species and civilisation from near-term dangerous temperatures, while zero emission and carbon dioxide drawdown strategies are being enacted;
- to enable our community to be resilient in the face of any unavoidable dangerous climate impacts; and
- to engage, empower and mobilise governments, communities and organisations to take action on and achieve these goals with certainty and at emergency speed.

Membership for DEFIAB was advertised in August 2017 and community members were appointed in September 2017. Four meetings were held, with the last meeting held on 18 January 2018 and their task is now complete. As a result of this work it has been identified that the next stage towards the establishment of a Climate Emergency Darebin is to establish an Advisory Committee tasked to guide the creation of Climate Emergency Darebin. Draft Terms of Reference for the Advisory Committee are attached at **Appendix A**.



## Issues and Discussion

### ***Role and Purpose***

The proposed role and purpose in the draft terms of reference and detailed in the excerpt below are recommended by DEFIAB.

*The organisation's roles and purposes are to help the Council to implement the Darebin Climate Emergency Plan by:*

- a. collaborating with Council on the climate emergency (both problems and solutions), including on how to engage all levels of government in Australia and globally;*
- b. engaging with the community about the climate emergency and how to provide maximum protection globally and how a safe climate can be restored, including through knowledge sharing, capacity building, education and training;*
- c. mobilising and activating the community broadly and deeply around the climate emergency issue, and facilitating community contributions to action, including via volunteerism and donations;*
- d. researching and developing strategy and solutions relating to the climate emergency;*
- e. advising Council on the establishment of the legal structure of Climate Emergency Darebin (CED), anticipated to be a Company limited by guarantee, and on a sustainable funding model for CED, identifying sources of funding;*
- f. working with Council on the climate emergency including on how to engage all levels of government in Australia and globally;*
- g. developing and/or trialling innovative programs and delivery mechanisms which can be scaled up to achieve significant change.*

*The organisation will complement and enhance Council's work on climate emergency and will not double up on other Council actions. To ensure this and further collaborative outcomes Council annual work plans will be discussed with the committee. Council will consider implementing or scaling up of programs trialled or recommended by the committee.*

### ***Proposed name for new organisation – Climate Emergency Darebin***

The proposed name of the new organisation is Climate Emergency Darebin. The draft terms of reference for the advisory committee have been written with a view to guide the establishment and eventual operation of Climate Emergency Darebin.

Additionally DEFIAB have developed a detailed Key Directions document as a resource for the new advisory committee which includes suggestions for operations and work programs.

## Options for Consideration

### ***Model Choices***

In progressing to the next stage, DEFIAB considered the following model choices

- Carry out functions as an entity within the Council structure
- Section 86 committee model – with delegated responsibilities
- A separate legal entity operating independently of other organisations
- A separate legal entity or partnership acting with other similar organisations.

DEFIAB's discussed that a company limited by guarantee will be the likely ultimate model for Climate Emergency Darebin as an independent organisation was seen as a more sustainable model to fulfil the long term purpose of the organisation.

To ensure that the organisation is able to commence its role as soon as possible (acting on the Climate Emergency) and to trial some of its operations prior to formally setting up an independent organisation, it was proposed by DEFIAB that Council adopt a Council Advisory Committee model with the Darebin City Council CEO as an attending member and a budget be allocated for the delivery of recommendations. This would be an interim model and enable the organisation to commence the proposed functions of Climate Emergency Darebin. This recommendation is the basis for the development of the draft Terms of Reference.

It is anticipated there would be a transition of approximately one year to the ultimate model of an independent organisation. This interim model gives the organisation time to find its feet and yet provide flexibility to respond to changes.

### ***Membership selection and speed of Climate Emergency Darebin formation***

The draft Terms of Reference propose that there are six community members for the Climate Emergency Darebin Advisory Committee. Two options were discussed at the final DEFIAB meeting.

#### Option 1 – Choose advisory committee members from current DEFIAB members

There was concern from DEFIAB that we need to act on the formation of the new organisation with emergency speed in keeping with the Climate Emergency and continue the momentum created by DEFIAB.

To achieve this it was suggested that Council consider an option to draw membership of the new committee from the existing DEFIAB members for the first year or just the first six months. There are over six members willing to be considered if Council wished to progress this option.

#### Option 2- Publically advertise for advisory committee members

Membership for advisory committees is generally publically advertised with appointment of committee members by Council.

The shortest recommended timeline for the normal governance procedures to establish the new committee, subject to Council approval is:

- Council adopts terms of reference – 26 February
- Positions advertised online 28 February and in local papers 6 March with closing date of 20 March
- Officer assessment panel (including CEO) to provide recommendations to Council for member appointments in Council report – 9 April.
- First meeting of new committee week commencing 16 April.

Under this process DEFIAB members will still be able to apply for appointment to the committee and are encouraged to do so. The commitment and initiative that DEFIAB members have demonstrated over the last six months has been outstanding and enabled some excellent collaborative outcomes.

As the proposed member selection criteria and the role and purpose of the group have changed from DEFIAB it is considered by officers that the process outlined above is a more transparent governance process than selecting from existing DEFIAB members.

Accordingly officers recommend Option 2 and this has been included in the draft Terms of Reference.

### **Financial and Resource Implications**

It is proposed in the draft Terms of Reference for the Advisory Committee (**Appendix A**) that

*The organisation's formation and actions will be resourced through:*

- (a) *Darebin City Council's operational budget;*
- (b) *volunteerism, donations and grants; and*
- (c) *any other resourcing identified in the funding plan.*

*The committee will work towards a strategic funding plan that will identify sources of funding, consider various funding models, noting their benefits and disadvantages/risks, with an aim of ensuring financial sustainability and stability. (It is suggested that at the time of start-up, before it is able to build its financial resources that the organisation rely heavily on the recruitment of skilled volunteers to enable a significant work program to be undertaken as fast as possible.)*

The mid year budget report (to be considered by Council in March) will provide options to resource the committee's operation and Climate Emergency Darebin actions for the remainder of the financial year.

### **Risk Management**

Under the recommended model, risk remains an operational issue as delegations will be through the CEO. In the final governance model, proposals will be made with regard to delegations and decision making that will consider risk and audit issues.

### **Policy Implications**

#### **Economic Development**

A safe climate which is the aim of the Darebin Climate Emergency Plan and the proposed Climate Emergency Darebin organisation will contribute to a stable economy which is critical for sustainable economic development. The business community are a critical part of the community that the proposed new organisation and advisory committee aim to engage, mobilise and collaborate with.

#### **Environmental Sustainability**

The development of Climate Emergency Darebin (formally referred to as the Darebin Energy Foundation) is a core action of the Darebin Climate Emergency Plan.

#### **Human Rights, Equity and Inclusion**

The provision of a safe climate is fundamentally a human rights issue as vulnerable people and communities are disproportionately affected by the effects of climate change. The engagement, inclusion and consideration of Darebin's diverse population will be a core consideration in the engagement, mobilisation and activation of the community.

Inclusion and diversity is proposed as one of the selection criteria for the advisory committee.

## Other

The Council Plan 2017-2022 includes an action to *create a Darebin Energy Foundation – a climate emergency think tank and creator of initiatives that can be scaled across communities* and the Council action plan 2017-2018 includes an action to *Develop a model for a Darebin Energy Foundation for consideration in the 2018/2019 budget*.

## Future Actions

Subject to Council resolution it is proposed that:

- Community/Independent positions be advertised online 28 February and in local papers 6 March with a closing date of 20 March 2018.
- An officer assessment panel including the CEO provide recommendations to Council for member appointment in a Council report for 9 April 2018.
- The first meeting of the new committee could be held in the week commencing 16 April 2018.
- Council consider resourcing of Climate Emergency Darebin in mid-year budget considerations.

## Consultation and Advocacy

- DEFIAB met four times: 5 October 2017, 2 November 2017, 29 November 2017, and 18 January 2018
- The following officers attended one or more meetings: Chief Executive Officer, Director Operations and Environment, Manager Environment and Community Outcomes, Coordinator Energy and Adaptation, Climate Action Officer, and Chief Financial Officer.
- A Climate Emergency presentation was provided to the group by Bryony Edwards (cofounder of Community Action in the Climate Emergency)

## Related Documents

- Council Minutes - 5 December 2016, 27 February 2017, November 2017
- Climate Emergency Plan

## Attachments

- Climate Emergency Darebin Advisory Committee Terms of Reference (**Appendix A**) [↓](#)
- Darebin Energy Foundation Interim Advisory Board Terms of Reference (**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.

# Terms of Reference for the Climate Emergency Darebin Advisory Committee



## 1. Introduction

This document sets out the Terms of Reference of the Climate Emergency Darebin Advisory Committee with a view to guiding the establishment and operation of the organisation called Climate Emergency Darebin (CED). It is anticipated that a formal board structure will be put in place resulting from the recommendations of this advisory committee on the formation of the final independent organisation. Whilst this is an interim structure it is the intent of Council that this committee undertake and develop actions in line with the organisational purpose set out below.

## 2. Terminology and interpretation

**“Community”** – this includes residents, businesses, organisations and other entities, both inside and beyond Darebin.

**“Council”** – means Darebin City Council

**“Decision Making Session”** – means a face-to-face or electronically mediated meeting or any other decision-making process (eg. an email ballot or postal).

**“the Organisation”** – means Climate Emergency Darebin, covering both the committee and any people working for the organisation (whether paid or unpaid).

## 3. Overarching goals

The Organisation will frame its work so it can make a highly effective contribution to the achievement of the overarching goals of the Darebin Climate Emergency Plan and the organisation must be guided by these goals.

The Council’s focus on the climate emergency is on creating emergency solutions – for restoring a safe climate and coping during the transition period – rather than simply drawing attention to the climate problem.

*Note:* At the time of preparing these Terms of Reference the overarching goals were:

- (a) to provide maximum protection for the community of Darebin and for people, civilisation and species globally, especially the most vulnerable;
- (b) to restore a safe climate at emergency speed by eliminating greenhouse gas emissions and enabling drawdown of excess carbon dioxide in the air;
- (c) to encourage research to find safe ways to protect people, species and civilisation from near-term dangerous temperatures, while zero emission and carbon dioxide drawdown strategies are being enacted;
- (d) to enable our community to be resilient in the face of any unavoidable dangerous climate impacts;
- (e) to engage, empower and mobilise governments, communities and organisations to take action on and achieve these goals with certainty and at emergency speed.

#### 4. Organisational Purpose

The subject-matter scope of the organisation is as broad as the Darebin Climate Emergency Plan.

*Note:* At the time of preparing these Terms of Reference the subject matter scope of the Darebin Climate Emergency Plan covered, amongst other things:

- (a) climate solutions (zero emissions across the economy and in community lifestyles, and CO2 drawdown);
- (b) climate adaptation and resilience;
- (c) community and business mobilisation, engagement and education;
- (d) climate policy and strategy advocacy to governments at all levels in Australia and internationally;
- (e) climate solutions research (safe climate restoration and adaptation/resilience);
- (f) climate action policy and strategy development.

The organisation's roles and purposes are to help the Council to implement the Darebin Climate Emergency Plan by:

- (a) collaborating with Council on the climate emergency (both problems and solutions), including on how to engage all levels of government in Australia and globally;
- (b) engaging with the community about the climate emergency and how to provide maximum protection globally and how a safe climate can be restored, including through knowledge sharing, capacity building, education and training;
- (c) mobilising and activating the community broadly and deeply around the climate emergency issue, and facilitating community contributions to action, including via volunteerism and donations;
- (d) researching and developing strategy and solutions relating to the climate emergency;
- (e) advising Council on the establishment of the legal structure of Climate Emergency Darebin (CED), anticipated to be a Company limited by guarantee, and on a sustainable funding model for CED, identifying sources of funding;
- (f) working with Council on the climate emergency including on how to engage all levels of government in Australia and globally;
- (g) developing and/or trialling innovative programs and delivery mechanisms which can be scaled up to achieve significant change.

The organisation will complement and enhance Council's work on climate emergency and will not double up on other Council actions. To ensure this and further collaborative outcomes Council annual work plans will be discussed with the committee. Council will consider implementing or scaling up of programs trialled or recommended by the committee.

#### 5. Resourcing

The organisation's formation and actions will be resourced through:

- (a) Darebin City Council's operational budget;
- (b) volunteerism, donations and grants; and
- (c) any other resourcing identified in the funding plan.

The committee will work towards a strategic funding plan that will identify sources of funding, consider various funding models, noting their benefits and disadvantages/risks, with an aim of ensuring financial sustainability and stability. (It is suggested that at the time of start-up, before it is able to build its financial resources, that the organisation rely heavily on the recruitment of skilled volunteers to enable a significant work program to be undertaken as fast as possible.)

## 6. Members

The Committee shall have 9 voting members:

- 2 Councillors – The Darebin Mayor (ex officio), and a further Darebin Councillor appointed by Council;
- 6 community or independent members appointed by Council and
- the Council CEO (ex officio).

The Committee may appoint to itself any number of non-voting members to ensure that special skills or capabilities are available to it in its decision-making sessions.

The Chair is the Mayor, unless in the Mayor's absence; or at the Mayor's direction, the remaining Councillor member is appointed as Chair.

## 7. Community/Independent Member Appointment

Community/independent positions will be advertised publicly and will be appointed by Council in consideration of the following criteria:

- capacity for big picture vision relating to the climate emergency challenge as a whole (as expressed in the overarching goals of the Darebin Climate Emergency Plan);
- capacity to foster creativity and innovation;
- capabilities in one or more of the following areas: social mobilisation, zero emissions, drawdown, resilience, climate emergency strategy, fund sourcing (ideally the committee would cover all of these areas between them);
- diversity and inclusion; and
- board governance experience or skills. will be considered favourably

### Quorum

A quorum of five voting committee members with at least one Councillor voting member and 3 community/independent voting members is required for a Decision Making Session where a decision is required.

### Meetings and Reporting

The committee will meet at least four times before February 2019, or as determined by the committee.

A report will be provided to Council by February 2019 on the proposed formation of the Independent body anticipated as a Company limited by guarantee.



## Darebin Energy Foundation Interim Advisory Board Terms of Reference and Selection Information

### Background

Darebin City Council recognises that we are in a climate emergency. Council aspires to be a national leader in response to this critical intergenerational issue. In December 2016 Council resolved to establish a working group to develop proposals for a Darebin Energy Foundation and in February 2017 endorsed the establishment of the Foundation for the purposes outlined below.

### Purpose

The purpose of the Darebin Energy Foundation (DEF or 'the Foundation') is to accelerate sustained and meaningful action with the community (residents, businesses, education and other organisations) to reduce Darebin's greenhouse emissions and embed community resilience to climate change. The Foundation will have a strong focus on our most vulnerable and socio-economically disadvantaged communities. The Foundation will work with Council, community groups, other governments, authorities, private sector and other organisations to achieve its aims.

The Foundation will:

- Facilitate a Darebin climate think tank to develop local zero emissions and resilience proposals and solutions
- Harness and encourage community participation and investment (volunteering and donation)
- Develop and/or contribute to programs that educate and mobilise the community on the above issues
- Develop and/or trial innovative programs and delivery mechanisms which can be scaled up to achieve significant change
- Advocate to governments and industry to increase climate change action and funding for community and local government action
- Advocate to State and Federal government regarding policies and issues that support the purpose of the foundation
- Work to ensure there are sustainable long term funding and resourcing commitments from Council to drive down emissions and embed climate resilience in our community, with a strong focus on our most vulnerable communities
- Work with Council to deliver identified actions of the Climate Action Plan including, but not limited to, community-owned renewable energy projects
- Devise and apply for other sources of funding (grants, fee for service etc.) that improve effectiveness and financial sustainability of foundation.

DEF will complement and enhance Council's work on climate change and will not double up on Council's climate emergency action.



### **Transition and Development**

In 2017 an interim advisory board is being formed to set up a community climate think-tank and to determine the most effective long term governance model for the Foundation. The interim advisory board's proposal will be presented to Council for consideration by February 2018 to inform the 2018/19 Council budget process. This will include resourcing and targets and may affect changes in membership and representation.

### **Representation and Membership**

There will be nine community members, the Mayor and a Councillor representative from each of the three Council wards on the interim advisory board.

Community members will be selected based on expertise and experience in:

- climate change mitigation and adaptation
- community engagement/mobilisation
- fund sourcing
- advocacy.

Diverse representation from across Darebin is being sought.

In the first year a membership committee formed from the four Councillor representatives and two officers will determine community member appointment based on these criteria.

Council Officers will attend meetings of the interim advisory board and provide advice as required.

The Mayor or a delegated Councillor representative will act as Chair. If no Councillor is present at a meeting a Council officer will act as Chair. (There is an intent to transition to an independent chair in the long term model.)

The Councillor Chair is the official spokesperson for the interim advisory board of the Foundation. Interim advisory board members may speak on behalf of the group where the content and spokesperson is agreed by a quorum at an interim advisory board meeting.

### **Quorum**

For decisions where a vote is required, at least seven representatives including two Councillor representatives must be present. If this is not the case the decision will be postponed until the next meeting. If this is not possible a vote via email/mail may be pursued.

### **Resourcing**

The foundation formation and actions will be funded by Darebin City Council's operational budget in 2017/2018 and the first year of the foundation will determine sustainable resourcing and working models for the foundation. This will include discussions with other organisations and local governments to ensure that an optimum long term model is developed for the foundation.

### **Meetings and Reporting**

The interim advisory board will meet at least three times by the end of 2017.

A report will be provided to Council by February 2018 on the proposed long term model for the Foundation, this will determine future membership terms and appointment.

**8.6                   MAYER PARK MASTERPLAN UPDATE****Author:**                   Coordinator Public Realm**Reviewed By:**           Director Civic Governance and Compliance

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**Report Background**

The purpose of this report is to provide an update on the Mayer Park Masterplan project (the Masterplan), the proposed future project methodology and to outline the Community Project Control Group Terms of Reference for Council's endorsement.

**Previous Council Resolution**

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

**Previous Briefing(s)**

This item was raised during general business at the 5 February 2018 Council Briefing.

**Council Plan Goal/Endorsed Strategy**

The development of the Masterplan is part of Council's commitment to Goal 1.3 of the Council Plan 2017-2021 to *'expand and improve our network of open and green spaces, parks and natural environments to provide the lungs for our city and reduce the impacts of climate change'*. The 2017-2018 Action Plan also notes the action to *'develop new master plans and yearly action plans for Mayer Park and the Northcote Golf Course'*.

The development of the Masterplan is in accordance with the actions identified in the following strategic documents:

- Open Space Strategy 2007-2017
- Public Toilet Strategy 2015-2025

**Summary**

Mayer Park is located at 99 Leinster Grove (corner of Normanby Avenue and Leinster Grove), Thornbury. It is an approx. 3.98 hectare neighbourhood park with the primary category of sporting ground and secondary category of parkland (Darebin Open Space Strategy 2007-2017).

In 2015, Mayer Park was identified as one of the five possible sites for locating Darebin's new Multi-Sport Stadium. Extensive community consultation was conducted at the time and ultimately the selected site for the Multi-Sport Stadium was John Cain Memorial Park. The community consultation results clearly showed that the local community is very supportive of retaining access and enhancing the existing green open space at Mayer Park. This was recognised by the inclusion of an action to *'develop new master plans and yearly action plans for Mayer Park and the Northcote Golf Course'* in Council's 2017-2018 Action Plan.

Whilst the action plan clearly states that the Masterplan should incorporate both Mayer Park and the Northcote Golf Course, this presents a challenge given that the long term future of the golf course is unclear, with the State Government currently undertaking an extensive review of the golf course requirements in Victoria (*Planning for Golf in Victoria*).

The State Government is yet to release its Recommendations Report to clarify the role that Northcote Golf Course plays in the context of golfing in Victoria and in the absence of this knowledge, developing a masterplan for the golf course is considered premature.

Given the above, it is proposed to progress with a masterplan for Mayer Park only and give further consideration to the Northcote Golf Course once the State Government study has concluded.

Council and the community recognise the opportunity to direct future developments at Mayer Park, in light of changing community needs in Thornbury. Following the recent endorsement of the community-led masterplan model for Penders Park, there is opportunity to take a similar approach to engagement with the community and stakeholders and it is proposed to establish a Community Project Control Group (PCG) that includes community members for the purpose of designing and developing a masterplan for Mayer Park only (excluding the Northcote Golf Course). The PCG could be chaired by one Rucker Ward Councillor and it will have the task of consulting the community, designing and developing the Mayer Park Masterplan for adoption by Council.

Should this approach be taken, the masterplan will be a community led design process that delivers a new masterplan that will guide development of the Park over the next four years and provide a set of actions and projects to be delivered during this time, including an implementation program and budget estimates.

<b>Recommendation</b>
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**That Council:**

- (1) Endorses the development of a masterplan for Mayer Park only, excluding the Northcote Golf Course.
  - (2) Endorses the Community Project Control Group Terms of Reference attached as **Appendix A**.
  - (3) Appoints Councillor \_\_\_\_\_ as the chairperson of the Community Project Control Group.
  - (4) Notes that at the conclusion of the Expression of Interest process a further report will be submitted to Council for selection of the Community Project Control Group members.
  - (5) Notes that the timeframe to deliver the masterplan will continue into the 2018-2019 financial year.
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### Introduction

- Mayer Park has a total area of approximately 3.98 hectares and is owned and managed by Council. The park is subject to a Public Park and Recreation zone (PPRZ), with Environmental Significance Overlay (ESO1), Land Subject to Inundation Overlay (LSIO) and Special Building Overlay (SBO) applying to some of areas of the site.
- Mayer Park is located adjacent to the Northcote Golf Course and is in close proximity to the Merri Creek.

- The Expression of Interest (EOI) and Community Project Control Group (PCG) process proposed will be similar to the one used for Penders Park. The aim of the process will be to ensure the diverse community is represented and has a direct opportunity to guide the future of this community asset.



## Issues and Discussion

The community demographics, and resultant demands, are changing in Thornbury and around Mayer Park and it is appropriate to develop a masterplan to direct future works in the park.

## Key Outcomes

- Council endorses the development of a masterplan for Mayer Park only (excluding the Northcote Golf Course).

- Council forms a Community PCG through an Expression of Interest process.
- PCG to develop a timeline for development of the Mayer Park Masterplan.
- PCG to develop a thorough and inclusive community and stakeholder consultation process.
- PCG to develop a project scope/brief based on community and stakeholder consultation.
- PCG to develop the masterplan including scope, key actions and implementation priorities.
- PCG may be called upon to provide ongoing feedback and recommendations at the various stages of the implementation phase.

### **Project Parameters and Constraints**

- The masterplan is to be completed and endorsed by Council in the 2018-2019 financial year. Refer Next Steps and Indicative Timeframe.
- Budget – the implementation of the actions identified in the masterplan will be considered through the Council budget process.
- The masterplan actions and recommendations are to be in accordance with the existing overlays (ESO1, LSIO & SBO) that apply to the site.
- The masterplan must respect the cultural and natural heritage of the site and undertake appropriate studies and surveys to understand the site conditions as part of the master planning process.
- The study area is limited to within the existing park boundary.
- Identify and protect existing underground services such as power cables, water mains or Telstra lines.

### **Governance Structure**

- The PCG will consist of 8 community members selected based on the selection criteria outlined in item 5 of the Terms of Reference.
- The PCG will be chaired and facilitated by one of the Rucker Ward Councillors.
- Support by Council officers will be provided to the group subject to request by the PCG.

### **Next Steps & Indicative Timeframe (to be reviewed by PCG)**

This timeline is indicative only and will need to be reviewed and amended by the CRG.

- 2 March to 25 March 2018 – Expression of Interest period (3 weeks).
- 26 - 29 March 2018 - Evaluation and short listing of Community PCG members.
- 9 April 2018 – Council Report Update in InfoCouncil.
- 30 April – Council Meeting to select final Community PCG members.
- May 2018 – PCG to schedule first meeting.
- Jul – Dec 2018 – Prepare Masterplan
- Dec 2018 – Masterplan reported to Council for consideration / endorsement

### Terms of Reference

The Terms of Reference are attached at **Appendix A** and provide details on the following:

- Purpose of the PCG
- Roles and Responsibilities
- Project Constraints
- Selection Criteria for Membership
- Selection Process
- Councillor Representation on the PCG
- Meetings and Reporting
- Term of the PCG
- Review of the PCG Terms of Reference
- Method of Resignation
- Relevant Documents

### Options for Consideration

#### **Option 1 - Support the creation of a master plan for Mayer Park only, a Community PCG and the project methodology**

This option will empower the community to make decisions about the future of their local park. It is a new consultation and design model for Darebin and will enable Council to monitor the effectiveness of the approach. This option aligns with the Council Plan, Darebin Open space Strategy and Toilet Strategy. The delivery of the actions in the Mayer Park Masterplan will be in the 2018-2019 financial year.

#### **Option 2 - Not support the creation of a master plan for Mayer Park only, a Community PCG and the project methodology**

This option would see Council undertaking their standard consultation process which would still include the establishment of a Community Reference Group however it would be under the management of Council officers. The delivery of the Mayer Park Masterplan will be in the 2018-2019 financial year.

#### **Option 3 – Include the Northcote Golf Course in the Master Plan process**

This option would be in line with the Council Action Plan however it would be completed in the absence of the State Government findings on the strategic role of the Northcote Golf Course in providing golf facilities for Victoria. Given this uncertainty and the potential delays this may create to the development of a master plan, it is recommended the master plan focus on Mayer Park at this time.

### Financial and Resource Implications

- A sum on \$65,000 has been allocated in the 2017/2018 Capital Works budget for initial site assessments, feature and level surveys and the creation of the master plan. This is part of an overall works plan for Mayer Park in 2017-2018 that includes
  - fencing upgrades – Works to be completed by 30 June, \$54,000



- Lighting Design – Combined with three (3) other like projects (Dole, BT Connor and Mayer). Design to be completed by June 2018. \$73,000
- Irrigation System – Works in progress. All works to be completed by June 2018. \$115,000
- A 2018/2019 Capital Bid to the value of \$102,600 has been prepared for Year 1 implementation of the Mayer Park Masterplan. This will be considered during the 2018/2019 budget process.
- The projects identified by the master planning process will form the basis of future Capital Works submissions and Council will be required to commit funds to the implementation programme over four years following endorsement of the masterplan.
- Ongoing maintenance costs for the site would be approximately \$10,000 - \$15,000 per year and form part of Council's operational costs.

### **Risk Management**

1. The masterplan will not be delivered by the end of financial year 2017-2018. It is unlikely that the PCG will be able to deliver a masterplan for Mayer Park by the end of financial year 2017-2018 due to the limited time available following the EOI process to form the PCG and the formal endorsement of PCG members by Council.

*Risk management:* Initial background assessments can be conducted in 2017-2018 to inform the master plan. These background assessments include tree assessment throughout the park, flora and fauna survey and recommendations including along Merri Creek; Cultural Heritage assessment; feature and level survey of Northcote Golf Course (if required).

2. The risk is that the Community PCG does not deliver on the project.

*Risk management:* Council will reserve the right to discontinue the PCG at any time and take over the master planning process.

3. The risk that community consultation does not include all stakeholders. The PCG will be tasked with formulating and conducting the community consultation process, including with stakeholders such as the wider local community, Merri Creek Management Committee, Wurundjeri Land Council, Sporting clubs that use the park and the numerous community groups that use the Leinster Grove community hall.

*Risk management:* A Project Lead council officer from the Public Places Unit will be nominated as a non-voting administration and project support to the PCG. This officer will work across the relevant areas of Council over the period of the project, to ensure Council actions required to deliver the Master Plan are undertaken in the required timeline as agreed to by the PCG. This officer will assist the PCG with identifying all stakeholders.

### **Policy Implications**

#### **Economic Development**

Increasing amenity, usability and accessibility of public open space will have a positive impact on the community by creating places for communities to gather and make vital connections. This has a positive impact in increasing retail traffic and visitation numbers, having a positive flow-on effect on adjacent retail centres, residential area and public transport corridors.

**Environmental Sustainability**

Existing Environmental Significance Overlay (ESO1) applies to the park due to its proximity to Merri Creek. Environmental objectives listed in Schedule 1 of the ESO on the Darebin Planning Scheme will need to be achieved, including protection of the existing flora and fauna and enhancement of the existing vegetation at Mayer Park. Increasing the canopy coverage and habitat in the park will ensure that the environmental benefit of the park are retained and improved.

**Human Rights, Equity and Inclusion**

Public open spaces enhance the social and community value of this neighbourhood by improving access to open space in areas that are lacking or going through urban transition, providing much needed local space for people to gather and interact.

**Other**

Nil

**Future Actions**

2 March to 25 March 2018 – Expression of Interest period.

- Advertise in local papers
- Your Say Page
- Social media posts
- Council website
- Letter drop to 500m around the park
- Posters at the park
- Promotion of the PCG and EOI process to various community groups to ensure a broad representation through the submission process
- Drop in session at Mayer Park to advertise EOI (Saturday 17 March 2018)
- 26 - 29 March 2018 - Evaluation and short listing of Community PCG members.
- 9 April 2018 – Council Report Update in InfoCouncil.
- 30 April – Council Meeting to select final Community PCG members.

**Consultation and Advocacy**

- Chief Executive Officer
- Manager Transport and Public Spaces
- Manager Leisure and Community Facilities
- Manager Parks and Gardens
- Coordinator Public Places
- Landscape Architect Public Places
- Coordinator Community Engagement and Demographics
- Research Officer Community Engagement and Demographics.



**Related Documents**

- Nil

**Attachments**

- Mayer Park PCG Terms of Reference (**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.

## Terms of Reference

### Community Project Control Group

### Mayer Park Master Plan

February 2018



#### 1. BACKGROUND

Mayer Park is located at 99 Leinster Grove (corner of Normanby Avenue and Leinster Grove), Thornbury. It is an approx. 3.98 hectare Neighbourhood park with the primary category of sporting ground and secondary category of parkland (*Darebin Open Space Strategy 2007-2017*).

Mayer Park consists of two (2) soccer pitches in winter and two (2) cricket ovals in summer, cricket nets, a pavilion recently refurbished in 2014 and a smaller community hall in aging condition. An outdoor gym was installed in 2016 at the north-east corner of the park. Other park amenities include scattered seats, picnic tables, rubbish bins and a dated barbecue area adjoining the community hall. Existing trees and vegetation are located along the perimeter of the park, mostly along the western and southern boundaries. An existing unsealed walking track provides east-west access along the northern boundary of the park.

In 2015, Mayer Park was identified as one of the five possible sites for locating Darebin's new Multi-Sport Stadium and extensive community consultation was conducted at the time. Ultimately the selected site for the Multi-Sport Stadium was John Cain Memorial Park, however the community consultation results clearly showed that the local community are very supportive of retaining access to green open space at Mayer Park. The Friends of Mayer Park group was formed following this process and has been active ever since organising community events at the park such as regular outdoor movie nights and markets. Friends of Mayer Park has also advocated for the need for a new masterplan for Mayer Park with Darebin Council. This was recognised by the inclusion of an action to '*develop new master plans and yearly action plans for Mayer Park and the Northcote Golf Course*' in Council's 2017-2018 Action Plan. **At a Council Meeting on 26 February 2018, a motion to develop a master plan for Mayer Park only was endorsed.**

Council and the community recognise this opportunity to direct future developments in the park, in light of the changing community need in Thornbury. Council is keen to take a different approach to engagement with the community and stakeholders and is proposing to establish a Community Project Control Group that includes community members for the purpose of designing and developing the Mayer Park Master Plan. Importantly, Council aims to engage with the local residents who have led the proposal to redevelop the Park to date, recognising their local knowledge, commitment and expertise.

The new 2018-21 Mayer Park Master Plan will guide the overall design and development of the park over the next four years and provide a set of actions and projects to be delivered during this time including an implementation program and budget estimates.

The development of the master plan confirms Council's commitment to expanding and improving our network of open and green spaces, parks and natural environments (*Goal 1.3 of Darebin's Council Plan*).

#### 2. PURPOSE

The purpose of the **Mayer Park Community Project Control Group (PCG)** is to design and develop the master plan for Mayer Park with the support and guidance from Council.

### 3. ROLES & RESPONSIBILITIES

The role and responsibilities of the Mayer Park Community Project Control Group (PCG) are to:

- **Develop a timeline** for the preparation of the Mayer Park Master Plan, taking into consideration that the master plan is to be completed and endorsed by Council *in the 2018-2019 financial year*. **The PCG will determine and revise the timeline as the project progresses.**
- **Develop a thorough and inclusive community and stakeholder consultation process** that will gather feedback at key stages of the preparation of the master plan. The PCG will have to agree on the nature and timing of this consultation process. This can be done with assistance from Council Landscape Architects/ Project Managers if required.
- After the initial round of community and stakeholder consultation, the **PCG will be responsible for translating the community vision and feedback into a project scope/brief** while taking into consideration the project constraints as nominated in item 4 of this document.
- **Develop the master plan, including the scope, key actions and implementation priorities** while taking into consideration the project constraints as nominated in item 4 of this document. This can be done with assistance from Council Landscape Architects/ Project Managers if required.
- **Provide feedback and develop recommendations at the various design stages** during (1) the preparation of the master plan and (2) the project implementation phase. This includes the conceptual design of major projects identified in the Mayer Park Master Plan.

The PCG shall make recommendations based on **general consensus**. This means that **all members of the PCG must agree on the recommendations**. In the event consensus cannot be reached then resolution shall be sought via a report to Council.

**Any procurement of consultants and expenditure of funds will be done by Council officers**, in accordance with Council procurement policies, procedures, and Council budgets. The PCG shall provide input into the Council procurement process regarding suggestions for the engagement of specialist consultants and have a role in the evaluation of submissions.

Support by Council officers will be provided to the group as requested by the PCG in a timely manner to ensure timelines are met.

Members of the PCG are expected to provide detailed input on local issues and initiatives by:

- **Attending and actively participating in meetings** which can be held at or near the park. Council can also assist with venue for meetings if required.
- **Liaising with local residents, other community organisations and community members** to distribute information about the project and gather feedback.
- **Being respectful of other PCG members** and work positively and co-operatively within the group, acknowledging the diversity of viewpoints and experiences from different stakeholders.
- **Acting as ambassadors** to share knowledge and educate others about the key projects for Mayer Park.
- **Progressing the project in a timely manner** to achieve outcomes.

#### 4. PROJECT CONSTRAINTS

##### *Timeframe*

- The master plan is to be completed and endorsed by Council *in the 2018-2019 financial year. The PCG will determine and revise the timeline as the project progresses.*
- Implementation of the master plan will be conducted over the four years following endorsement of the master plan.

##### *Budget*

A budget of **\$65,000** has been assigned in 2017-2018 to conduct initial background investigations at the park including feature & level surveys, existing tree assessment and flora and fauna surveys and to begin the development of the master plan.

The priority actions identified in the master plan will form the basis of future Capital Works Submissions over the course of the next four years following endorsement of the master plan.

##### *Project requirements*

- Existing Environmental Significance Overlay (ESO1) applies to the park due to its proximity to Merri Creek. Environmental objectives listed in Schedule 1 of the ESO on the Darebin Planning Scheme will need to be achieved.
- Existing Land Subject to Inundation Overlay (LSIO) applies to the park. A permit may be required for some works (if applicable).
- Existing Special Building Overlay (SBO) applies to the park. A permit may be required for some works (if applicable).
- The study area is limited to within the park boundary.
- Existing underground services such as power cables, water mains or Telstra cables. The exact location of underground services is to be confirmed.
- Universal Design principles are followed.
- Ensuring the park's primary function of sporting ground is retained.
- Ensuring the park retains open space for informal activities such as walking, running and sitting.
- Ensuring the park remains dog friendly.

##### *Community Engagement and Empowerment*

The PCG will work with Council to plan for a series of community engagement sessions to gather ideas and feedback during the Master Planning process. Council officers will assist the PCG as required to connect with key local stakeholders including local primary schools, aged care, child care and other groups to empower more voices to be heard through this process. The opportunity of using local artists, community groups and businesses to deliver the project will be explored.

##### *Deliverables*

- A master plan document that clearly and graphically represents the actions and recommendations.
- An implementation plan that clearly outlines the design principles, actions and their respective priorities.
- An estimate of cost for each action. This can be prepared with assistance from Council Landscape Architects/ Project Managers if requested.

Council can supply examples of the documents above for the PCG's reference.

## 5. SELECTION CRITERIA FOR MEMBERSHIP

Selection of the Project Control Group members will be based on the applicant's submission that demonstrates:

- Knowledge of local issues.
- Ability to contribute ideas for improving the park.
- Ability to represent a broad cross section of views and understand the diverse needs of the local community.
- Availability to attend all meetings.
- Desire to serve or act as a local ambassador or leader for the local Thornbury community.

The selection process for membership will also aim to evenly reflect key stakeholder groups, local community groups and local residents and reflect the balance of gender, ability, age range and cultural diversity for a total of eight members.

A Project Lead Council Officer from the Public Places Unit will be nominated as a non-voting administration and project support to the PCG. This Officer will work across the relevant areas of Council over the period of the project, to ensure Council actions required to deliver the Master Plan are undertaken in the required timeline as agreed to by the PCG and to ensure the Master Plan is delivered ***in the 2018-2019 financial year. The PCG will determine and revise the timeline as the project progresses.***

## 6. SELECTION PROCESS

Membership to the PCG will be appointed by Council and Council officers following the selection process. Selection will occur through the following process:

- A drop-in session will be organised at Mayer Park to initiate the Expression of Interest (EOI) process and invite applications for membership to the community project control group.
- Advertisements in local media and through Council's website and social media inviting applications from interested community members, for a three week period.
- Formal invitations will be sent to individuals or community groups known to have an interest in the park and/or the surrounds of the park.
- Applications will be evaluated by Council officers with a recommendation taken to Council for consideration and endorsement of the final group.
- If the membership of the project control group is not filled through the advertising process or if the applications received are deemed by the selection panel to not fulfil the requirements of the project control group, Council may target potential members.
- Council will seek a broad representation of Darebin's community that reflects Darebin's diverse community – based on balance of gender, ability, age range and cultural diversity.

## 7. COUNCILLOR REPRESENTATION

Ruckers Ward Councillors will be invited to be members of the PCG. The PCG will be chaired and facilitated by one of the Rucker Ward Councillors, to be nominated by Council.

## 8. MEETINGS & REPORTING

- The PCG is required to meet at a frequency determined by the group to support the effective management of the project.
- Members are required to attend all meetings.
- Meeting dates and times to be set at the initial PCG meeting by the group.
- There will be no quorum for meetings.
- Meetings are to be held at a place to be decided by the PCG. It is recommended that meetings are held at or near the park however Council may assist with securing a venue at Council offices if required.
- The PCG will be chaired and facilitated by one of the Rucker Ward Councillors, to be nominated by Council.
- Meeting Agenda preparation and minutes will be the responsibility of the non-voting Council Officer who will attend all meetings to support the PCG. The Council Officer will be responsible for recording each meeting and liaising with other Councils Officers on Council actions as specified and where required by the PCG.
- Meeting minutes will be checked by the chair and PCG members as a true and accurate record at the commencement of the following meeting.
- Agenda and meeting minutes will be forwarded to the Council Project Manager/ Landscape Architect and circulated to all Councillors.
- The PCG will present directly to Council and Officers prior to the final endorsement of the Master Plan, on the design, recommendations and reflect on the experience of this new community-led process.

#### **9. TERM OF THE PCG**

- The PCG shall be in place for the duration of the master planning process with the opportunity to extend by a decision of the council. Council would retain the right to revisit at that time, the future need (if any) for the continued use of the group.
- The PCG can be discontinued at any time at the discretion of Council.

#### **10. REVIEW OF THE PCG TERMS OF REFERENCE**

- Council will be required to approve any changes to the Mayer Park Community Project Control Group Terms of Reference.
- Members may propose changes to the Terms of Reference however Council will be required to approve the proposed changes.

#### **11. METHOD OF RESIGNATION**

- Members will automatically resign after their membership period.
- Retiring members are eligible for re-appointment.
- If a member retires during the course of their term invitations will be sent out to those people who registered interest in being members in the most recent call for members. If there are no such people the position will be advertised for the remainder of the term.

#### **12. RELEVANT DOCUMENTS**

The following relevant documents will be made available to the PCG for reference:

- Open Space Strategy 2007-2017 (Currently under review)
- Playspace Strategy 2010-2020
- Public Toilet Strategy 2015-2025
- Council Plan 2017-2021
- Environmental Significance Overlay (ESO1) Schedule
- Land Subject to Inundation Overlay (LSIO) Schedule
- Special Building Overlay (SBO) Schedule
- Design for Everyone Guide (Sport and Recreation Victoria)
- Universal Design Principles (Sport and Recreation Victoria)

### **13. FURTHER INFORMATION**

For further information please contact Council's Public Places Unit on 8470-8888, email [public.places@darebin.vic.gov.au](mailto:public.places@darebin.vic.gov.au) or visit [www.yoursaydarebin.vic.gov.au](http://www.yoursaydarebin.vic.gov.au)

**8.7 PENDERS PARK MASTER PLAN - COMMUNITY PROJECT CONTROL GROUP****Author:** Coordinator Public Realm**Reviewed By:** Director Civic Governance and Compliance

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**Report Background**

The purpose of this report is to provide an update on the Pender's Park Master Plan project and to appoint members of the community to the Pender's Park Project Control Group.

**Previous Council Resolution**

This matter is the subject of a previous Council resolution from the 20 November 2017.

***That Council:***

1. *Endorses the Community Project Control Group Terms of Reference attached as **Appendix A** with minor amendments to be made by the CEO where required.*
2. *Appoints Councillor Trent McCarthy as the chairperson of the Community Project Control Group and Cr. Susan Rennie as proxy.*
3. *Notes, at the conclusion of the Expression of Interest process, a further report will be submitted to Council for endorsement of the Community Project Control Group members.*

**Council Plan Goal/Endorsed Strategy**

The development of the master plan and the play space upgrade is the first stage of Council's commitment to Item 2.2 of the Council Plan 2017-2021 to build an all abilities play space. The development of the Master Plan is in accordance with the actions identified in the following strategic documents for Pender's Park:

- Open Space Strategy 2007-2017
- Playspace Strategy 2010-2020
- Public Toilet Strategy 2015-2025

**Summary**

Pender's Park is a major neighbourhood park bound by Pender Street, St David Street, Tharrat Street and Collins Street in Thornbury. The park attracts residents that live in the local area and caters for informal recreation needs of the local community such as walking, using the existing playground, access for picnics, shelter and toilet facilities.

In November 2017, Council endorsed the Terms of Reference (ToR) for a new Community Project Control Group (PCG) to lead the preparation of the Pender's Park Master Plan. At that meeting Council also resolved to call for expressions of interest (EOI) for appointment to the PCG. The EOI process occurred in December 2017.

The PCG will be tasked with facilitating a community led design process to work with Council to consult the community and design and develop the Pender's Park Master Plan for eventual adoption by Council.



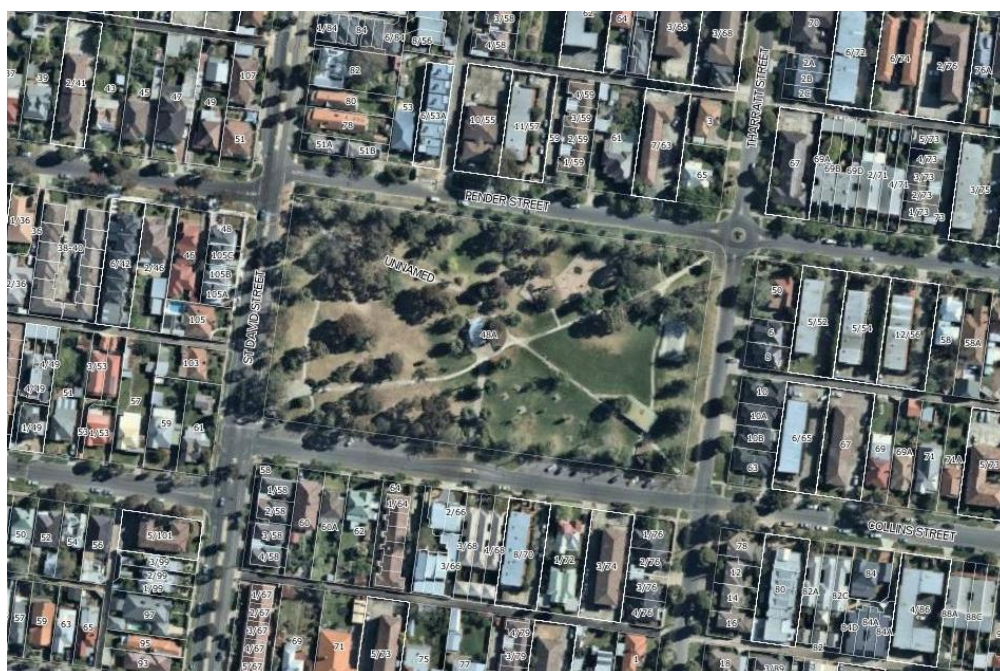
**Recommendation**

**That** Council appoints the following people to the Pender’s Park Community Project Control Group, in accordance with the adopted Terms of Reference.

- (a) \_\_\_\_\_
- (b) \_\_\_\_\_
- (c) \_\_\_\_\_
- (d) \_\_\_\_\_
- (e) \_\_\_\_\_
- (f) \_\_\_\_\_
- (g) \_\_\_\_\_
- (h) \_\_\_\_\_

**Introduction**

Pender’s Park has a total area of 1.9 hectares and is owned and managed by Council. The park is subject to a Public Park and Recreation zone (PPRZ), with Heritage Overlay HO290 that applies to the entire site. The heritage overlay recognises significant features including the existing avenue trees, layout of the park and bluestone archway entries to the park.



**Issues and Discussion**

On 20 November 2017 Council endorsed the Pender’s Park Master Plan – Community Project Control Group **Terms of Reference (ToR)**. The Terms of Reference list the selection criteria and the EOI process for assembling the PCG.

**Key Outcomes**

- The PCG and EOI process was promoted to various community groups and stakeholders to ensure a broad representation through the submission process.

- The Expression of Interest period ran for three (3) weeks from the 24 November to 17 December 2017.
- Council received **14** Expressions of Interest by the close of the EOI period for the eight (**8**) places on the PCG.
- The EOI's were assessed by officers against the selection criteria outlined in item 5 of the Terms of Reference.
- The applications received and Officer evaluations against the selection criteria have been provided to Council separately as a confidential document (in accordance with privacy legislation).

### **Next Steps**

The PCG will confirm the following next steps.

- February – PCG members to be informed of appointment
- March 2018 – Hold the first PCG meeting.
- March 2018 – PCG to develop a timeline for development of the Pender's Park Master Plan.
- March / April 2018 – PCG to develop a thorough and inclusive community and stakeholder consultation process.
- April 2018 – PCG to develop a project scope/brief based on community and stakeholder consultation.
- April – June 2018 – PCG to develop the master plan including scope, key actions and implementation priorities for Council consideration.
- PCG may be called upon to provide ongoing feedback and recommendations at the various stages of the implementation phase.

### **Options for Consideration**

**Option 1 – Appoint members as per the officer evaluation (recommended)**

**Option 2 - Not Support the selection of the Project Control Group (PCG) members**

**Option 3 – Select an alternate PCG Membership**

**Option 4 – Select all community members that submitted to the EOI process**

### **Financial and Resource Implications**

- \$50,000 has been allocated in the 2017/2018 Capital Works budget for the creation of the master plan.
- A 2018/2019 Capital Bid to the value of \$250,000 has been prepared for Year 1 implementation of the Pender's Park master plan. This will be considered during the 2018/2019 budget process.
- The projects identified by the master planning process will form the basis of future budget submissions.
- Council staff to oversee master plan delivery and implementation of projects.

## **Risk Management**

The risk is that the Community PCG does not deliver on the project in time or scope. Council reserves the right to discontinue the PCG at any time and take over the master planning process. This is a new community engagement process that has not been used or tested within the City of Darebin previously. There are no precedents within Council to draw experience from.

Submissions not appointed to the PCG could be disenfranchised with the master plan process resulting in loss of local support and valuable input.

## **Policy Implications**

### **Economic Development**

Increasing amenity, usability and accessibility of public open space will have a positive impact on the community by creating places for communities to gather and make vital connections. This has a positive impact in increasing retail traffic and visitation numbers, having a positive flow-on effect on adjacent retail centres, residential area and public transport corridors.

### **Environmental Sustainability**

Protection of the existing heritage trees and enhancement of the existing vegetation at Pender's Park including possibly increasing the canopy coverage in the park will ensure that the environmental benefit of the park is retained and improved.

### **Human Rights, Equity and Inclusion**

Public open spaces enhance the social and community value of this neighbourhood by improving access to open space in areas that are lacking or going through urban transition, providing much needed local space for people to gather and interact.

### **Other**

Nil

### **Consultation and Advocacy**

- Chief Executive Officer
- Manager Transport and Public Spaces
- Coordinator Public Places
- Landscape Architect Public Places
- Coordinator Community Engagement and Demographics
- Research Officer Community Engagement and Demographics

### **Related Documents**

- Penders Park Master Plan 2002

**Attachments**

- Penders Park PCG - Terms of Reference (**Appendix A**) [↓](#)
- Penders Park PCG Expressions of Interest (**Appendix B**) Enclosed under separate cover Confidential - enclosed under separate cover
- Penders Park PCG Submission Evaluation Form (**Appendix C**) Confidential - enclosed under separate cover
- Penders Park PCG Evaluation Ranked Results (**Appendix D**) Confidential - enclosed under separate cover
- Penders Park Evaluation Matrix - signed (**Appendix E**) 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.

## Terms of Reference

### Community Project Control Group

### Penders Park Master Plan

December 2017



#### 1. BACKGROUND

Penders Park is a major neighbourhood park bounded by Pender Street, St David Street, Tharrat Street and Collins Street, Thornbury. The park attracts residents that live in the local area and caters for informal recreation needs of the local community such as walking, using the playground, access to picnic, shelter and toilet facilities.

Darebin Council's Open Space Strategy categorises Penders Park as Formal Parkland. This is also recognised in the 2002 Penders Park Landscape Masterplan, which states the historic values and features of the park including the *"established mature trees in avenues, specimen trees (usually exotic), formal border planting treatments, buildings and structures, shelters, band stands, fencing, paving, garden or park layout and design"*.

On 5 December 2016, a resident petition was tabled with Council, advising that the community request an upgrade to the park into an All-Abilities Major Neighbourhood Park which meets the broader needs of community. The petition identified that the Park was a significant asset to the community and one of few larger parks available for passive and informal recreation and that it no longer meets the standards and expectations. The petition was supported by Council and investigation undertaken. On 27 February, Council unanimously agreed to upgrade Penders Park, allocating \$50,000 for design and planning in the 2017/2018.

Council and community recognise this opportunity to review and revisit the 2002 master plan to direct future developments in the park, in light of the changing community need in Thornbury.

Darebin Council is keen to take a different approach to engagement with the community and stakeholders and is proposing to establish a Community Project Control Group that includes community members for the purpose of designing and developing the Penders Park Master Plan. Importantly, Council aims to engage with the local residents who have led the proposal to redevelop the Park to date, recognising their local knowledge, commitment and expertise.

The new 2018-21 Penders Park Master Plan will guide the overall design and development of the park over the next four years and provide a set of actions and projects to be delivered during this time including an implementation program and budget estimates.

A central focus of the first stage of delivery for the Master Plan is the design and construction of an all abilities all ages play space and changing places toilet to replace the current play space.

The development of the master plan and the playspace upgrade confirms Council's commitment to expanding and improving our network of open and green spaces, parks and natural environments (Goal 1.3 of Darebin's Council Plan) and to the implementation of an all abilities playspace (Goal 2.2 of Darebin's Council Plan).

#### 2. PURPOSE

The purpose of the **Penders Park Community Project Control Group (PCG)** is to design and develop the master plan for Penders Park with the support and guidance from Council.

### 3. ROLES & RESPONSIBILITIES

The role and responsibilities of the Penders Park Community Project Control Group (PCG) are to:

- **Develop a timeline** for the preparation of the Penders Park Master Plan, taking into consideration that the master plan is to be completed and endorsed by Council **by the end of financial year 2017-2018 (30 June 2018)**.
- **Develop a thorough and inclusive community and stakeholder consultation process** that will gather feedback at key stages of the preparation of the master plan. The PCG will have to agree on the nature and timing of this consultation process. This can be done with assistance from Council Landscape Architects/ Project Managers if required.
- After the initial round of community and stakeholder consultation, the **PCG will be responsible for translating the community vision and feedback into a project scope/brief** while taking into consideration the project constraints as nominated in item 4 of this document.
- **Develop the master plan, including the scope, key actions and implementation priorities** while taking into consideration the project constraints as nominated in item 4 of this document. This can be done with assistance from Council Landscape Architects/ Project Managers if required.
- **Provide feedback and develop recommendations at the various design stages** during (1) the preparation of the master plan and (2) the project implementation phase. This includes the conceptual design of major projects identified in the Penders Park Master Plan, including - but is not limited to - the all abilities play space.

The PCG shall make recommendations based on **general consensus**. This means that **all members of the PCG must agree on the recommendations**. In the event consensus cannot be reached then resolution shall be sought via a report to Council.

**Any procurement of consultants and expenditure of funds will be done by Council officers**, in accordance with Council procurement policies, procedures, and Council budgets. The PCG shall provide input into the Council procurement process regarding suggestions for the engagement of specialist consultants and have a role in the evaluation of submissions.

Support by Council officers will be provided to the group as requested by the PCG in a timely manner to ensure timelines are met.

Members of the PCG are expected to provide detailed input on local issues and initiatives by:

- **Attending and actively participating in meetings** which can be held at or near the park. Council can also assist with venue for meetings if required.
- **Liaising with local residents, other community organisations and community members** to distribute information about the project and gather feedback.
- **Being respectful of other PCG members** and work positively and co-operatively within the group, acknowledging the diversity of viewpoints and experiences from different stakeholders.
- **Acting as ambassadors** to share knowledge and educate others about the key projects for Penders Park.
- **Progressing the project in a timely manner** to achieve outcomes.

### 4. PROJECT CONSTRAINTS

#### *Timeframe*

The master plan is to be **completed and endorsed by Council by the end of the 2017-2018 financial year (30 June 2018)**. The master plan will include the Stage 1 detailed design for the All-Abilities playspace and improved toilet amenities including a changing places toilet.

Implementation of the master plan will be conducted over the four years following endorsement of the master plan, with Stage 1 works to be delivered in 2018/19 ensuring the completion of the detail design of the priority All-Abilities Playspace and Changing Places facility for delivery in 2019 / 2020.

#### *Budget*

A budget of **\$50,000** has been assigned to the development of the master plan in 2017-2018.

The priority actions will form the basis of future Capital Works Submissions over the course of the next four years following endorsement of the master plan by 30 June 2018. A Capital Works bid for Stage 1 delivery of the detail design of the all-abilities playspace will form the basis of the first capital works bid for 2018/19. The delivery of the play space and improved toilet amenities including a changing places facility will form the basis of the Capital works bid for 2019/2020.

#### **Project requirements**

- Existing Heritage Overlay (HO290) applies to the park and several features in the park are of historical significance and will need to be protected.
- The path layout is part of the original layout of the park and therefore has historic value and will be maintained. Additional paths may be added so long as they do not impact the character of the current layout.
- The study area is limited to within the park boundary.
- Existing underground services such as power cables, water mains or Telstra cables. The exact location of underground services is to be confirmed.
  - Universal Design principles are followed
- Provision of an all abilities all ages playspace.
- Upgrade of existing toilets to provide a Changing Places facility.
  - Ensuring the park remains dog friendly.

#### **Community Engagement and Empowerment**

The PCG will work with Council to plan for a series of community engagement sessions to gather ideas and feedback during the Master Planning process. Council officers will assist the PCG as required to connect with key local stakeholders including local primary schools, aged care, child care and other groups to empower more voices to be heard through this process. The opportunity of using local artists, community groups and businesses to deliver the project will be explored.

#### **Deliverables**

- A master plan document that clearly and graphically represents the actions and recommendations.
- A detailed design plan for Stage 1 including an all abilities playspace and upgraded toilet amenities including a changing places toilet.
- An implementation plan that clearly outlines the design principles, actions and their respective priorities.
- An estimate of cost for each action. This can be prepared with assistance from Council Landscape Architects/ Project Managers if requested.

Council can supply examples of the documents above for the PCG's reference.

#### **5. SELECTION CRITERIA FOR MEMBERSHIP**

Membership will evenly reflect key stakeholder groups, local community groups and local residents and reflect the balance of gender, ability, age range and cultural diversity for a total of eight members.

Selection of the Project Control Group members will be based on:

- Knowledge of local issues.
- Ability to contribute ideas for improving the park.
- Ability to represent a broad cross section of views and understand the diverse needs of the local community.
- Availability to attend all meetings.
- Desire to serve or act as a local ambassador or leader for the local Thornbury community.

A Project Lead Council Officer will be nominated as a non-voting administration and project support to the PCG, from the park planning and design area of Council. This Officer will work across the relevant areas of Council over the period of the project, to ensure Council actions required to deliver the Master Plan are undertaken in the required timeline as agreed to by the PCG and the ensure the Master Plan is delivered by 30 June 2018.

#### **6. SELECTION PROCESS**

Membership to the PCG will be appointed by Council and Council officers following the selection process. Selection will occur through the following process:

- A drop-in session will be organised at Penders Park to initiate the Expression of Interest (EOI) process and invite applications for membership to the community project control group.
- Advertisements in local media and through Council's website and social media inviting applications from interested community members, for a three week period.
- Formal invitations will be sent to individuals or community groups known to have an interest in the park and/or the surrounds of the park.
- Applications will be evaluated by Council officers with a recommendation e taken to Council for consideration and endorsement of the final group.
- If the membership of the project control group is not filled through the advertising process or if the applications received are deemed by the selection panel to not fulfil the requirements of the project control group, Council may target potential members.
- Council will seek a broad representation of Darebin's community that reflects Darebin's diverse community – based on balance of gender, ability, age range and cultural diversity.

#### **7. COUNCILLOR REPRESENTATION**

Ruckers Ward Councillors will be invited to be members of the PCG. The PCG will be chaired and facilitated by one of the Rucker Ward Councillors, to be nominated by Council.

#### **8. MEETINGS & REPORTING**

- The PCG is required to meet for at a frequency determined by the group to support the effective management of the project.
- Members are required to attend all meetings.
- Meeting dates and times to be set at the initial PCG meeting by the group.
- There will be no quorum for meetings.
- Meetings are to be held at a place to be decided by the PCG. It is recommended that meetings are held at or near the park however Council may assist with securing a venue at Council offices if required.
- The PCG will be chaired and facilitated by one of the Rucker Ward Councillors, to be nominated by Council.
- Meeting Agenda preparation and minutes will be the responsibility of the non-voting Council Officer who will attend all meetings to support the PCG. The Council Officer will be responsible to recorded each meeting and liaising with other Councils Officers on Council actions as specified and where required by the PCG.
  - Meeting minutes will be checked by the chair and PCG members as a true and accurate record at the commencement of the following meeting.



- Agenda and meeting minutes will be forwarded to the Council Project Manager/ Landscape Architect and circulated to all Councillors.
- The PCG will present directly to Council and Officers prior to the final endorsement of the Master Plan, on the design, recommendations and reflect on the experience of this new community-led process.

#### **9. TERM OF THE PCG**

- The PCG shall be in place for the duration of the master planning process with the opportunity to extend by a decision of the council. Council would retain the right to revisit at that time, the future need (if any) for the continued use of the group.
- The PCG can be discontinued at any time at the discretion of Council.

#### **10. REVIEW OF THE PCG TERMS OF REFERENCE**

- Council will be required to approve any changes to the Penders Park Community Project Control Group Terms of Reference.
- Members may propose changes to the Terms of Reference however Council will be required to approve the proposed changes.

#### **11. METHOD OF RESIGNATION**

- Members will automatically resign after their membership period.
- Retiring members are eligible for re-appointment.
- If a member retires during the course of their term invitations will be sent out to those people who registered interest in being members in the most recent call for members. If there are no such people the position will be advertised for the remainder of the term.

#### **12. RELEVANT DOCUMENTS**

The following relevant documents will be made available to the PCG for reference:

- Open Space Strategy 2007-2017 (Currently under review)
- Playspace Strategy 2010-2020
- Public Toilet Strategy 2015-2025
- Council Plan 2017-2021
- Pender Park Landscape Master Plan 2002
- Heritage Overlay HO290 and the Heritage Significance of the park
  - Design for Everyone Guide (Sport and Recreation Victoria)
  - Universal Design Principles (Sport and Recreation Victoria)
  - Changing Places Information Guide & Technical Standard

#### **13. FURTHER INFORMATION**

For further information please contact Council's Public Places Unit on 8470-8888, email [public.places@darebin.vic.gov.au](mailto:public.places@darebin.vic.gov.au) or visit [www.yoursaydarebin.vic.gov.au](http://www.yoursaydarebin.vic.gov.au)

**8.8 DIGITAL TRANSFORMATION PROJECTS - CONTRACT AUTHORISATION FOR THE INTEGRATION PLATFORM****Author:** Chief Information Officer**Reviewed By:** Acting Director Corporate Services

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**Report Background**

This report seeks Council's approval to enter into a contract with Dell Australia Pty Ltd for the Boomi Integration Platform and also enter into a contract with RXP Services Ltd for professional services associated with the implementation of the integration platform. The total estimated contract value will be \$505,000 (inclusive of GST) for the initial 3 years and \$400,000 (inclusive of GST) for three 1 year extensions (Total \$905,000 over 6 years).

**Previous Council Resolution**

At its meeting on 3 July 2017, Council resolved:

*'That Council:*

- (1) Adopts the Digital Transformation Strategy, and the key actions for 2017/2018 listed below under 'Future Actions'.*
- (2) Notes that implementation of the Strategy is necessary for the delivery of initiatives to improve customer service and experience.*
- (3) Officers include the Digital Transformation budget for Council's consideration in the financial years 2018/2019, 2019/2020, and 2020/2021.*
- (4) Officers provide Council with an annual report on the Strategy's deliverables, and an implementation plan for the following year.*
- (5) Officers provide a supplementary report to Council regarding the "Digital Transformation Strategy" that addresses how residents with limited computer literacy skills or English language proficiency can share in the benefits of an improved customer centric digital service experience.'*

**Council Plan Goal/Endorsed Strategy**

- Goal 6 – A well governed Council
- Digital Transformation Strategy 2017-2011

**Summary**

The Integration platform facilitates the integration of different systems by allowing communication between our systems to function together as a seamless system.

The Integration platform will,

- improve the community's experience when transacting online and offline with Council
- facilitate the retrieval of information from various repositories into one view negating the need to duplicate data and processes in multiple systems
- reduce the cost of changing systems from older obsolete systems to newer more efficient system

- Improve the quality of information by reducing the number of touch points for the same data set
- allow external partners to integrate into our process more efficiently and improve turnaround times and customer experience

<b>Recommendation</b>
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**That:**

- (1) Council enters into a contract with Dell Australia Pty Ltd for the Boomi Integration Platform and RXP Services Ltd for professional services, for a contract period of 3 years fixed and 3 X 1 year extensions. The estimated value of this procurement will be \$505,000 (inclusive of GST) and \$400,000 (inclusive of GST) for the extensions.
  - (2) Council authorises the Chief Executive Officer to sign and execute the contract agreement with Dell Australia Pty Ltd for the Boomi Integration Platform and RXP Services Ltd for professional services on behalf of Council.
- 

**Introduction**

Council strives to provide a broad range of high quality services to the Darebin community. The business capabilities required to deliver these services include staff expertise and a variety of tools from heavy machinery to business processes and systems. The Digital Strategy sets out a clear approach to strengthening Council's capabilities from a digital business perspective. The following outlines the transformational changes to improve customer experience:

- Designing services that are customer centric using systems that are adaptable and future focused.
- Freeing staff to serve the community through genuine two-way engagement.
- Partnering with external vendors for more efficient service delivery.
- A mobile enabled workforce.
- Practising 'Outside in design' by designing services from the viewpoint of the stakeholder.

Two platforms are required to support the transformation being the Customer Service Platform and the Integration platform.

This report recommends the purchase and implementation of the Integration platform, which is a pre-requisite for the future implementation of the Customer Service Platform.

A separate Council report for the Customer Service Platform will be presented in due course.

**Issues and Discussion****Request for Tender**

The Northern Region Councils' collaboration group noted that other councils had similar intention to acquire an integration platform, which led to a collaborative procurement initiative. This includes the Moreland, Whittlesea, Banyule, Nillumbik and Mitchell.

On 28 October 2017 a Request for Tender (RFT, Ref. No. CT2017217) was released for the provision of an 'Integration Platform'.

The tender closed on the 23 November 2017 which resulted in 9 submissions received at closing. The submissions had multiple licensing and pricing options based on features and capability.

Table 1 – Submissions

	Vendor	Proposed Integration Platform
1	Charlie Mac and Associates	Knack Development Platform
2	Dell Australia	Dell Boomi Enterprise Edition Platform
3	GGBV	Gartner quadrant rated platform
4	Infor	Infor OS Solution Platform
5	KPMG	SnapLogic Elastic Platform
6	LimePoint	Oracle PaaS and IaaS Platform
7	MuleSoft	MuleSoft Platform
8	Rubicon Red	Oracle PaaS and IaaS Platform
9	RXP Services	Dell Boomi Platform Enterprise Edition

### Tender Evaluation

The nine submissions were evaluated by a team comprising of seven representatives from Darebin City Council, Moreland City Council, Whittlesea City Council and Banyule City Council. They were evaluated against the agreed criteria of Price, Capability, Capacity, Quality Assurance and OH & S.

Table 2- Evaluation Criteria

Agreed Selection Criteria	Points	Reasoning/Comments
Financials	15	Cost value for money is required.
Capability	37	Contractor's capability in relevant areas
Capacity	40	Contractor's capacity in the following areas
Quality Assurance	5	Evidence of Quality Assurance certification
OH&S and Required Insurances	3	Evidence of Occupational Health and Safety requirements
TOTAL POINTS	100	

The Evaluation documentation has been provided to council separately as a confidential document (in accordance with procurement requirements).

The Boomi platform was evaluated as most appropriate because:

- The process workflow tool was a lot simpler to follow
- Development for integration points did not require expert technical skills. (e.g. RAML mark-up language)

- The platform was able to support unlimited integration points without additional costs
- The overall architecture/design of the platform was simpler to understand

### Options for Consideration

1. Do nothing – accept that improvements described in the Digital Transformation Strategy may not be achievable.
2. Implement an Integration Platform (preferred). As outlined above, an Integration platform enable an increase in the organisation's flexibility and productivity and improve the customer experience.

### Financial and Resource Implications

The contract comprises the following software license costs and professional services:

	Year 1 Capital expenditure	Year 2 Capital expenditure	Year 3 Operating expenditure	Year 4 (option) Operating expenditure	Year 5 (option) Operating expenditure	Year 6 (option) Operating expenditure
Software license costs	\$95,000	\$95,000	\$105,000	\$105,000	\$110,000	\$110,000
Professional Services	\$55,000	\$80,000	\$75,000	\$25,000	\$25,000	\$25,000
<b>Total</b>	<b>\$150,000</b>	<b>\$175,000</b>	<b>\$180,000</b>	<b>\$130,000</b>	<b>\$135,000</b>	<b>\$135,000</b>

Note:

- All numbers are inclusive of GST
- Contingency has not been included.

### Risk Management

Risk	Impact	Likelihood	Mitigation
Currency – risk of moving exchange rates of USD to AUD	High	Medium	Confirmed that no impact on pricing if there was change in exchange rates. All pricing will be in AUD and an agreed uplift of 3% per year after year 3.
Subscription model – Increased cost due to consumption of licenses, hence exceed contract pricing	High	Medium	Agreed flexibility in use of connectors for single application, internal change management process and additional purchase of licenses at unit price
Security and Data breaches	High	Medium	Using external service provider to ensure security best practice when implementing API's

### Policy Implications

#### Economic Development

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

### **Environmental Sustainability**

The Integration platform is anticipated to have favourable impacts upon environmental sustainability by reducing costs associated with the use of vehicles. For example, the platform will provide information on the field and reduce the need to return to the office.

### **Human Rights, Equity and Inclusion**

The platform will improve community access to Council services from anywhere and anytime, negating the requirement for people to physically present to Council. If the customer contacts Council by phone or in person because they do not have internet access or cannot access the online service for whatever reason, then the customer service representative will be in a better position to provide a quality service for the reasons provided above.

### **Other**

There are no other factors which impact on this report.

### **Future Actions**

- Finalise and award contract to Dell Australia for the Boomi Platform
- Finalise and award contract for implementation of the platform to RXP services
- Establish the base platform with Dell and RXP
- Build and Implement agreed scope of works
- Training and Hand over to internal IT team for further development
- Complete project by December 2019.

### **Consultation and Advocacy**

Not applicable

### **Related Documents**

- Council's adopted digital transformation strategy as published on Darebin Website
- CT2017217 – Integration Platform – Request for Tender
- Strategic Procurement Plan
- Conflict of Interest Declaration
- Evaluation documentation
- Evaluation report

### **Attachments**

- Evaluation documentation (**Appendix A**) 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.

**8.9 ROAD RESURFACING PROGRAM 2017/2018 - CONTRACTS CT2017231, CT2017232, CT2017234, CT2017235, CT2017250, CT2017251****Author:** Major Works Engineer**Reviewed By:** General Manager Operations and Capital

---

**Report Background**

This report seeks Council's endorsement and the awarding of six (6) contracts to deliver the Road Resurfacing Program 2017/2018

**Previous Council Resolution**

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

**Council Plan Goal/Endorsed Strategy**

Goal 3 - A liveable city

We will manage local roads, buildings and public spaces to make our city safer, cleaner and more attractive

**Summary**

Originally these contracts were tendered through a Procurement Australia Panel in November 2017 but no submissions were received.

The appointment of contractor/s for the Road Resurfacing Program 2017/2018 (CT2017231, CT2917232, CT2917234, CT2917235, CT2917250, and CT2917251) was sought from the Civil Construction Works Panel – CT2017100. A Request for Quote (RFQ) was asked from four (4) of the major works contractors on the Civil Construction Works Panel. All contractors approached showed an interest in the works and wanted to price.

On 15 December 2017, an RFQ was released for these works. The works are to include Traffic control, road profiling, asphalt patching, asphalt resurfacing, pit and valve adjustment and reinstatement of line marking.

On 23 January 2018, the RFQ closed with only one (1) submission was received. The Tender Evaluation Panel (TEP) evaluated the submissions and recommends awarding reduced works contracts (CT2017231, CT2917232, CT2917234, CT2917235, CT2917250, and CT2917251) to a suitable contractor. The TEP report is provided to council separately as a confidential document (in accordance with procurement requirement).

The proposed contract arrangements will be a lump sum contract based on AS2124 General Conditions of Contract. It is anticipated the contract will have to 30 June 2018 to complete the works.

<b>Recommendation</b>
-----------------------

**That Council:**

- (1) Awards Contract No. CT2017231 Road Resurface Program 2017/2018 Main Roads North to Prestige Paving Pty Ltd for the reduced street total contract amount of \$479,061.88 including GST.
- (2) Approves a contingency amount of \$13,090.00 (incl. GST), being approximately 2.7% of the contact, amount, to be used if required on Contract No.CT2017231.
- (3) Awards Contract No. CT2017232 Road Resurface Program 2017/2018 Main Roads South to Prestige Paving Pty Ltd for the reduced street total contract amount of \$315,561.73 including GST.
- (4) Approves a contingency amount of \$28,380.00 (incl. GST), being approximately 9.0% of the contact, amount, to be used if required on Contract No.CT2017232.
- (5) Awards Contract No. CT2017234 Road Resurface Program 2017/2018 South to Prestige Paving Pty Ltd for the reduced street total contract amount of \$456,232.95 including GST.
- (6) Approves a contingency amount of \$42,900.00 (incl. GST), being approximately 9.4 % of the contact, amount, to be used if required on Contract No.CT2017234.
- (7) Awards Contract No. CT2017235 Road Resurface Program 2017/2018 East to Prestige Paving Pty Ltd for the reduced street total contract amount of \$436,992.78 including GST.
- (8) Approves a contingency amount of \$49,555.00 (incl. GST), being approximately 11.3% of the contact, amount, to be used if required on Contract No.CT2017235.
- (9) Awards Contract No. CT2017250 Road Resurface Program 2017/2018 North East to Prestige Paving Pty Ltd for the reduced street total contract amount of \$476,995.18 including GST.
- (10) Approves a contingency amount of \$13,090.00 (incl. GST), being approximately 2.7% of the contact, amount, to be used if required on Contract No.CT2017250.
- (11) Awards Contract No. CT2017251 Road Resurface Program 2017/2018 North West to Prestige Paving Pty Ltd for the reduced street total contract amount of \$465,427.91 including GST.
- (12) Approves a contingency amount of \$12,870.00 (incl. GST), being approximately 2.8% of the contact, amount, to be used if required on Contract No.CT2017251.
- (13) Authorises the Chief Executive Officer to finalise and execute the six contracts documentation on behalf of Council (works to be carried out from the 1<sup>st</sup> March to 30<sup>th</sup> June 2018).
- (14) Approves the increase to the Roads Resurface Program budget by \$57,229.00 to a total budget of \$2,757,229.00, funded through savings across the Capital Works Program.

---

**Introduction**

The Road Resurface Program Works is undertaken each year as part of Council's annual Capital Works Program. This work involves the asphalt resurfacing (and associated works) of a number of streets nominated in the program as part of Council's annual budget.



The objectives of Council as outlined in the Darebin Council Plan 2017 – 2021, which includes:

- *Find new and better ways to upgrade our road network through new technology and products, and maintain satisfaction with local roads above 80%.*

And the Action Plan 2017/2018 actions working towards this target to:

- *Re-surface a minimum of 22 kilometres of roads.*

These works are in line with the Road Asset Management Plan and in accordance with the *Road Management Act 2004*.

This procurement is for the supply and lay of stone mastic asphalt (sma). The asphalt is designed with a fibre in the mix to allow it to be laid in thinner layers which reduces the volume of asphalt required and in turn reduces emission of fumes and greenhouse gases and energy saving of up to 30% over traditional hot mixed asphalts.

Asphalt profiling are taken to recycling station for reprocessing into materials for later use in new asphalt.

Thus this procurement is set up to minimise the environmental impact of the works.

The program aims to improve the condition of road pavements, safety and appearance of the overall streetscape of roads within the municipality.

Works are to include:

- Works Traffic Management
- Road profiling
- Patching of failed sections
- Asphalt Resurfacing
- Adjustment of valve and pit cover to match the new surface
- Reinstatement of line marking

## **Issues and Discussion**

### **Tender Process History**

Due to delays in the finalising the works scope and lump sum contract tender, the public tender process did not commence until late November / early December 2017.

As a result, an alternative procurement plan was used for obtaining quotations for the various street groups by the use of an approved panel, Procurement Australia's Contract 2012/0328 Road Surfacing and Associated Services. Although four (4) contractors were approached at the closure of the process none had submitted quotes, on the grounds that Darebin was remote for a large program for them, or they did not have available capacity.

At this point, Members of the CT2017100- Civil Construction Works Panel were invited to provide a quotation for each of the road groups.

The aim of the use of both panels was to obtain multiple contractors to carry out all the works well before 30 June 2018 in the warmer months

### Tender Process

The process followed the Procurement Plans that had been formally approved by the Procurement Accreditation Committee on 8 December 2017. The procurement plan details the processes for the selection and engagement of suitable contractors to undertake the Road Resurfacing Program 2017/2018.

Members of the CT2017100 - Civil Construction Works Panel were invited to provide a quotation for each of the road groups and the contracts were to be awarded based upon lump sum price and the availability to complete the works in the specified time frame, 30<sup>th</sup> June 2018.

The CT2017100 - Civil Construction Works Panel members who were asked to quote for the works were:

- Citywide Services
- MAL Paving
- Prestige Paving
- JMAC Constructions

Request for Quote (RFQ) were sent out on the 15 December 2017 with submissions closing on 23 January 2018. One (1) contractor, Prestige Paving, made submissions for the works, before the closing date and time.

### Tender Evaluation

The details of the submission and tender evaluation process are provided under a separate confidential attachment (**Appendix A**) circulated to Councillors separately.

It is recommended that Prestige Paving Pty Ltd is awarded contracts CT2017231, CT2017232, CT2017234, CT2017235, CT2017250 and CT2017251 for the revised tender prices and reduced scope of works as detailed in the confidential attachment (**Appendix A**) circulated to Councillors separately.

### Options for Consideration

The company to tender for these contracts was Prestige Paving as part of the Civil Construction Works Panel, their insurances were compliant and they have in place the OH and S and qualities management processes that complied with Council requirements. They have done works for Darebin and have had a good standard of works

Overall the tendered contract price exceeds the budget of the road resurfacing program. This has occurred for many reasons but in summary as follows:

1. The area of works change due to a number of reasons.
2. Since the budget was estimated, the road line marking has been include the quotation.
3. The price of bitumen is significantly increasing having been stable for several years, and the contractor has allow for this in their tender price.
4. The Victorian State Government is currently undertaking a massive infrastructure program which has had an impact on the asphalt industry, quarries are in full demand, most contractors are already booked for the rest of the year, and there is a shortage of staff to fill this demand.

5. This quotation is later in the financial year, as previous procurement failed to obtain a submission.

The total budget allocation for the Road Resurface Program is \$2,700,000 (excl. GST) from the 2017/2018 Capital Works Program. Along with asphalt resurfacing this budget also includes other minor associated works not included in this tender, such as concrete repairs, and signal loop reinstatement, which may represent up to 5% of the budget, this year.

To stay within the overall Road Resurface Program budget, several streets are to be removed from the works required within each contract. The aim of this procurement was to obtain multiple contractors, to speed the works and maintain the highest standard, so with one contractor a reduced number of streets should allow a higher standard to be obtained.

The reduced street program was established by considering each street's condition, size and use location, with the aim to obtain the best value works for Darebin. Any streets not included in this contract will be included in the 2018/2019 program.

The contingency is used for variation in the contracted amount. The main variations for asphalt works are:

1. Pit and valve cover adjustment to match new surface, where required (i.e. up to 32 in past years).
2. Additional works caused by parked cars, unable to be moved at the time of the works.
3. Additional patching due to deterioration of road pavement from pretender inspection to the works.
4. Modification to work limits.(including indent parking bays, or intersection at end of works)

Past experience indicates a figure of 5% to 8% is sufficient to cover these variations in the works.

### **Financial and Resource Implications**

The total budget allocation for the Road Resurface Program is \$2,700,000 (excl GST) from the 2017/2018 Capital Works Program.

Along with asphalt resurfacing this budget also includes other minor associated works not included in this tender, such as concrete repairs, signal loop reinstatements. Pit and valve cover adjustment to match the new surface and any return to site due to parked cars stopping work completion are included in these tender as a contingency item. These cost may represent up to 10% of the group budget.

The total budget to deliver all six contracts including required contingencies is \$2,757,228.75 - a shortfall of \$57,228.75.

It is recommend that the short fall of \$57,228.75 be funded through saving across the Capital Works Program.

### **Risk Management**

All works require traffic management plan and trained controller to be on site to maintain a site safety for all vehicles, cyclists and pedestrians movement around the site. They also work with residents to safely access their property when safe.

The contractor has the appropriate insurances in place and the appropriate OHandS management systems in place.

## **Policy Implications**

### **Economic Development**

While there is no direct impact upon economic development, indirectly the improved road surface will aid the access to business in Darebin.

### **Environmental Sustainability**

This tender requires the use of stone mastic asphalt. This asphalt is designed with a fibre in the mix to allow it to be laid in thinner layers which reduces the volume of asphalt required and in turn reduces truck movements, emission of fumes and greenhouse gases by up to 30%, up to a 55% reduction in fine dust and an energy saving of up to 30% over traditional hot mixed asphalts.

Asphalt profilings will be taken to recycling station for reprocessing into materials for later use in new asphalt.

The timely resurfacing of the roads prolongs the life of the whole road pavement, minimising the use of new material, now and in the future.

### **Human Rights, Equity and Inclusion**

Pedestrian crossing points will have any surface irregularities removed to provide smooth and safe pedestrian access within the street for all.

The improved road surface at the side of the road improves the ride and safety for cyclists, including the on-road bicycle lanes where the roads resurfaced are part of the Principle Bicycle network.

### **Other**

Council has a Road Asset Management Plan and this project is being undertaken in accordance with this document to ensure that the average condition of all roads assets does not worsen over time.

### **Future Actions**

The contracts once awarded, a letter of acceptance be issued to the recommended tender. Residents will be notified of the proposed works prior to their commencement. Works are expected to be completed by 30 June 2018.

### **Consultation and Advocacy**

- General Manager Operation and Capital
- Manager Infrastructure and Capital Delivery
- Coordinator Infrastructure Planning
- Project Manager
- Major Works Engineer
- Procurement and Contracting
- Transport Management

**Related Documents**

- Nil

**Attachments**

- Contract Evaluation documentation for CT2017231, CT2017232, CT2017234, CT2017235, CT2017250 and CT2017251 (**Appendix A**) 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.

**9. CONSIDERATION OF RESPONSES TO PETITIONS, NOTICES OF MOTION AND GENERAL BUSINESS**

Nil

**10. NOTICES OF MOTION**

Nil

## 11. REPORTS OF STANDING COMMITTEES

### 11.1 AUDIT COMMITTEE

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The Audit Committee is an Advisory Committee appointed, pursuant to section 139 of the *Local Government Act 1989*, to assist Council in fulfilling its responsibilities relating to internal control mechanisms and external reporting requirements.

A meeting of the Audit Committee was held on 4 December 2017. A summary report of the meeting is attached as **Appendix A** to this report. The minutes of the meeting, incorporating the reports considered by the Committee, have been circulated to Councillors.

<b>Recommendation</b>
-----------------------

**That** the Report of the Audit Committee meeting held on 4 December 2017, be received and the Committee Recommendations be adopted.

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#### Related Documents

- *Local Government Act 1989*

#### Attachments

- Summary Report of Audit Committee (**Appendix A**) [↓](#)



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# SUMMARY REPORT OF THE AUDIT COMMITTEE MEETING

Held on Monday 4 December 2017





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**MINUTES OF THE MEETING OF THE AUDIT COMMITTEE OF THE  
DAREBIN CITY COUNCIL HELD AT DAREBIN CIVIC CENTRE  
350 HIGH STREET PRESTON ON MONDAY 4 DECEMBER 2017**

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**THE MEETING OPENED AT 2.31 PM**

Prior to commencement of the meeting the Chairperson advised that Council, at its meeting on Monday 13 November 2017 appointed Cr. Kim Le Cerf (Mayor) and Cr. Susan Rennie as the City of Darebin's representatives to the Audit Committee.

New independent member Dr Marco Bini was welcomed to the Audit Committee by the Chairperson. Dr Bini gave a brief overview of his work background; most recently he was with the Auditors office for 10 years, is a Lawyer by trade, specialises in Governance, spent five years at DCP and time in private practice.

## **1. PRESENT**

### ***Members***

Mr Terry Richards (Chairperson)  
Ms Lisa Tripodi (Independent External Member)  
Dr Marco Bini (Independent External Member)  
Cr. Kim Le Cerf (Mayor) (Committee Member)  
Cr. Susan Rennie (Committee Member)

### ***Internal Auditor***

Mr Martin Thompson (Senior Partner, Audit and Assurance – Crowe Horwath)

### ***External Auditor***

Mr Remy Szpak (Financial Audit Manager – VAGO)

### ***Officers***

Ms Sue Wilkinson - Chief Executive Officer  
Mr Andrew McLeod - Director Corporate Services  
Mr Allan Cochrane – Chief Financial Officer  
Mr Michael O'Riordan – Financial Accountant  
Ms Gracie Karabinis – Manager Corporate Risk and Audit

### ***Minutes***

Ms Melanie Nitchov - PA to Director Corporate Services

## **2. APOLOGIES**

Ms Jacinta Stevens - Director Civic Governance and Compliance

## **3. DISCLOSURES OF CONFLICTS OF INTEREST**

Nil

## AUDIT COMMITTEE SUMMARY REPORT

4 DECEMBER 2017

**4. REGISTER OF INTERESTS**

Audit Committee members are asked to declare any conflicts of interest. The following record of members' disclosures will remain until amended by the member concerned.

Mr Terry Richards

- Latrobe City Council

Ms Lisa Tripodi

- City of Greater Geelong
- City of Moonee Valley
- Knox City Council
- Mornington Peninsula Shire Council

Dr Marco Bini

- Dr Bini stated that he had some interests but no conflicts.

**5. CONFIRMATION OF THE PREVIOUS AUDIT COMMITTEE MEETING****Committee Decision**

**MOVED:** Mr T Richards

**SECONDED:** Ms L Tripodi

**That** the Minutes of the Audit Committee Meeting held on 2 October 2017 be confirmed as a correct record of business transacted.

**CARRIED**

**6. STANDING REPORTS**

Nil

## AUDIT COMMITTEE SUMMARY REPORT

4 DECEMBER 2017

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**7. FINANCIAL REPORTS****7.1 FINANCIAL REPORT - 4 MONTHS ENDED 31 OCTOBER 2017****Author:** Financial Accountant**Reviewed By:** Director Corporate Services

---

**Report Background**

Under the Local Government Act 1989, at least every three months the Chief Executive Officer is required to present to the Council a statement comparing the budgeted with the actual revenues and expenses for the financial year to date.

**Previous Council Resolution**

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

**Previous Briefing(s)**

This matter has not previously been to a Councillor Briefing.

**Council Plan Goal/Endorsed Strategy**

Goal 6 – A leading, modern and open Council

**Summary**

A comprehensive financial review has been undertaken for the four months ended 31 October 2017 to assess the financial performance of Council year-to-date. The outcome of the review indicates that Council has achieved a year-to-date operating surplus of \$88.40 million, which is \$5.14 million ahead of budget and capital works expenditure of \$6.30 million, which is \$4.17 million behind the budget.

All material variations have been explained in the report.

<b>Committee Decision</b>
---------------------------

**MOVED:** Mr T Richards**SECONDED:** Cr. K Le Cerf

**That** the Audit Committee receives the contents of the “Financial Report for the four months ended 31 October 2017” included as **Appendix A** to this report and notes the year-to-date actual and budget operating and capital results.

**CARRIED**

## AUDIT COMMITTEE SUMMARY REPORT

4 DECEMBER 2017

**7.2 CAPITAL WORKS PERFORMANCE 2016/17****Author:** Chief Financial Officer**Reviewed By:** Director Corporate Services**Report Background**

This report is to provide information on the delivery of capital works projects for the financial year ended 30 June 2017.

**Previous Council Resolution**

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

**Previous Briefing(s)**

This matter has not previously been to a Councillor Briefing.

**Council Plan Goal/Endorsed Strategy**

Goal 6 - A well governed Council

**Summary**

A comprehensive financial review has been undertaken of the expenditure on capital works projects for the financial year ended 30 June 2017 which was \$31,433,780 against a published budget of \$35,840,000.

Of the 155 projects listed on the attached report, 80 have been completed (51.6%), three abandoned, 11 to be completed from 2017/18 program of works (no carry forward) and 61 carried forward for completion in 2017/18 or later years.

Carry forwards from the 2016/17 capital work projects are \$12,197,929 related to future expenditure and \$1,533,554 related to future project revenue.

**Committee Decision****MOVED:** Mr T Richards**SECONDED:** Cr. S Rennie

That the Audit Committee receives the content of this report on the capital works performance for the year ended 30 June 2017.

**CARRIED**

## AUDIT COMMITTEE SUMMARY REPORT

4 DECEMBER 2017

**7.3 CAPITAL WORKS PERFORMANCE - 4 MONTHS ENDED 31 OCTOBER 2017****Author:** Chief Financial Officer**Reviewed By:** Director Corporate Services**Report Background**

This report is to provide information on the delivery of capital works projects for the four months ended 31 October 2017.

**Previous Council Resolution**

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

**Previous Briefing(s)**

This matter has not previously been to a Councillor Briefing.

**Council Plan Goal/Endorsed Strategy**

Goal 6 - A well governed Council

**Summary**

A comprehensive financial review has been undertaken of the expenditure on capital works projects for the financial year ended 31 October 2017 which was \$6.30 million against a year to date budget of \$10.47 million.

Of the 159 projects listed for completion in 2017/18, project managers have indicated six (4%) projects have been completed, 120 (75%) projects are on track, 25 (16%) projects have been identified as having a risk of not being completed in 2017/18, and eight (5%) projects have not started.

**Committee Decision****MOVED:** Mr T Richards**SECONDED:** Ms L Tripodi

**That** the Audit Committee receives the Capital Works Performance - 4 months ended 31 October 2017 report.

**CARRIED**

## AUDIT COMMITTEE SUMMARY REPORT

4 DECEMBER 2017

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**8. RISK MANAGEMENT****8.1 CORPORATE RISK MANAGEMENT AND BUSINESS CONTINUITY PLANNING****Author:** Manager Corporate Risk and Audit**Reviewed By:** Director Corporate Services

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**Summary**

As a regular requirement of the Audit Committee, the Manager Corporate Risk and Audit is responsible for providing progress reports on the ongoing implementation of Council's Risk Management Framework.

This report provides an update of Council's current risk management status in relation to its Proactive Risk Management projects, practices and performance as well as Business Continuity Planning.

<b>Committee Decision</b>
---------------------------

**MOVED:** Mr T Richards**SECONDED:** Cr. S Rennie

That the Audit Committee receives and notes this report.

**CARRIED**



## AUDIT COMMITTEE SUMMARY REPORT

4 DECEMBER 2017

**9. INTERNAL AUDIT****9.1 MEMORANDUMS OF AUDIT PLANNING****Author:** PA to Director Corporate Services**Reviewed By:** Director Corporate Services**Summary**

As part of the implementation of Council's audit program for 2017, Crowe Horwath has prepared Memorandums of Audit Planning (MAPs) for the following upcoming audits:

- Infringements and Permits Management (Local Laws)
- Follow-Up of Selected High Risk Matters Raised in Prior Internal Audit Reports Review

These MAPs were sent to the Audit Committee and Executive Management Team with the opportunity for comment before being signed off by the Director Corporate Services.

**Consultation**

- Audit Committee
- Executive Management Team

**Committee Decision****MOVED:** Mr T Richards**SECONDED:** Cr. K Le Cerf

**That** the Audit Committee receives and notes the following MAPs prepared by the internal auditors Crowe Horwath: Infringements and Permits Management (Local Laws), and Follow-Up of Selected High Risk Matters Raised in Prior Internal Audit Reports Review.

**CARRIED**

## AUDIT COMMITTEE SUMMARY REPORT

4 DECEMBER 2017

**9.2 INTERNAL AUDIT PROGRESS REPORT AND RECENT REPORTS AND PUBLICATIONS****Author:** PA to Director Corporate Services**Reviewed By:** Director Corporate Services**Summary**

The internal auditors, Crowe Horwath, have provided a report as at 14 November 2017 to update the Audit Committee on Council's internal audit activity since the meeting held on 2 October 2017. The two additional projects requested by Audit Committee at the July and August 2017 meeting are also shown.

The report also lists Recent reports and publications that may be of interest to Council (July 2017 – September 2017).

**Consultation**

- Executive Management Team
- Senior Management

**Committee Decision****MOVED:** Mr T Richards**SECONDED:** Dr M Bini

**That** the Audit Committee receive and note the attached Internal Audit Progress report as at 14 November 2017 and Recent reports and publications (July 2017 – September 2017), prepared by the internal auditors, Crowe Horwath.

**CARRIED**

---

**AUDIT COMMITTEE SUMMARY REPORT****4 DECEMBER 2017**

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**9.3 ASSET PROTECTION REVIEW****Author:** Manager Planning and Building**Reviewed By:** Director Corporate Services

---

**Summary**

The Asset Protection service operates to protect Council Assets and general residential amenity in regard to building activity within the City. The service operates at a net profit and has been reviewed to ascertain whether the service can be made more efficient and effective and whether actions can be taken to mitigate any risks identified.

The report has identified the need and opportunity for process and system improvement, combined with control mechanisms to reduce the exposure to certain risks. Many of the weaknesses within the report point to the need to provide a better alignment between the various units of Council that the service relies upon to be delivered. For instance a whole of Council approach is required to address the level of outstanding bonds which currently sits at \$4.4m that was identified as the single major risk within the report. A systematic approach is required together with improved management oversight to actively review the currency of outstanding bond monies.

The following section provides a summary of the report findings in relation to other key (lower risk) findings:

**Policies & Procedures**

- The policies and processes are due for review.
- The tracking of customer complaints is limited and requires improvement.

**Use of Technology**

- The Pathway software system requires a reporting capability to allow the monitoring of permits, tracking of Site Compliance Officer and workflow processes, together with capabilities of measuring performance and compliance with service standards such as inspections due to be completed within 36 hours.

**Data Collection**

- There is an over reliance on manual systems.
- Remote inspection processes are not readily integrated with central systems requiring a duplication of effort in field work and office work.
- Performance measurement capabilities are largely manual.

**Role of Local laws**

- There is segregation between the issue of infringements and the appeal process and inadequate transfer of information between the Building department and the Appeal Panel which is overseen by Local Laws. This means the inspector is not providing comment on appeal requests or given feedback on why appeals are upheld.
- Management oversight of the infringement process is lacking.

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**Page 10**

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**AUDIT COMMITTEE SUMMARY REPORT****4 DECEMBER 2017**

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**The Bond Process**

- The report notes that \$1.5m in bonds has been collected in the past 12 months.
- Documentation requires improvements on the role of the Site Compliance Officer on the assessment criteria governing the decision to return or part refund bonds.
- The adequacy of the \$1,500 bond requires review.

**Debtor Management**

- There is no management reporting in place to identify in any routine way to identify any unpaid Asset Protection Permit fees.

**Consultation**

- Director Corporate Services
- Municipal Building Surveyor
- Executive Manager Finance
- Coordinator Civic Compliance
- Building Site Compliance Officer
- Manager Health and Compliance
- Financial Accountant

<b>Committee Decision</b>
---------------------------

**MOVED: Mr T Richards****SECONDED: Cr. K Le Cerf****That:**

- (1) the Audit Committee note the attached report, "*Asset Protection*" (Crowe Horwath, 2017) is a work in progress.
- (2) an updated report comes to the Audit Committee in February 2018.

**CARRIED**

## AUDIT COMMITTEE SUMMARY REPORT

4 DECEMBER 2017

**9.4 ROAD MANAGEMENT PLAN COMPLIANCE REVIEW  
EXECUTIVE SUMMARY****Author:** Manager City Works and Contracts**Reviewed By:** Director Corporate Services**Summary**

The Road Management Plan Compliance Review as attached was undertaken to assess whether the procedures and practices are operating satisfactorily. Objectives of the audit were to:

Review the adequacy of:

1. Council's processes for meeting its obligations under its Road Management Plan
2. The recording and complying with the RMP's asset inspections
3. Recording, prioritising and complying with the RMP's road maintenance standards and defect response;
4. Reporting of RMP compliance to senior management;
5. RMP IT System, including capture of inspections, prioritisation and actioning of works, system generated reporting, escalation processes.

Council have a current Road Management Plan (RMP) that has been prepared in accordance with the Road Management Act 2004 however it was found that the current controls in place for Council would benefit from strengthening. The audit identified a range of controls that should be implemented and improved in order to reduce the identified weaknesses and exposures.

The report notes the two following high risk issues:

1. The level of non-compliant activity under the RMP relating to asset inspections for specific asset types, kerb and channel and bicycle shimmy, is not known to management.

Management Response:

Shimmy routes are now in CAMS however a new Kerb and Channel layer in GIS will need to be developed with the assistance of IT. Shimmy routes have correct inspection frequency dates in GIS however work is required to reflect the dates in CAMS. Reports will be generated to allow better monitoring on each asset type once the new Kerb and Channel layer has been developed. Weekly non-conformance reporting to manager will be undertaken in the interim.

2. The level of non-compliant activity under the RMP relating to defect rectification work orders.

## AUDIT COMMITTEE SUMMARY REPORT

4 DECEMBER 2017

Management Response:

An internal audit conducted for open work orders with two day timelines found that physical works had been completed however the associated work orders had not been closed off in the system. This is partly due to work order duplication.

A new compliance report is in its demonstration stage where noncompliance is identified. Weekly meetings with Manager to investigate noncompliance until issues have been rectified are intended.

All other audit findings were supported by management and appropriate respondent controls are underway or planned to address medium and low risk process deficiency.

**Consultation**

- Oliver Vido – Director Operations & Environment
- Brett Grambau – Coordinator Infrastructure Maintenance & Support
- Robin Ibbetson – Infrastructure Inspections Coordinator
- Edward Ward – Infrastructure Maintenance Coordinator
- Hanna Lopez – Inspections Officer
- Amit Khairajani – Coordinator Digital Strategy
- Ben Crocket – Solution Developer Team Leader GIS

**Committee Decision**

**MOVED:** Mr T Richards  
**SECONDED:** Cr. S Rennie

**That** the Audit Committee receive and note the attached report; Road Management Plan Compliance Review prepared by the Internal Auditors, Crowe Horwath.

**CARRIED**

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**AUDIT COMMITTEE SUMMARY REPORT****4 DECEMBER 2017**

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**9.5 OUTSTANDING INTERNAL AUDIT ACTIONS****Author:** Manager Corporate Risk and Audit**Reviewed By:** Director Corporate Services

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**Summary**

This report provides an update on progress towards addressing outstanding internal audit recommendations as at 31 October 2017, following the desktop review conducted by Crowe Horwath in August 2017.

At the time of Crowe Horwath's review, and acknowledging the report they were assessing against was inaccurate, a total of 99 recommendations were identified with the following observations:

- 51 or 51% of the total management comments recorded were inadequate; and
- Of the 51, 54% (28) did not record a 'latest management comment' as at June 30, 2017

The findings of the review were presented to the Executive Management Team on 26 September 2017 and as a result, an internal assessment was undertaken by the Corporate Risk and Audit team. It was agreed with members of the Executive team that an agreed action plan will be developed to address the outstanding recommendations.

As a result of the internal assessment, an agreed action plan was presented to the Executive Management Team on 31 October 2017 addressing all outstanding audit recommendations up until 30 September 2017.

The internal assessment found 58 outstanding recommendations identified and the findings from the assessment are summarised below:

- 15 of the recommendations have been addressed and completed
- 33 agreed actions have been identified with timeframes of completion
- 28% of recommendations have a target completion date by December 2017.
- 70% of recommendations have a target completion date by July 2018

Corporate Risk and Audit will monitor the action plan and communicate with responsible officers monthly to ensure completion dates are on target and the Executive Management Team will receive monthly progress reports against the Action Plan.

The attached report provides a summary of the 33 recommendations that remain outstanding, with the agreed actions identified with timeframes of completion.

**Consultation**

- Executive Management Team
- Senior Officers
- Risk and Insurance Advisor
- Council Officers with assigned internal audit recommendations

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AUDIT COMMITTEE SUMMARY REPORT

4 DECEMBER 2017

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**Committee Decision**

**MOVED:** Mr T Richards  
**SECONDED:** Ms L Tripodi

That the Audit Committee receives and notes this report on Outstanding Internal Audit Actions Council

**CARRIED**



## AUDIT COMMITTEE SUMMARY REPORT

4 DECEMBER 2017

**9.6 VAGO DRAFT EXTERNAL AUDIT STRATEGY 2017-2018****Author:** Chief Financial Officer**Reviewed By:** Director Corporate Services**Summary**

The draft audit strategy for the year ending 30 June 2018 has been prepared by the Victorian Auditor-General's Office (VAGO), and sets out their approach to the audit of the Darebin City Council financial report, standard statements and performance statement for 2017-2018.

**Consultation**

- Director Corporate Services
- Chief Financial Officer
- Financial Accountant

**Committee Decision****MOVED:** Mr T Richards**SECONDED:** Cr. K Le Cerf

**That** the Audit Committee receive and note the attached report titled Audit Strategy – Darebin City Council for the Year Ended 30 June 2018 prepared by the Victorian Auditor-General's Office.

**CARRIED**

**AUDIT COMMITTEE SUMMARY REPORT****4 DECEMBER 2017**

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**10. PROCUREMENT**

Nil

**11. GOVERNANCE**

Nil

**12. CONFIDENTIAL**

Nil

**13. OTHER BUSINESS**

Dr Bini queried which provider was selected for the Preston Data Centre reversion to Cloud (reported to the Audit Committee on 2 October 2017 at Item 8.1). The DCS confirmed that Azure was the provider, with Data Centres located in both Victoria and New South Wales.

The CEO reported that last Tuesday EMT met with the CEO of the Independent Broad-Based Anti-Corruption Commission (IBAC), Alistair Maclean and some of his Senior Executives to discuss trends in the sector, mandatory requirements and protected disclosures. The meeting was very productive and important for positioning Council proactively and positively with a key governance stakeholder in our sector.

**14. NEXT MEETING**

The next meeting of the Audit Committee will be held at on Monday 19 February 2018 in the Darebin Civic Centre, 350 High Street Preston.

**15. COMMITTEE MEMBERS CONFERENCE**

Nil

**16. CLOSE OF MEETING**

The meeting closed at 4.18pm.

## 12. RECORDS OF ASSEMBLIES OF COUNCILLORS

### 12.1 ASSEMBLIES OF COUNCILLORS HELD

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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:

- Darebin Interfaith Council – 2 November 2017
- Darebin Arts Ambassadors – 5 December 2017
- Darebin Aboriginal Advisory Committee – 6 December 2017
- Councillor Briefing Session – 14 December 2017
- CEO Performance Review – 18 December 2017
- Darebin Energy Foundation Interim Advisory Board – 18 January 2018
- Councillor Briefing Session – 5 February 2018
- Darebin Bicycle Advisory Committee – 6 February 2018
- Darebin Aged Care Reforms Working Group – 12 February 2018
- Councillor Briefing Session – 12 February 2018

<b>Recommendation</b>
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**That** the record of the Assembly of Councillors held on 2 November 2017, 5, 6, 14 and 18 December 2017, 18 January 2018 and 5, 6 and 12 February 2018, attached as **Appendix A** to this report, be noted and incorporated in the minutes of this meeting.

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#### Related Documents

- *Local Government Act 1989*

#### Attachments

- Assembly of Councillors - 26 February 2018 (**Appendix A**) [↓](#)



## ASSEMBLY OF COUNCILLORS PUBLIC RECORD

<b>ASSEMBLY DETAILS:</b>	<b>Title:</b>	Darebin Interfaith Council Committee Meeting
	<b>Date:</b>	Thursday, 2 November 2017
	<b>Location:</b>	Jade Room, Darebin Intercultural Centre
<b>PRESENT:</b>	<b>Councillors:</b>	Cr. Susan Rennie, Cr. Gaetano Greco
	<b>Council Staff:</b>	Aziz Cooper
	<b>Other:</b>	Darebin Interfaith Committee representatives
<b>APOLOGIES:</b>		None

The Assembly commenced at 5.30pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Welcome, Introductions and Apologies	No disclosures were made.
2	General sharing – News of interest to the local interfaith community	No disclosures were made
3	Projects update: <ul style="list-style-type: none"> <li>• Respect: A guide for Muslim faith leaders and community</li> <li>• Darebin Community Inclusion Plan</li> <li>• Welcome Dinner Project</li> </ul>	No disclosures were made.
4	DIFC Meetings and suitable times	No disclosures were made.
5	Other Business:	No disclosures were made.
6	Next Meeting and Closure	No disclosures were made.

The Assembly concluded at 7.00pm

<b>RECORD COMPLETED BY:</b>	<b>Officer Name:</b>	Aziz Cooper
	<b>Officer Title:</b>	Interfaith Development Officer



## ASSEMBLY OF COUNCILLORS PUBLIC RECORD

<b>ASSEMBLY DETAILS:</b>	<b>Title:</b>	Darebin Arts Ambassadors Meeting
	<b>Date:</b>	Tuesday 5 December 2017
	<b>Location:</b>	Council Chambers, Preston
<b>PRESENT:</b>	<b>Councillors:</b>	Cr. Susanne Newton
	<b>Council Staff:</b>	Vicky Guglielmo (Manager), Liz White, Vikki Woods
	<b>Other:</b>	Members of the Darebin Arts Ambassadors Group
<b>APOLOGIES:</b>		N/A

The Assembly commenced at 6.00pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Arts Precincts Venues Review	No disclosures were made.
2	Mid-Arts Strategy	No disclosures were made.
3	Overview and Framework Creating Industries Networking	No disclosures were made.

The Assembly concluded at 8.30pm

<b>RECORD COMPLETED BY:</b>	<b>Officer Name:</b>	Brian Gillis
	<b>Officer Title:</b>	Creative Culture and Events Admin



## ASSEMBLY OF COUNCILLORS PUBLIC RECORD

<b>ASSEMBLY DETAILS:</b>	<b>Title:</b>	Darebin Aboriginal Advisory Committee
	<b>Date:</b>	Wednesday 6 December 2017
	<b>Location:</b>	Council Chambers, 350 High Street, Preston
<b>PRESENT:</b>	<b>Councillors:</b>	Cr. Susan Rennie, Cr. Susanne Newton, Cr. Gaetano Greco
	<b>Council Staff:</b>	Mandy Bathgate, Stuart McFarlane, Maria Dugan, Daniel Ducrou, Bronwyn Mercer-Ryan, Jemima Potter, Brandon Bains, Wendy Dinning, Phillip O'Brien
	<b>Other:</b>	Darebin Aboriginal Advisory Committee members
<b>APOLOGIES:</b>		None recorded

The Assembly commenced at 4.00pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	End of year DAAC members and councillor photos taken for records	No disclosures were made.
2	Draft Darebin Aboriginal Action Plan. Darebin Commitment Statement and update on 4 Council round table discussions regarding January 26	No disclosures were made.
3	Darebin Community Award – Celebration of World's Oldest Living Culture	No disclosures were made.
4	Feasibility study for establishment of Wurundjeri Cultural Centre in Darebin	No disclosures were made.
5	Updates - Batman Park/Federal Electorate of Batman. Aboriginal Darebin recognition and discovery Map/ Aboriginal Darebin History project	No disclosures were made.

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
6	<p>General Business</p> <ul style="list-style-type: none"> <li>• This was the final meeting for 2017 held with Aboriginal members of the DAAC.</li> <li>• 2 New Member appointed by Council to the DAAC. Terry Mason and Charles Pakana. Each new member gave a personal introduction.</li> <li>• DAAC meeting discussions based on informing members and providing relevant and current update on Council's business on Aboriginal business and providing the 2018 context to the direction of business for Council, DAAC and Aboriginal community.</li> <li>• Next DAAC meeting Wednesday 7th March 2018</li> </ul>	No disclosures were made.
7	Meeting Close	No disclosures were made

The Assembly concluded at 6.00pm

<b>RECORD COMPLETED BY:</b>	<b>Officer Name:</b>	Stuart McFarlane
	<b>Officer Title:</b>	Aboriginal Contact Officer



## ASSEMBLY OF COUNCILLORS PUBLIC RECORD

<b>ASSEMBLY DETAILS:</b>	<b>Title:</b>	Councillors Briefing Session
	<b>Date:</b>	Monday 14 December 2017
	<b>Location:</b>	Council Chamber, Darebin Civic Centre
<b>PRESENT:</b>	<b>Councillors:</b>	Cr. Kim Le Cerf (Mayor), Cr. Lina Messina (Deputy Mayor 5.25pm - 8.15pm), Cr. Gaetano Greco, Cr. Susan Rennie, Cr. Steph Amir (from 4.11pm), Cr. Susanne Newton (from 4.21pm)
	<b>Council Staff:</b>	Sue Wilkinson, Oliver Vido, Katrina Knox, Andrew McLeod, Jacinta Stevens  Darren Rudd, (4.05pm - 4.55pm and 5.50pm - 6.14pm), Joanna Cuscaden (4.05pm - 4.55pm, 5.50pm - 6.14pm, 7.00pm - 7.27pm), Peter Mondy (4.05pm - 4.55pm), Nathan Moresi, Marcus Bennett (5.00pm - 5.50pm), Angela Andrews, (5.00pm - 6.14pm), Eddie Boscariol (5.54pm - 6.14pm), Libby Hynes (5.54pm - 6.30pm), Vicky Guglielmo, Wendy Dinning (6.10pm - 7.27pm), Lauren Close (8.15pm - 8.45pm).
	<b>Other:</b>	Stuart Mosley, John Casey, Emily Mottram - Victorian Planning Authority (4.05pm - 4.55pm). Amanda James, Elizabeth Warnock - VicRoads (5.00pm - 5.25pm).
<b>APOLOGIES:</b>		Cr. Tim Laurence (Approved Leave of Absence), Cr. Julie Williams, Cr. Trent McCarthy

The Assembly commenced at 4.05pm was suspended at 6.30pm and recommenced at 7.00pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Presentation from Victorian Planning Authority	No disclosures were made.
2	Preston to CBD Safety Improvement Project (Strategic Cycling Corridors)	No disclosures were made.
3	Streets for People (Bike Streets)	No disclosures were made. Cr. Newton absent 5.38pm-5.40pm
4	Dockless Bike-Share MOU	No disclosures were made.



MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
5	Reservoir Level Crossing Removal and the Reservoir Community Reference Group	No disclosures were made.
6	Policy and Action Plan for Elimination of Single-Use Plastic	No disclosures were made.
7	Progress Report on 26 January Actions and Initiatives	No disclosures were made.
8	Darebin's Creative and Cultural Infrastructure Plan	No disclosures were made.
9	Council Catering Review	No disclosures were made.
10	Council Plan Discussion	No disclosures were made. Council officers absent from 7.30pm - 8.15pm) Cr. Messina left the meeting at 8.15pm
11	Recreation Update (Confidential Discussion)	No disclosures were made.
12	Asset Condition Assessment Overview	No disclosures were made.
13	Leisure Facilities Prioritisation Framework	No disclosures were made.
14	Affordable Housing Challenge (Confidential Discussion)	No disclosures were made.
15	Reimagining Ruthven Master Plan – Project Update	No disclosures were made.

The Assembly concluded at 8.58pm

<b>RECORD COMPLETED BY:</b>	<b>Officer Name:</b>	Katrina Knox
	<b>Officer Title:</b>	Director Community Development



## ASSEMBLY OF COUNCILLORS PUBLIC RECORD

<b>ASSEMBLY DETAILS:</b>	<b>Title:</b>	Informal Performance Review - CEO
	<b>Date:</b>	18 December 2017
	<b>Location:</b>	Conference Room
<b>PRESENT:</b>	<b>Councillors:</b>	Cr. Kim Le Cerf (Mayor), Cr. Gaetano Greco, Cr. Susanne Newton, Cr. Susan Rennie, Cr. Julie Williams
	<b>Council Staff:</b>	Sue Wilkinson - CEO
	<b>Other:</b>	Nil
<b>APOLOGIES:</b>		Nil

The Assembly commenced at 4.30pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	CEO's Informal Performance Review	No disclosures were made.

The Assembly concluded at 5.00pm

<b>RECORD COMPLETED BY:</b>	<b>Officer Name:</b>	Sue Wilkinson
	<b>Officer Title:</b>	Chief Executive Officer



## ASSEMBLY OF COUNCILLORS PUBLIC RECORD

<b>ASSEMBLY DETAILS:</b>	<b>Title:</b>	Darebin Energy Foundation Interim Advisory Board
	<b>Date:</b>	Thursday 18 January 2018
	<b>Location:</b>	Conference Room, 350 High Street, Preston
<b>PRESENT:</b>	<b>Councillors:</b>	Cr. Kim Le Cerf (Mayor), Cr. Trent McCarthy (chair)
	<b>Council Staff:</b>	Sue Wilkinson (CEO - from 7:15), Gavin Mountjoy (Coordinator Energy and Adaptation), Sally MacAdams (Climate Action Officer)
	<b>Other:</b>	
<b>APOLOGIES:</b>		

The Assembly commenced at 6.35pm

	<b>MATTERS CONSIDERED</b>	<b>DISCLOSURES AND COMMENTS</b>
1	Welcome, intros and acknowledgements; expected outcomes for this meeting.	No disclosures were made
2	Assembly of Councillors	No disclosures were made
3	Minutes from the last meeting	No disclosures were made
4	Foundation Name	No disclosures were made
5	Terms of Reference	No disclosures were made
6	Resourcing	No disclosures were made
7	Wrap up and next steps	No disclosures were made

The Assembly concluded at 9.20pm

<b>RECORD COMPLETED BY:</b>	<b>Officer Name:</b>	Sally MacAdams
	<b>Officer Title:</b>	Climate Action Officer



## ASSEMBLY OF COUNCILLORS PUBLIC RECORD

<b>ASSEMBLY DETAILS:</b>	<b>Title:</b>	Councillor Briefing Session
	<b>Date:</b>	5 Feb 2018
	<b>Location:</b>	Council Chamber, Darebin Civic Centre
<b>PRESENT:</b>	<b>Councillors:</b>	From 5.00 pm - Cr. Kim Le Cerf (Mayor), Cr. Lina Messina (Deputy Mayor), Cr. Susan Rennie From 5.04 pm - Cr. Steph Amir From 5.08 pm – Cr. Suzanne Newton From 5.55 pm – Cr. Trent McCarthy From 6.33 pm – Cr. Julie Williams
	<b>Council Staff:</b>	From 5.00 pm; Sue Wilkinson (CEO), Vicky Guglielmo (Acting Director Community Development, Allan Cochrane (Acting Director Corporate Services), Oliver Vido (Director Operations and Environment), 5.03 pm -5.33 pm; Libby Hynes, Sue Phillips, Kelly Barnes 6.10 pm – 6.40 pm; Mandy Bathgate, Darren Rudd, Joanna Cuscaden, Wendy Dinning, Sophie Jordan 6.40 – 7.45 pm; Tiffany Holt, Darren Rudd, Joanna Cuscaden, Wendy Dinning, Mandy Bathgate 7.45 pm – 8.00 pm; Mandy Bathgate
	<b>Other:</b>	John Hicks – contractor (5.00 pm to end) Amy Hubbard and Neive -Capire Consultants (6.40 pm-7.45 pm)
	<b>APOLOGIES:</b>	Cr. Tm Laurence, Cr. Gaetano Greco

The Assembly commenced at 5.00 pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Conflicts of Interest	No disclosures were made
2	Elimination of Single Use Plastic - draft policy	No disclosures were made
3	Exposure draft – new Local Government Act 2018 - submission	No disclosures were made
4	General Business: <ul style="list-style-type: none"> <li>• Penders Park Master Plan Process</li> <li>• Mayer Park Master Plan Process</li> <li>• DEC</li> </ul>	No disclosures were made
5	Social and Affordable Housing Project	No disclosures were made
6	Preston Market Update – Preparation of the Preston market Engagement Strategy	No disclosures were made
7	General Business; <ul style="list-style-type: none"> <li>• Draft Electronic Gaming Machine Policy</li> <li>• Bike share programs</li> <li>• Rainbow Flag</li> <li>• St Georges Road trees</li> <li>• Yanada House – upcoming community engagement</li> </ul>	No disclosures were made

The Assembly concluded at 8.40 pm

<b>RECORD COMPLETED BY:</b>	<b>Officer Name:</b>	Sue Wilkinson
	<b>Officer Title:</b>	Chief Executive Officer



## ASSEMBLY OF COUNCILLORS PUBLIC RECORD

<b>ASSEMBLY DETAILS:</b>	<b>Title:</b>	Darebin Bicycle Advisory Committee
	<b>Date:</b>	Tuesday 6 February 2018
	<b>Location:</b>	Conference Room, Darebin Council Offices
<b>PRESENT:</b>	<b>Councillors:</b>	Cr. Steph Amir
	<b>Council Staff:</b>	Che Sutherland, Angela Andrews
	<b>Other:</b>	Representatives of the Darebin Bicycle Advisory Committee
<b>APOLOGIES:</b>		

The Assembly commenced at approximately 6.30pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Northern Pipe Trail masterplan and community engagement	No disclosures were made.
2	Cycling Strategy <ul style="list-style-type: none"> <li>- Reflections on the previous Darebin Cycling Strategy 2013-2018</li> <li>- Vision and Goals for the new Darebin Cycling Strategy</li> <li>- Infrastructure and Network Planning</li> <li>- Approach to new Action Plan</li> </ul>	No disclosures were made.

The Assembly concluded at 8.30pm

<b>RECORD COMPLETED BY:</b>	<b>Officer Name:</b>	Che Sutherland
	<b>Officer Title:</b>	Team Leader Transport Strategy



## ASSEMBLY OF COUNCILLORS PUBLIC RECORD

<b>ASSEMBLY DETAILS:</b>	<b>Title:</b>	Aged Care Reforms Working Group
	<b>Date:</b>	Monday 12 February 2018
	<b>Location:</b>	Conference Room, Darebin Civic Centre
<b>PRESENT:</b>	<b>Councillors:</b>	Cr. Kim Le Cerf (Mayor) Cr. Gaetano Greco, Cr. Susan Rennie, Cr. Suzanne Newton, Cr. Stephanie Amir.
	<b>Council Staff:</b>	Vicki Guglielmo, Shadi Hanna, Robyn Mitchell
	<b>Other:</b>	Nil
<b>APOLOGIES:</b>		Nil

The Assembly commenced at 4.30pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Update and discussion regarding current and recent work regarding the Aged Care Reforms	No disclosures were made
2	Review of Terms of Reference of the Working Group	No disclosures were made

The Assembly concluded at 5.20pm

<b>RECORD COMPLETED BY:</b>	<b>Officer Name:</b>	Robyn Mitchell
	<b>Officer Title:</b>	Coordinator Department Transition and Assessment



## ASSEMBLY OF COUNCILLORS PUBLIC RECORD

<b>ASSEMBLY DETAILS:</b>	<b>Title:</b>	Planning Briefing
	<b>Date:</b>	12 February 2018
	<b>Location:</b>	Preston Town Hall, High Street, Preston
<b>PRESENT:</b>	<b>Councillors:</b>	Councillors Kim Le Cerf (Mayor), Lina Messina (Deputy Mayor), Trent McCarthy, Susan Rennie, Steph Amir, Julie Williams, Susanne Newton, Gaetano Greco
	<b>Council Staff:</b>	Sue Wilkinson, Vicky Guglielmo, Allan Cochrane, Vito Albicini, Darren Rudd, Joanna Cuscaden, Gilda Di Vincenzo, Eddy Boscarol
	<b>Other:</b>	
<b>APOLOGIES:</b>		Cr. Tim Laurence

The Assembly commenced at 6.55pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Planning Scheme Amendment C161 - Fairfield Village Built Form & Heritage Controls	No disclosures were made.
2	La Trobe University – Schedule to Public Use Zone	No disclosures were made.

The Assembly concluded at 7.35 pm

<b>RECORD COMPLETED BY:</b>	<b>Officer Name:</b>	Sue Wilkinson
	<b>Officer Title:</b>	Chief Executive Officer



### **13. REPORTS BY MAYOR AND COUNCILLORS**

**Recommendation**

**That** Council note the Reports by Mayor and Councillors.

### **14. CLOSE OF MEETING**