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AGENDA OF THE ORDINARY COUNCIL MEETING

To be held on Monday 25 March 2024 at 6.00pm.

This Council Meeting will be held in the Council Chamber, 350 High Street, Preston.

This meeting will be a scheduled hybrid meeting, at which both councillors and members of the public may participate either in person or virtually.

The meeting will be livestreamed and may be accessed from Council's website www.darebin.vic.gov.au.

Persons wishing to observe the meeting in person, submit a Question or make a Submission, are required to register by 12pm on the day of the meeting.



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

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

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

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

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



English

These are the Minutes for the Council Meeting. For assistance with any of the items in the minutes, please telephone 8470 8888.

Arabic

هذه هي محاضر اجتماع المجلس. للحصول على المساعدة في أي من البنود في المحاضر، يرجى الاتصال بالهاتف 8470 8888.

Chinese

这些是市议会会议纪要。如需协助了解任何纪要项目，请致电8470 8888。

Greek

Αυτά είναι τα Πρακτικά της συνεδρίασης του Δημοτικού Συμβουλίου. Για βοήθεια με οποιαδήποτε θέματα στα πρακτικά, παρακαλείστε να καλέσετε το 8470 8888.

Hindi

ये काउंसिल की बैठक का सारांश है। सारांश के किसी भी आइटम में सहायता के लिए, कृपया 8470 8888 पर टेलीफोन करें।

Italian

Questo è il verbale della riunione del Comune. Per assistenza con qualsiasi punto del verbale, si prega di chiamare il numero 8470 8888.

Macedonian

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

Nepali

यी परिषद्को बैठकका माइन्युटहरू हुन्। माइन्युटका कुनै पनि वस्तुसम्बन्धी सहायताका लागि कृपया 8470 8888 मा कल गर्नुहोस्।

Punjabi

ਇਹ ਕੌਂਸਲ ਦੀ ਮੀਟਿੰਗ ਵਾਸਤੇ ਸੰਖੇਪ ਸਾਰਾਂਸ਼ ਹੈ। ਸੰਖੇਪ ਸਾਰਾਂਸ਼ ਵਿਚਲੀਆਂ ਕਿਸੇ ਵੀ ਆਈਟਮਾਂ ਸੰਬੰਧੀ ਸਹਾਇਤਾ ਵਾਸਤੇ, ਕਿਰਪਾ ਕਰਕੇ 8470 8888 ਨੂੰ ਟੈਲੀਫੋਨ ਕਰੋ।

Somali

Kuwaani waa qodobadii lagaga wada hadlay Fadhiga Golaha. Caawimada mid kasta oo ka mid ah qodobada laga wada hadlay, fadlan la xiriiir 8470 8888.

Spanish

Estas son las Actas de la Reunión del Concejo. Para recibir ayuda acerca de algún tema de las actas, llame al teléfono 8470 8888.

Urdu

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

Vietnamese

Đây là những Biên bản Họp Hội đồng Thành phố. Muốn có người trợ giúp mình về bất kỳ mục nào trong biên bản họp, xin quý vị gọi điện thoại số 8470 8888.

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Agenda

1. OPENING OF MEETING AND MEMBERSHIP

Cr. Susanne Newton (Mayor) (Chairperson)

Cr. Tim Laurence (Deputy Mayor)

Cr. Gaetano Greco

Cr. Tom Hannan

Cr. Trent McCarthy

Cr. Lina Messina

Cr. Susan Rennie

Cr. Julie Williams

2. ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

3. APOLOGIES

4. DISCLOSURES OF CONFLICTS OF INTEREST

5. CONFIRMATION OF THE MINUTES OF COUNCIL MEETINGS

Recommendation

That the Minutes of the following Council Meetings be confirmed as a correct record of business transacted:

- Ordinary Council Meeting 18 December 2023
- Special Council Meeting 8 January 2024
- Special Council Meeting 22 January 2024
- Special Council Meeting 1 February 2024
- Special Council Meeting 12 February 2024
- Special Council Meeting 19 February 2024
- Ordinary Council Meeting 26 February 2024

6. COUNCIL'S OCCUPATIONAL HEALTH AND SAFETY RESPONSIBILITIES

7. 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 three (3) questions at an Ordinary Council meeting. Members of the public wishing to ask a question must register their question using the Questions, Submissions and Registration Form by 12pm on the day of the meeting.

Questions that are not lodged by 12 noon on the day of the Council Meeting will not be accepted, and **no questions will be taken from people *in attendance* on the night of the Council Meeting.**

In accordance with the Council Governance Rules 2020, the Chairperson may disallow a question if it:

- a) relates to a matter outside the duties, functions or powers of Council;
- b) is defamatory, indecent, abusive, offensive, irrelevant, trivial or objectionable in language or substance;
- c) may lead to a breach of Council's statutory obligations;
- d) relates to a Notice of Motion, Petition or item of urgent business;
- e) deals with a subject matter already answered;
- f) is aimed at embarrassing a Councillor or an Officer; or
- g) deals with a matter that should be, or has been, considered as a confidential matter or relates to any matter in respect of which Council may close the Meeting to the public under section 66 of the *Local Government Act 2020*.

No questions directed at an individual Councillor or Officer will be allowed

SUBMISSIONS

Members of the public wishing to make a 2 minute submission on a report listed on the Agenda (unless not permitted pursuant to the Councils Governance Rules) must register online by 12pm on the day of the Ordinary Council Meeting or Hearing of Submissions Meeting and the submitter must be in attendance on the day of the Meeting to make their submission.

If the person wishing to make a submission or their representative is not in attendance (including virtual attendance for a scheduled hybrid meeting) when the Agenda item is to be considered, their submission will not be read out.

The person making the submission must clearly state their name and their suburb. The name of the submitter will be recorded in the Minutes, as an official record.

No member of the public can make a submission to a Notice of Motion, Petition (unless originator of petition, Governance Rule 16.3(6)) or item of Urgent Business presented at a Council meeting.

HOW TO REGISTER TO ATTEND THE MEETING, SUBMIT YOUR QUESTION OR MAKE A SUBMISSION

Members of the public who wish to observe the meeting in person, ask a question, or make a submission to an agenda item, at an Ordinary Council Meeting are required to register by 12pm on the day of the meeting in one of the following ways:

- (a) via the online form darebin.vic.gov.au; or
- (b) by calling the customer service team on 8470 8888, or
- (c) by mail to PO Box 91, Preston 3072.

Council meetings are livestreamed and can also be viewed via the link on the 'Watch Council and Planning Committee' meetings page via Council's website.

Meeting Agendas will be available for viewing on Council's website on the 'Meeting Agendas and Minutes' page up to 6 days prior to the date of the meeting.

8. PETITIONS

9. CONSIDERATION OF REPORTS

9.1 ICT AND DIGITAL STRATEGY INCLUDING ERP INVESTMENT

Author: Chief Information Officer
Senior Project Manager

Reviewed By: General Manager, Customer and Corporate

EXECUTIVE SUMMARY

In line with recommendations from the Audit and Risk Committee and findings from the January 2023 Municipal Monitor Report to meet commitments to the Minister, Council engaged external consultants with significant local government experience to assist with the development of the ICT and Digital Strategy.

Since early 2023, industry experts have alerted Council on the low level of maturity of its IT systems after years of underinvestment and estimated the organisational and financial effort that Council is now facing to bridge the gap and maintain its service obligations.

An ICT and Digital Strategy (**Appendix A**) has been developed on that basis, to guide the use of technology as an enabler to meet the needs of the community in the long term. The draft strategy was presented to Councillors at a briefing session on the 7th of August 2023 and subsequently on 12th March 2024.

A critical component of this draft strategy is to transform Council's Enterprise Resource Planning system (ERP). Officers have collaborated with business units, external consultants, and local government specialists to develop implementation options. These implementation options were presented to Council at multiple briefing sessions with recent one being on 12 March 2024.

Officer Recommendation

That Council:

- (1) Adopts the Information Communications Technology & Digital Strategy 2023.
- (2) Notes that Council currently utilises several ageing ICT systems that will require significant investment of circa \$31m over the next 4 years to keep functioning and that there is a likelihood that in the future some of these systems will not be supported by system vendors and become obsolete.
- (3) Notes the recommendation of the Municipal Monitor for Council to invest in replacing these ageing systems and the request from the Minister for Local Government for Council to report back to her on this investment.
- (4) Notes that current systems are ageing and not integrated with each other, creating a number of risks and major issues, including:
 - a. Customers data and customer service requests are kept in multiple systems, and this significantly compromises Council's ability to provide excellent and

- efficient customer service and meet service standards and requires the customer to have multiple touch points with Council.
- b. Council is unable to adequately address Cyber security requirements and this risk is increasing.
 - c. Council's ability to achieve full legislative and regulatory compliance is likely to be compromised as systems age and become unsupported.
- (5) Commits to an investment of \$36.44 M over four years for an Enterprise Resource Planning (ERP) solution as a key enabler of the 2023 ICT & Digital Strategy as follows:
- a. Approves the inclusion of \$0.5M in the 2024/25 Budget to conduct the procurement process to identify suitable Technology and Delivery partners for the ERP program, with subsequent appointment of the Technology and Delivery partners subject to a decision of Council.
 - b. Approves a stage gate investment with further Long-Term Financial Plan allocations as follows: \$12.12M in 2025/26, \$11.77M in 2026/27 and \$12.04M in 2027/28.
 - c. Requests the CEO to commence the procurement process and establish ERP program governance, with associated reporting, roadmap, decision milestones, benefits realisation plan to enable Council to monitor progress.
 - d. Notes that the progress on deliverables will be reviewed as per agreed milestones and this will provide opportunity to adjust delivery time frames, if required, and will inform the quarterly and annual budget review process to endorse appropriate release of funds for the subsequent phases of the program.
- (6) Notes that work will need to be approved and commence ahead of the 24/25 budget process to enable the Council to undertake preparatory work for a procurement process to identify suitable Technology and Delivery partners for the ERP program.
- (7) Notes that Council will only release the ERP program funds in a phased manner, contingent upon a decision of Council as per agreed milestones.
- (8) Writes to the Minister for Local Government providing an update on Councils progress in prioritising its investment in information technology.
-

BACKGROUND / KEY INFORMATION

Why it is critical for Council to invest in an ERP system.

There are five key reasons driving the need for change:

1. Ensure service continuity.

Council needs to urgently mitigate a major risk of failing to perform its service delivery and business continuity obligations for the Darebin community:

- a. Risk of legacy IT systems and aging IT infrastructure failing, resulting in potential service disruption and interruption. Extreme examples could include Council's inability to collect rates, pay staff or manage its pool of assets.
- b. Increased vulnerability to cyber-attacks, resulting in potential breach of citizens data.

2. Improve customer experience of Council's services.

Community surveys over the last few years have repeatedly illustrated a lack of trust in Council's services, driven by:

- a. Inconsistent service levels and engagement with customers based on lack of data analytics and reliable service level data.
- b. Customers having difficulty navigating and accessing services due to multiple touchpoints and channels.
- c. Lack of accountability across all aspects of customer interactions.
- d. Changing customer demographics means customers now and into the future will expect to access more services through digital channels.

3. Improve staff experience and compliance.

As demonstrated by several external surveys (Metropolis Research), Council needs to address the current volume of manual work impacting the quality of day-to-day decision making and operations oversight, leading to staff turnover and increased risk of non-compliance:

- a. Continued low levels of productivity and increased staff frustration because of manual solutions and time spent on non-value add tasks.
- b. Lack of visibility for staff across all customer interactions and unreliable service data compromises staff members' ability to provide good service and limits a manager's ability to manage performance to achieve agreed service levels.

4. Have a chance to remain a credible Aged Care services provider.

As a result of the Royal Commission into Aged Care Quality and Safety (October 2018), the Aged Care sector is experiencing significant reforms. These reforms will require Council to adapt to market competition to continue to be both a preferred provider of Aged Care services and a preferred employer, both immediately and in the future.

- a. Council's current IT Systems do not adequately support Aged Care services. This is currently impacting our ability to meet both State and Commonwealth funded service targets and will impact our ability to demonstrate Council readiness to respond competitively to any tenders for Aged Care services (e.g. recent Commonwealth open tender for Assessment Services) and to operate in a competitive open market post July 1, 2027 when the Support-at-Home reforms are planned to commence.
- b. There are ERP Solutions that can support complex finance, payroll and scheduling requirements associated with the delivery of efficient and quality Aged Care services.
- c. An ERP system will ensure lower implementation costs associated with integration, automation, and data management, to meet customer needs and compliance reporting requirements.

5. Commit to long-term financial sustainability.

Council operates in a financially constrained environment (inflation, rate capping). Investing in technology driven service delivery models and better data to support evidence based financial decision making will over time increase productivity and decrease the cost to serve, enabling Council to service a growing community.

- a. Under-investment in IT systems over the years has now resulted in the need for significant investment to ensure (enhanced) service delivery.

Why it is critical to invest in an ERP now.

Industry experts, Council's Audit and Risk Committee as well as the Municipal Monitor all articulated the high priority for Council to invest in IT infrastructure. The risk of doing nothing has been articulated and characterised. It is now Council's responsibility to resolve in adequate mitigating measures.

1. Industry experts' maturity assessment of our IT systems (2022-23)

On the 17 April 2023, Councillors were presented the outcome of a maturity assessment of Council's IT systems. In December 2023, this assessment was then further refined by an independent Local Government IT specialist who has consulted to other Councils on similar projects.

The outcome of these assessments is extremely clear: in order to continue running its operations, meet its mandatory requirements, and absent a decision to invest in an ERP system, Council will need to invest money to upgrade its current end-of-life systems, starting from FY24/25.

Without investing in an ERP, Council will continue to require ongoing investments for service continuity, without achieving any further benefits (financial, customer experience). Based on the independent specialist recommendations:

- The costs of doing the minimum system upgrades / replacement in Council is estimated ~\$31 million over a 4-year period, starting with \$13M in FY24/25.
- Benefits of productivity enhancement will not be achieved as systems will still not be integrated.
- Risks of cyber-security will not be fully addressed.
- Customer service levels will not be improved as the disparate systems with minimal integrations will not provide data analytics capabilities.
- Delays in making the necessary investment in technology could result in higher costs in the future due to inflation and increase in consulting costs.

2. Commitment to the Local Government Minister to invest in Information Technology (IT)

"The council has failed to invest adequately in providing the staff of the city with the essential tools they need to function properly and to deliver services to the community. The council needs to establish and commit to a set of key priorities for the short to medium term:

- Restoration of the financial position of the city to a sound and long-term sustainable basis.
- Priority investment in the fundamentals needed to ensure the city can properly function and provide governance for its community and delivery of the array of services provided. Those fundamentals requiring investment being:
 - *Delivery of a digital transformation strategy*
 - *Provision of fit for purpose staff accommodation*

Only when the steps are put in place to ensure these key priorities can be achieved, should the council look to making other new large capital infrastructure investments."

Municipal Monitor Report for Darebin City Council, Jan. 2023 (p. 15 of 19).

3. Recommendations from the Audit and Risk Committee to invest in Information Technology (IT)

As illustrated by an extract of ARC actions arising record: since the March 2023 ARC meeting, the Chair has queried Council to address the lack of an ICT strategy and clarify investment commitment to support the implementation of the strategy.

<i>Date of ARC meeting</i>	<i>Action</i>
20 March 2023	<i>The Committee recommended Council consider the benefit of purchasing the required software or engaging an external service provider who can deliver this service for Council.</i>
11 September 2023	<i>Further update to be provided on the digital transformation at the 4 December 2023 meeting.</i>
11 September 2023	<i>The Chair requested an update be provided on the delivery of ICT Strategy including the budgetary requirements.</i>

ARC actions arising record, as of 29 November 2023

Previous Council Resolution

That Council previously resolved to provide for this investment in adopting its revised the long-term financial plan in June 2023.

Implementation Principles

To ensure Council realises the full potential of an ERP implementation in a way that addresses the need for change and maximises value for money, it is proposed to adopt the following implementation principles:

- Governance – A program governance will be established, reporting into the ARC on a regular basis on major aspects of the program i.e. progress milestones, financial and non-financial benefit realisation and risk management.
- Communication – Transparent and regular communication updates will be provided to key stakeholders.
- Scope – Decisions on functional scope will limit customisation and look to leverage existing features of the ERP to limit cost and maximise customer experience.
- Decision-making Approach – The ERP program will be implemented in carefully planned phases, considering organisational readiness and technology option selected. Council will review the outcomes achieved in each phase, based on deliverables as per agreed milestones.
- Financial Control – Council will review the outputs of each phase before approval of release of funds for subsequent phases. This will ensure that focus on successful program implementation is not diluted over time.
- Benefits realisation – A Benefits Realisation Plan will be developed and adopted to identify the savings and productivity gains to be realised for each financial year of the ERP rollout. The achievement of these benefits will be closely monitored through Program Governance arrangements and reported to Council on a regular basis.

Implementation Options and Recommendation Rationale

External consultants have provided Council with implementation options that vary with the scale of the investment, the type of technology choices and the need for change addressed as a result. The specific investments, risks and benefits associated with each option have also been considered in determining the best option for Council.

It is important to note that doing nothing is not an option as it could result in a service breakdown in the next two years. At this stage and regardless of the option that is chosen, Council is facing an investment effort of ~\$35m.

The expert recommendation is for Council to adopt the “Integrated ERP” option, as it maximises the value for money and addresses the need for change in the mid and long term in the organisations, while ensuring that the risks are mitigated.

Key rationale for choosing the ERP option include:

- Significantly improved risk management and cyber-security.
- Robust business case with a clear payback period (9-years).
- Phased implementation with performance and milestone-based approval process.
- Measurable savings and quantifiable in addition to non-quantifiable benefits.
- Support financial sustainability, improved community service and customer satisfaction levels.

Table 1: Implementation Options

	“Life Support”	“Integrated ERP Solution”
High level description	<ul style="list-style-type: none"> □ The minimum investment is made to allow Council to operate in the short term, but does not address the need for change in the mid-long run. □ This option enables Council to uplift version of some critical applications and consolidate disparate legacy systems. 	<ul style="list-style-type: none"> □ An investment is made in a new integrated ERP solution. □ This option provides Council with a consolidated solution that replaces multiple legacy systems and addresses the need for change within ~5 years after commencement of the program.
Benefits	Quantifiable <ul style="list-style-type: none"> □ No sustainable productivity impact that translates into savings □ No savings due to sun-setting of legacy systems 	Quantifiable <ul style="list-style-type: none"> □ Significant savings by enhanced staff productivity – ability for redeployed of resources in areas that enhance service delivery □ Annual license savings attributed to sun-setting of a number of legacy systems
	Non-Quantifiable <ul style="list-style-type: none"> □ Short term staff productivity and customer experience uplift. □ Short term improvement in risk posture 	Non-Quantifiable <ul style="list-style-type: none"> □ Customer experience uplift, with associated higher customer satisfaction levels. □ Staff productivity uplift, with associated decreased overall cost to serve and improved staff retention and engagement. □ Sustained Improved short and long-term risk posture with significantly lower risk of cyber incidents.
Risks & Mitigation Strategies	<ul style="list-style-type: none"> □ Does not address cyber, compliance and reputational risks. □ Low flexibility for future growth. □ Higher operational risk due to higher integration requirements. □ Will require significant amounts of re-investment over the years. □ Risks will need to be managed on a reactive basis 	<ul style="list-style-type: none"> □ Need to ensure robust procurement process to identify suitable technology and delivery partners. □ Need to anticipate data migration complexity and risks. □ Need to be associated with a tight benefit realisation principle to ensure ROI and best value for money. □ Proactive risk management through strong program governance across the procurement process and program implementation by appropriate probity, legal and best-practices

Investment, Cost and Benefits	<ul style="list-style-type: none"> ▫ Investment: \$30.5 million ▫ Probability of Cyber Risk: Very high <ul style="list-style-type: none"> ○ Estimated Cost of Risks range from: \$4.5 – \$5.1 million ▫ Benefits: \$0 million <ul style="list-style-type: none"> ○ <u>No</u> Productivity, License sun-setting or other benefits e.g. Asset Management, etc 	<ul style="list-style-type: none"> ▫ Investment: \$36.44 million ▫ Probability of Cyber Risk: Significantly lower ▫ Benefits: Greater than \$10 million including: <ul style="list-style-type: none"> ○ <u>Productivity</u> (\$6 million net) ○ <u>Other</u> > 4.5 million (depending on Technology / modules selected in the Procurement process)
ROI	<ul style="list-style-type: none"> ▫ Will require ongoing costs as different systems reach end-of-life at different time 	<ul style="list-style-type: none"> ▫ 9-year payback period
Conclusion	<p style="text-align: center;">NOT RECOMMENDED</p> <ul style="list-style-type: none"> ▫ Only a short-term “fix” and will require significant ongoing re-investments in the future. ▫ Savings and benefits are minimal with high risks and associated costs of risk management 	<p style="text-align: center;">RECOMMENDED</p> <ul style="list-style-type: none"> ▫ Best option of mitigate cyber, compliance and reputational risks. ▫ Best option to create flexibility for future growth and maximise service satisfaction. ▫ Fewer systems to maintain, lower operational risk.

Details of Council Investment

The key cost categories associated with implementation of both, the Life Support option and the ERP Integrated System include:

Software licenses - Annual fees paid by Council to have the *right* to use the technology.

Technology Partner - Costs incurred for the Software vendor for integration within Council’s environment and configuration, training, data migration assistance, testing assistance to meet Council requirements.

Delivery Partner - Responsible for implementation of the ERP in Council and includes Project Management, Solution Architecture and Management, process re-engineering lead, data cleaning and migration, change management lead and training lead.

Internal Resources - Deployed to the program to provide support and Council-specific knowledge in process mapping, change management, Business as Usual (BAU) support, project management, contract management, testing, end user training development, end user training delivery, report and business process development. Also includes assignment of lead Subject Matter Experts (SME) specific to each major module/function.

Contingency - A suitable contingency has been included in all implementation costings (not licenses) to ensure conservative planning principles are applied to large transformation programs.

A detailed breakdown of the investments is provided in the table below, which also includes the potential savings due to phasing out existing systems as detailed in the **Confidential Appendix B**.

Table 2: Detailed costs and savings – ERP Integrated System option

ERP Integrated System Option	
Financial Year	Total ('000) Investment Includes: Licenses, Technology Partner, Delivery Partner, Internal Resources, Contingency & estimated Savings
2024 / 25 (Mobilise Phase)	\$500
2025 / 26 (Commence Implementation)	\$12,121
2026 / 27	\$11,776
2027 / 28	\$12,047
Total	\$36,444

Benefits to Council

While there are direct savings associated with the sun-setting of legacy systems in the ERP option, there are also additional cashable benefits that will be achieved if Council decides to implement an ERP system as shown in **Confidential Appendix B** and includes:

- Productivity / Efficiency benefits
- Asset Management related benefits
- Better readiness for cyber incidents

However, there would be no savings associated with the Life Support option as it focuses only on upgrading existing systems on a case-by-case basis as detailed in **Confidential Appendix B**.

Risk of Deferral of Decision

The ERP roadmap identifies that there is considerable work required before Council goes to procurement for a new ERP system. This work includes:

- Establishing Program Governance arrangements.
- Finalising scope and business requirements.
- Finalising the Benefits Realisation Plan.
- Establishing probity and procurement processes.

A decision from Council to proceed with this investment is required in March 2024 to enable this work to commence as per required by the state of our IT systems.

Deferral to the 24/25 Budget process will delay the program by over a year, with increased risk of service breakdown and inflation.

Deferral beyond the 24/25 Budget process will defer the decision to the new Council, adding significant delays and costs due to inflation and increase in consulting fees by vendors. This would also trigger the need to start investing in the systems that are currently reaching end of life, with an estimated investment of about \$13 million over FY24/25 – 26 as detailed in **Confidential Appendix B**.

Proposed Investment Timeline

The funding timeline will be based on implementation phases as shown in **Confidential Appendix C**. There will be rigorous gated review milestones which will ensure that deliverables and program benefits are being generated and reported on. An integral part of financial control and governance, release of funds for subsequent phases will only be approved by Council based on successful completion of previous phases as highlighted in the table below:

Phase	Key Deliverables	Estimated Costs	Proposed Review & Endorsement
FY24/25	<ul style="list-style-type: none"> Finalise governance, establish probity, commence procurement process to finalise suitable Technology & Delivery partners Identify internal resources and subject-matter experts (SME's) to support project 	\$0.5 M	<ul style="list-style-type: none"> Review Deliverables Approval & Council sign-off at end-of-phase Release of Funds for next phase on successful achievement of milestones
FY25/26	<ul style="list-style-type: none"> Commence implementation to enable statutory financial reporting, paying staff and suppliers timeously 	\$12,121 M	
FY26/27	<ul style="list-style-type: none"> Ongoing implementation will enable Council assets to be used efficiently and effectively to enhance Customers service delivery 	\$11,776 M	
FY27/28	<ul style="list-style-type: none"> Ensure Council revenues are collected timeously, and records are maintained in accordance with privacy and relevant regulations 	\$12,047 M	

ALIGNMENT TO 2041 DAREBIN COMMUNITY VISION

Strategic Direction 3: Climate, Green and Sustainable

ALIGNMENT TO 2021-25 COUNCIL PLAN

Strategic Direction 4 Responsible, Transparent and Responsive

ALIGNMENT TO COUNCIL PLAN STRATEGIC OBJECTIVES

4.1 We will ensure balanced and responsible financial decision making that meets the needs of our community now and into the future

4.2 We will ensure our assets are optimised for the benefit of our community

4.3 We will transform our services and service delivery models to ensure they meet the current, emerging and future needs of our community

This submission highlights the need for change to ensure ability of Council to meet its mandate of providing quality service to customers in the community on a sustainable basis over the long-term while focusing on the following risks:

Financial Sustainability: Ability to support ongoing delivery of services to existing and new customers could impact Council financial sustainability, further exacerbated due to vulnerability and cost implications of cyber-attacks.

Customer Service: Customer uncertainty when contacting and dealing with Council is a significant issue resulting in a breakdown of trust and poor customer experience.

Empowered People: Significant volume of manual administration work across the Council impacts quality decision making and operations oversight, leading to increased risk of compliance failures and potential for fraud.

CONSIDERATION OF LOCAL GOVERNMENT ACT (2020) PRINCIPLES

Financial Management

The ICT and Digital strategy provides a detailed roadmap for technology projects and enhancements as part of Business-As-Usual, in conjunction with planning and implementing an integrated ERP program in the organisation. Hence it is critical to work with the Finance team to ensure that the required funds are included in the Long-Term Financial Plan and can be made available as required. Furthermore, any change in program timelines and associated funding requirements will be communicated to Finance to enable them to make the necessary adjustments in the budgets to ensure that programs are well supported.

Community Engagement

It is essential to engage with the Darebin community to inform them of the necessity to invest in our IT systems to support good customer service, financial sustainability, compliance, and cybersecurity in order to protect community information and privacy.

As part of the program planning and implementation, it is envisaged that Council will:

- Share program objectives and benefits for community.
- Provide updates on achievement of key milestones and community impact.
- Launch a campaign to educate customers on multi-channel engagement mechanisms with Council.
- Demonstrate improvements in Service Levels and provide opportunities for feedback from the community.

A communications plan has been developed (**Appendix D** – to be provided separately) .

Overarching Governance Principles and Supporting Principles

- (b) priority is to be given to achieving the best outcomes for the municipal community, including future generations;
- (g) the ongoing financial viability of the Council is to be ensured;

The governance approach will be finalised by Council to ensure that there are necessary controls and oversight of the ERP program. In addition, regular updates to ARC and Councillors will be provided to ensure that they are updated and informed on the progress of programs in alignment with the Council ICT and Digital strategy.

Strategic Planning Principles

- (a) an integrated approach to planning, monitoring and performance reporting is to be adopted;
- (e) strategic planning must provide for ongoing monitoring of progress and regular reviews to identify and address changing circumstances;

Service Performance Principles

- (d) a Council should seek to continuously improve service delivery to the municipal community in response to performance monitoring;

COUNCIL POLICY CONSIDERATIONS

Environmental Sustainability Considerations (including Climate Emergency)

The ERP implementation program will be developed in accordance with Council's strategies and policies.


Operational Impacts

The ERP implementation program will be developed in conjunction with key stakeholders to ensure that operational realities are considered to ensure best outcomes can be achieved.

Legal and Risk Implications

A strong governance structure including probity, legal and independent expert consultants will provide Council with the necessary oversight on this key program. The governance structure will be approved by Council and established before commencement of the ERP program.

Attachments

- Darebin ICT and Digital Strategy (**Appendix A**) [↓](#) 
- Confidential Appendix B (**Appendix B**) Confidential - enclosed under separate cover
- Confidential Appendix C (**Appendix C**) Confidential - enclosed under separate cover
- Your Digital Darebin - Communications Plan (**Appendix D**) Enclosed under separate cover

DISCLOSURE OF INTEREST

Section 130 of the *Local Government Act 2020* requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any conflicts of interest in a matter to which the advice relates.

At this point there are no conflicts of interest, and this aspect will be monitored closely throughout the duration of the program.



City of Darebin: ICT & Digital Strategy 2023

Strategy Overview

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GLOSSARY

<i>Term</i>	<i>Description</i>
Core Business Applications	A term that encompasses applications that will be used over a significant number of functions. In Council's case, applications such as Customer Requests and GIS, Assets, Records Management and Financials are core business applications because they are used widely across most or all functions.
Cloud	A term that embraces ICT services that can be provided via the Internet, from simple applications hosted by external organisations, through to full deployment of ICT Infrastructure as a service from external organisations.
Digital Services	A general term to group the various services that can be provided to customers using digital capabilities, particularly but not limited to via the Council web site or Intranet.
Disaster Recovery (DR)	Disaster Recovery within an IT setting effectively means facilitating duplicate ICT environment/s in a separate location from the main site, to be used in the case of a loss of the main site/s ICT Environment
ERP	A term that originally stood for Enterprise Resource Planning systems, but has generally become to represent Enterprise systems, where a single system fulfils as many functions as possible for an enterprise.
ICT	ICT means Information Communications Technology and is a term that reflects the convergence between Information Technology and Communications technologies. For the purposes of this strategy, ICT covers all services and systems relating to Information Technology, including all voice and data components of communications technologies.
ICT Environment	The ICT Infrastructure and Applications that supports the organisation including: <ul style="list-style-type: none"> • Servers and Server Operating Systems • Switches and Network Components • LAN for each site • WAN for connections between sites • Backup components • Suite of applications that support the organisation including Authority, Assetic, Microsoft Dynamics, Microsoft 365, and other applications. • Personal Computers, Laptops and Mobile Devices.
ICT Governance Framework	A framework to ensure the continued effective governance and management of all ICT systems and infrastructure.
Mobile Computing	A specialist branch of the ICT industry which focuses on the use of mobile computing devices and services. Such devices include smart-phones, tablets, and other mobile devices.



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<i>Term</i>	<i>Description</i>
Project Reference Group	A group of staff members from across the entire organisation who have been involved in the review, validation, and testing of the findings from CSS in the development of the strategy. During the development of the strategy, the group has assisted in providing the organisational requirements overlay from CSS's review and have assisted in development of priorities applied to the initiatives in this strategy.
On-Premise	ICT resources are deployed in-house and within an enterprise's IT infrastructure. An enterprise is responsible for maintaining the solution and all its related processes.
SaaS	A software distribution model in which third-party provider hosts applications and makes them available to customers over the Internet. Rather than making large software licensing payments at the start of the use, the payments are typically made on a 'as consumed' basis, spreading the licensing payments across the period of usage for the software.
Smart Cities	The overarching mission of a smart cities technologies is to optimise city functions and drive economic growth while improving quality of life for its citizens using smart technology and data analysis. Value is given to the smart city based on what they choose to do with the technology, not just how much technology they may have.
Specific Purpose Systems	Applications that are vital to the operation of a specific function, but not widely used (if at all) outside the function. An example of this is the Aged Care systems.
Wide Area Network	A term relating to the computer network for Council, including all sites located outside of the main office such as Depot, Community Centres, Library and Maternal & Child Health Care Centres. These sites are connected to the network at the Civic Centre via several different technologies, when grouped together are referred to as the Wide Area Network (or WAN).



City of Darebin: ICT & Digital Strategy 2023
Strategy Overview
Introduction : Background



1 INTRODUCTION

BACKGROUND

Local governments have responsibility for many functions and activities that are relevant to local communities. As the level of government often seen as 'closest' to the community, local government activities relate to matters that are fundamental to people's lives and impact strongly on their quality of life.

The City of Darebin delivers a diverse range of services which have been delivered under the following organisation structure and organisational model:

- Corporate Services incorporating financial management, ICT services, governance, records, and other corporate functions.
- Assets and Infrastructure responsible for infrastructure and planning provision and services.
- Community Development providing for regulatory services, community services, and related community focused functions.

With recent changes to the business structure and responsibilities for ICT services, and the lack of a current ICT Strategy, it was decided that an ICT and Digital Strategy should be developed.

Extensive consultation took place across the business to identify the current state, as well as major opportunities present to improve customer service and overall service delivery which ICT systems and processes could support.



City of Darebin: ICT & Digital Strategy 2023
Strategy Overview
Introduction : The ICT Strategy



THE ICT STRATEGY

APPROACH

The ICT & Digital Strategy focuses on the development of a five-year master plan that provides short-term and long-term guidance for our information technology needs; and assesses the current Information Technology conditions for all departments and locations of the Council.

During the development of the strategy, the scope of the development has adhered to the following general approach:

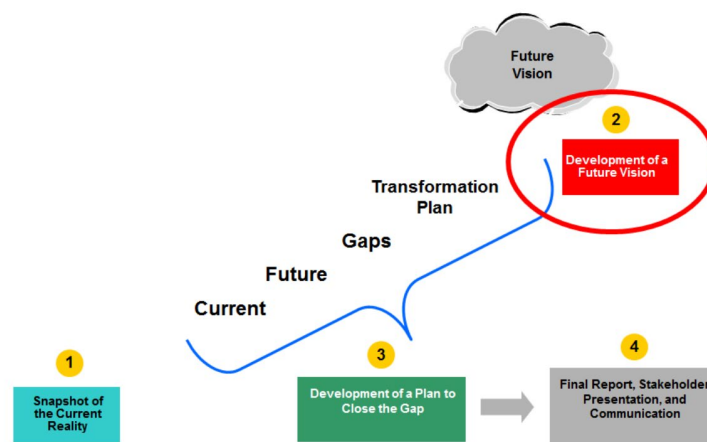


Figure 1: Strategy Development

Because of the lack of any existing ICT or Digital Strategy, extensive organisation-wide consultation was considered vital to develop the ICT and Digital Strategy. Consultation has taken place with approximately 21 different business units, where an extensive set of issues and opportunities have been identified.

Working with the Project Control Group (PCG) put in place for the development of the strategy, the focus has been on:

- Development of an overarching Strategic Direction and Purpose statement for the ICT service.
- Development and reviewing of a detailed roadmap to address as many of the identified issues and opportunities identified from the consulting phase.
- Identification of funding requirements, resourcing, and timing necessary to meet the roadmap delivery.

This document encompasses our 5 year ICT and Digital Strategy which includes a detailed 5 year roadmap to significantly enhance the ICT capability of our business.



City of Darebin: ICT & Digital Strategy 2023
Strategy Overview
 Introduction : Strategic Pillars



STRATEGIC PILLARS

The strategy reinforces a series of Strategic Pillars adopted through the ICT & Digital Strategy through which all ICT and Digital Services activities are viewed and aligned.

These Pillars are aligned to the newly developed Organisational Strategy:

Pillar	Objective
Customer Service and Responsive Service Delivery	We are dedicated to enhancing service capability, deliver excellent customer service, address current and future needs, ensuring equitable service delivery, and upgrading our ICT system to support customer experience.
Empowered People	We endeavour to empower our workforce by providing them with advanced technology, reliable systems, and effective tools, enabling them to achieve higher levels of productivity and efficiency.
Responsible and Transparent Stewardship	We prioritise effective governance, financial sustainability, informed decision-making based on reliable evidence, and bolstering cyber security and governance through advanced systems, all of which are crucial for our success.
Value Driven Engagement and Partnerships	We aim to cultivate transparency, community engagement, accountability, and impactful partnerships to shape Council initiatives, policies, services, programs, and decisions in collaboration with our community.

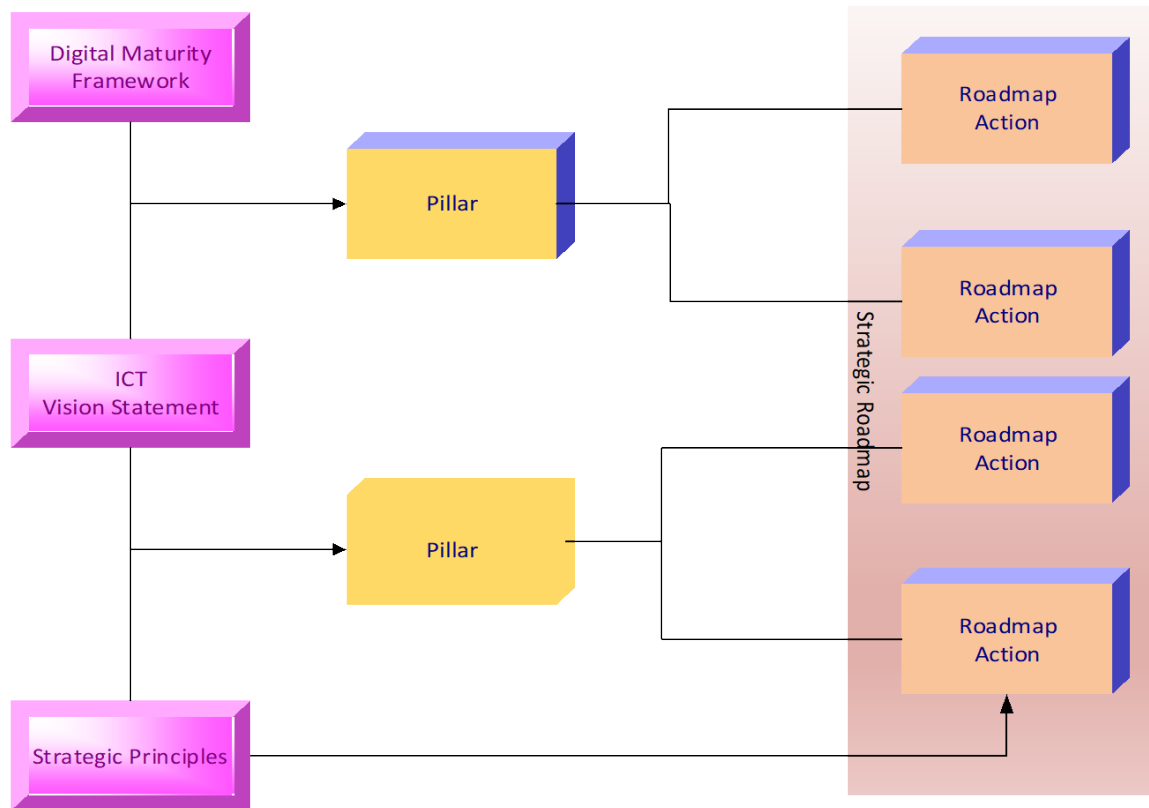
Table 1: Strategic Pillars

The current state review, and target state direction, are based on these specific pillars for ICT service delivery.



ICT AND DIGITAL STRATEGY STRUCTURE AND OVERVIEW

This ICT and Digital Strategy adopts an overall structure, as depicted below:



A series of **Strategic Principles** make up the **Future State** of the strategy, underpinning all aspects of the strategy delivery, and guiding the approach to the delivery of Digital services for the strategy period.

Strategic Pillars are identified for Digital Service Delivery.

Within each Pillar, specific **Strategic Roadmap Actions** identify the necessary actions that need to be undertaken to improve and/or enhance ICT support for the Digital Vision Statement. The Strategic Roadmap Actions form the Action Plan for this ICT & Digital Strategy.



2 CURRENT STATE

COUNCIL'S ICT SERVICE MATURITY

The ICT service capabilities of any organisation are influenced by five key themes as illustrated in the following diagram.

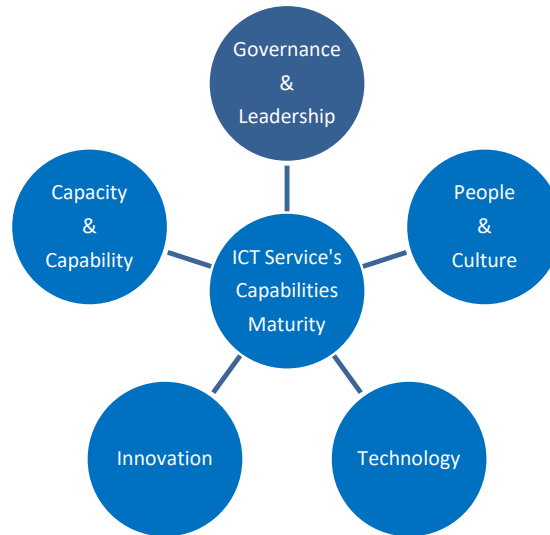


Figure 2: Themes and Strategic Pillars

The Business Transformation Strategy considers our ICT service's capabilities maturity in the context of each of these themes, and the findings provide a reference point for the proposed ICT framework and resulting key initiatives.

ASSESSMENT METHODOLOGY

Based on the common categories gleaned from both consultation with our stakeholders and archival review of key documentation, the level of digital maturity has been assessed using the Government of South Australia's digital maturity assessment tool. This tool can be used rate our operations against a maturity scale which ranges from minimal (Level 1) to transformed (Level 5).

The objective for the maturity assessment is to gain a picture of our current level of maturity to help identify what is being done well and where the improvements can be made. By understanding where we are at in our digital journey, it is possible to:

- Understand strengths and weakness to enable mitigation strategies to be put in place.
- Inform the prioritisation of resources and projects that will help accelerate advancing along the digital journey; and,
- Understand what full transformation looks like to provide a picture of the future state to aim for.



City of Darebin: ICT & Digital Strategy 2023
Strategy Overview
Current State : Council's ICT Service Maturity



CURRENT COUNCIL ICT SERVICE MATURITY

Current ICT Service Maturity assessment is based on the South Australian Government Digital Maturity Index¹. Whilst a higher index should be our long-term aim, the strategy position needs to identify a workable target for the organisation for the strategy period.

Pillar	Maturity Level Rating
Governance and leadership	1
People and culture	1.5
Capacity and capability	1
Innovation	1
Technology	1
Overall digital maturity rating (add pillars then divide by 5)	1.1

Table 2: Current ICT Service Maturity

A target position has been developed and is included in the Future State.

¹ Refer to <https://www.dpc.sa.gov.au/responsibilities/ict-digital-cyber-security/toolkits/digital-transformation-toolkit> for information on Digital Maturity assessments using the SA Government model.



City of Darebin: ICT & Digital Strategy 2023
Strategy Overview
 Current State : Current State Summary by Strategic Pillar



CURRENT STATE SUMMARY BY STRATEGIC PILLAR

Extensive analysis and consultation with the business identified over 84 major issues and opportunities² for improved and streamlined customer service through investment in Digital and ICT facilities. Key issues identified are summarised below.

CUSTOMER SERVICE AND RESPONSIVE SERVICE DELIVERY

Issues and Opportunities Identified	Activities and Opportunities
Customer experience for our customers is variable depending on the service (and the systems/tools supporting the service). It lacks overall cohesion for the delivery of services to our customers based on their preferred service channel.	Strategy must focus on the customer, and our ability to provide consistent and cohesive service delivery regardless of service and/or channel.
We do not have a specific responsibility defined in the business for the management of our customer database. This results in a myriad of different customer databases being managed in a variety of different tools without any overarching approach and coordination.	To support customer focus within the Strategy, we need to establish appropriate responsibilities to effectively manage the customer database.
Our web presence – consisting of our externally facing web site through to our internal intranet and knowledge base tools – are inadequate and not meeting business needs.	Web presence needs to be refined and updated to better meet customer requirements.
Specific functions to support external customer facilities bookings, events management and ticketing functions lack a single consistent approach, with business units often utilising different approaches to the same business requirement.	Facilities Bookings is a significant business requirement for external customers and remains largely unavailable.
Internal staff management and staff experience – through our Human Resource Management Systems – is poor. Many HR functions are largely entirely manual, combined with numerous systems in place to support payroll, timesheets, and rostering processes.	Staff Management capabilities of our systems – including the staff experience in interacting with our systems – need to be significantly improved.
Smart City capabilities and opportunities continue to present as technology begins to mature in this area. Council is aware that it needs to be able to act on opportunities in this area but has limited preparation and capability at this point.	Further work is needed to prepare our systems and capabilities to act on opportunities for Smart City initiatives as they become available.
Mobile capabilities of current systems are limited for many users. The capability of our people to be able to provide customer service (or functions supporting customer service) regardless of their location is currently limited.	An overall focus on Mobile capabilities is needed through all roadmap actions within the strategy to reinforce the need for mobile capabilities.
Most systems within our business at this point operate largely stand-alone, with integration being largely absent for all major platforms in use.	Process and Service improvement will rely on improving integration capabilities between our systems.

Table 3: Customer Service and Responsive Service Delivery Current State

² The document Darebin ICT & Digital Strategy 2023 - 05 – Workshop Issues contains a complete list of these issues as referenced in Section 5.



City of Darebin: ICT & Digital Strategy 2023
Strategy Overview
 Current State : Current State Summary by Strategic Pillar



EMPOWERED PEOPLE

Issues and Opportunities Identified	Activities and Opportunities
<p>Financial Management systems – including financial management, contract management, project management and others - are not meeting business requirements, with numerous workarounds and manual processes in place. We are spending considerable funds with external consulting resources to simply maintain current systems.</p>	<p>Financial Management systems are lacking and must be addressed as part of the strategy.</p>
<p>Property, Rating, Waste Management and Regulatory functions are being adequately managed at this point but suffer from lack of integration with other business systems including financials, records management, and others.</p> <p>Embedded workflow processes in these functions have not been updated for some time, and present significant productivity and service delivery opportunities.</p>	<p>Property, Rating and Regulatory functions need to be considered within the wider Enterprise Architecture requirements of the business.</p> <p>Process refinement and improvement opportunities must be included in the overall strategy.</p>
<p>Our Records Management function is largely stand-alone and unintegrated with the business systems and processes that drive our service delivery. Base Records Management activities such as archiving, and disposal have not been undertaken for some time.</p>	<p>A complete revamp of the records management function – including integrating it with the business process and service delivery – is necessary and must be considered in the strategy.</p>
<p>We are operating multiple Asset Management systems to meet current requirements, as well as having most of our Asset Maintenance activities recorded and managed manually. Integration between key financial and customer management systems is non-existent.</p>	<p>Asset Management functions need to be consolidated within a single system, and fully implemented including works maintenance.</p>
<p>GIS and related mapping tools are in place but are limited by the lack of resourcing commitment combined with the lack of a strategic approach to deployment.</p>	<p>Strategic approach to GIS needs to be developed, including review of resourcing commitment.</p>
<p>Our organisational compliance tools are spread across several different systems and processes, and our primary system in this area is not operating optimally whilst meeting disparate requirements.</p>	<p>Roadmap actions need to be included to support consolidation and system improvements.</p>
<p>Current Home Care systems and processes will not support the transition from Block funding to individual-based services required from July 1, 2024. System and process updates will be needed to support this transition.</p>	<p>Review and update of Home Care systems and processes must be included.</p>
<p>Community Service functions – including Youth Services, Family & Community Programs, Childcare (including Maternal and Child Health Services) – are utilising disparate, unintegrated, and inefficient systems and processes.</p>	<p>Opportunities to improve systems and processes in this area offer significant potential service improvements for our customers.</p>

Table 4: Empowered People Current State



City of Darebin: ICT & Digital Strategy 2023
Strategy Overview
 Current State : Current State Summary by Strategic Pillar



RESPONSIBLE AND TRANSPARENT STEWARDSHIP

Issues and Opportunities Identified	Activities and Opportunities
ICT Governance Frameworks	
<p>ICT Governance is partially in place, with the recent establishment of an ICT Steering Committee. Further development of the overall ICT Governance Framework is necessary.</p> <p>This lack of this framework extends to a lack of overall data management, resulting in various sources of truth for key data records including customer.</p>	<p>Roadmap action needs to be included in the Strategy to refine overall Governance Framework.</p>
<p>The need for an Enterprise Architecture has been identified through the lack of strategic approach to systems deployment (best of breed vs ERO, cloud infrastructure and other related components).</p>	<p>High-level Enterprise Architecture is needed to guide the procurement and deployment of updated and/or replacement system/s.</p>
<p>Our Wide Area Network is underdeveloped, with staff and customers experiencing radically different experiences with ICT and Digital systems depending on location.</p>	<p>Updates to Wide Area network will provide the base line infrastructure necessary for many of the roadmap actions identified in this strategy.</p>
<p>Collaboration toolsets have been initially deployed within the business – based on Microsoft Teams, Microsoft Sharepoint, and other tools – without any form of oversight and governance for the implementation.</p>	<p>Roadmap action needs to be included in the Strategy to refine overall Governance Framework.</p>
ICT Service Delivery	
<p>We have ongoing issues with ICT Service Delivery capability, both from a resource commitment, as well as a clear and defined understanding of ICT’s function in supporting the business.</p>	<p>Revision to the ICT Service Delivery Model is needed to support deployment of existing and new roadmap actions.</p>
<p>Help Desk services were utilising out of date software to support the provision of services to the business.</p>	<p>Recognising the urgent need to address this function, we have already undertaken a significant update of this service.</p>
<p>We made a commitment to the delivery of Business Intelligence capabilities and reporting for our systems some time ago. This commitment is yet to reap organisation-wide benefits, whilst providing some improvements for specific business functions.</p>	<p>Development and refinement of delivery of business intelligence tools and services will be necessary.</p>
ICT Infrastructure and Tools	
<p>The greater majority of server and storage are largely based on on-premise hardware and related infrastructure which was due for replacement – noting that there was no effective Disaster Recovery infrastructure in place.</p> <p>Furthermore, little planning had been undertaken to review opportunities that Cloud-computing presented.</p>	<p>Recognising the urgent need to address these components, we have already undertaken a significant update to transition existing infrastructure to cloud services.</p>
<p>Reflecting the overall lack of Asset Management planning for ICT assets, Laptop and Desktop hardware is not on any form of planned renewal cycle, despite much of the fleet approaching end of useful life.</p>	<p>Establishment of effective Asset Management planning for ICT Infrastructure, including need to address replacement of existing Infrastructure.</p>
<p>Cyber Security risks have been identified by various audits, resulting in a series of audit actions needing to be addressed regarding current and ongoing cyber security actions.</p>	<p>Establishment of a cyber security framework and planned ongoing cyber security actions and initiatives.</p>

Table 5: Responsible and Transparent Stewardship Current State



City of Darebin: ICT & Digital Strategy 2023
Strategy Overview
 Current State : Current State Summary by Strategic Pillar



VALUE DRIVEN ENGAGEMENT & PARTNERSHIPS

Issues and Opportunities Identified	Activities and Opportunities
OpenData initiatives have not been invested in by us at this point.	There is a need to look at options for OpenData initiatives and how the community and stakeholders can engage with datasets held by us.
Community Engagement needs to be developed further in the deployment of systems and web-based tools. Current engagement tools are relatively basic and opportunities for improved engagement exist.	Development of community engagement capabilities and toolsets.
Collaboration with community and other interested parties – such as other Local Government and State Government entities – is limited in the ICT and Digital space.	Initiatives to develop collaboration with other parties will need to be investigated.

Table 6: Innovation Current State



City of Darebin: ICT & Digital Strategy 2023
Strategy Overview
Future State : ICT & Digital Purpose Statement



3 FUTURE STATE

ICT & DIGITAL PURPOSE STATEMENT

Purpose of Digital Service Delivery is:

Our Purpose is to be a customer-centric, data-driven, and trusted leader in the ICT and Digital realm, aligning with the community vision, Council plan and organisation vision to deliver exceptional customer services.

We must ensure wherever possible that ICT decisions are made in the context of an appropriate ICT Governance Framework so that:

- ICT systems and infrastructure are managed in an environment which ensures continued alignment with the business requirements of the organisation.
- Return on investment is demonstrated through productivity improvements, improved service levels and/or increased organisational service capability.
- ICT systems and infrastructure are of suitable standard that minimises basic maintenance and manual effort, releasing ICT resources to focus on value-adding to the business and focusing on continued improvement.
- An appropriate and realistic Enterprise Architecture is established to ensure that current and future applications can meet and take advantage of current and future technologies as they may be relevant to our operations.



STRATEGIC POSITIONING: CUSTOMER SERVICE AND RESPONSIVE DELIVERY

CUSTOMER FOCUS AND 360 DEGREE CUSTOMER

Focusing on the customer, we will transition away from silos of customer information to an integrated whole of organisation view of customers.

This strategy identifies a series of strategic actions at delivering a program supporting a single view of customer across all organisational activities and services. This includes:

- Establishment of a new Customer Data Management approach.
- Cleansing of existing Customer Databases to address.
- Establishment of a Customer Database to record and management all customer data as a first step towards complete customer management.
- Transitioning toward a complete Customer Relationship Management (CRM) system.



Figure 3: Customer Focus

Significant improvements to overall customer service will be achieved through a single view of the customer, in conjunction with delivery of services in a digital mode. Customers will be able to transact with us through a single portal, offering full 360-degree view of services delivered to the specific customer.

IMPROVE AND REFINE PROCESSES



Figure 4: Process Refinement

In an environment where we are expected to be able to “do more with less”, significant efficiencies can be gained through improved processes and eliminating unnecessary and often redundant processes. Whilst time savings are often measured in minutes for some processes, the repetitive nature of many processes can result in significant overall efficiency and productivity savings for the organisation.

We envisage as an adjunct to the various strategic actions identified across the organisation, a program of efficiency review and improvement to be undertaken across the organisation. Using a defined and disciplined methodology should increase customer satisfaction and productivity by streamlining operations, improving quality, and eliminating defects in every organisation-wide process.

DIGITAL COLLABORATION



Figure 5: Digital Collaboration

Through development of alliances with our customers and our external business partners, we will develop our collaboration capability through all functions and process streams to provide for more efficient and customer-focused service delivery.

Wherever possible, collaboration platforms for both internal and external service delivery will be utilised for sharing and development of information, specifically moving away from traditional file sharing processes only.



DIGITAL CUSTOMER EXPERIENCE

The concept of **Digital-by-Choice** in a local government setting is all about designing and delivering services to our customers first in a digital electronic format, and then building out the end-user services around the digital medium.

Also inherent is the use of digital systems that are integrated and eliminate duplication of processing and effort across the organisation, whilst ensuring as much information management and delivery is undertaken digitally, rather than in manual and/or paper form.

We will focus on the adoption of digital measures for communicating with and delivering services to customers wherever possible ensuring an excellent customer experience for all our customers.

Due to what is expected to be widely differing preferences for usage of available channels (phone, online, face-to-face, email, letter, etc) in the community, we will maintain multi-channel services.

Digital technologies will underpin and support the multi-channel Customer services to improve the consistent Customer experience.



Figure 6: Digital Customer Experience

INNOVATE AND ADAPT

It is imperative that we support the organisational culture to be creative, innovative, and modern in approach.

Innovation is defined as the process of ideation, evaluation, selection, development, and implementation of new or improved products, services, or programs. The intended results of this objective are:

- Increased number of new ideas.
- Improved quality of ideas.
- More efficient implementation of quality ideas.
- Improved resultant success achieved from the implementation of new ideas.



Figure 7: Innovation



STRATEGIC POSITIONING: EMPOWERED PEOPLE

ERP BUSINESS SOLUTIONS

A complex range of systems can cause training and usage issues, combined with integration issues across the organisation. Strategically, the smaller number of systems is preferred as end users already struggle with the array of systems in place.

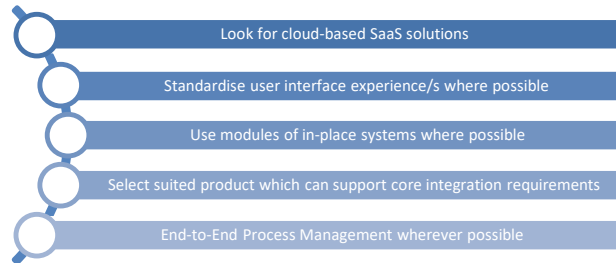


Figure 8: ERP Business Solutions

We currently manage core functions through the combination of the Oracle, Pathway, Objective, Assetic, Infor IPS and related software packages suite for Financials, Asset Management, Revenue and Regulatory functions, combined with an array of different supporting systems for key functions such as GIS, Events, Bookings and others.

Wherever possible, we will consolidate our organisational functions around a limited number of different systems, with integration in place for core functions wherever possible.

EVIDENCED BASED DECISION MAKING

Wherever possible, decision making within the organisation should be based on data-derived evidence – which contrasts sharply with making decisions based on gut feeling, instinct, tradition, or theory. Such decisions are more objective and can be easily evaluated according to their impact on metrics or business operations.



Figure 9: Evidence Based Decisions

Digital systems and processes will be in place to support such decision making. ICT systems will incorporate capabilities to support data driven decisions, through full support of data analytics, dashboards, and other relevant technologies.

ADOPT NOT ADAPT

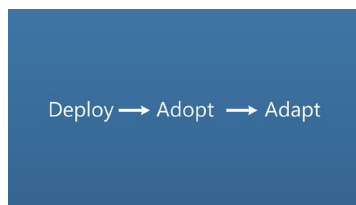


Figure 10: Adopt Not Adapt

We will be prepared to adapt our processes and activities to best practice approaches that are often embodied in more modern technology solutions. Too often organisations take-up new systems, and then attempt to adapt the new system and its processes to old ways of organisation. We will be prepared to adopt best practice approaches inherent in business systems, and adapt our processes to approaches to fit wherever possible.



REDUCING OUR FOOTPRINT

Reducing our environmental footprint is a clear direction for the organisation.

The Digital Strategy embraces this direction, with all initiatives identified incorporating assessment of environmental impact with the clear intention of reducing resource consumption and related environmental impact/s.



Figure 11: Footprint



STRATEGIC POSITIONING: RESPONSIBLE AND TRANSPARENT STEWARDSHIP

GOVERNANCE FRAMEWORK

We recognise the importance of effective management of its investment in ICT systems and infrastructure and will adopt a Governance Framework for ICT services. Governance focuses on ensuring that the Business Transformation Strategy is delivered, whilst maintaining and enhancing standards for ICT operations, and ensuring effective management of existing investments in current application suites.

We will adopt a modern ICT Governance framework which aligns to the strategic requirements along the following:

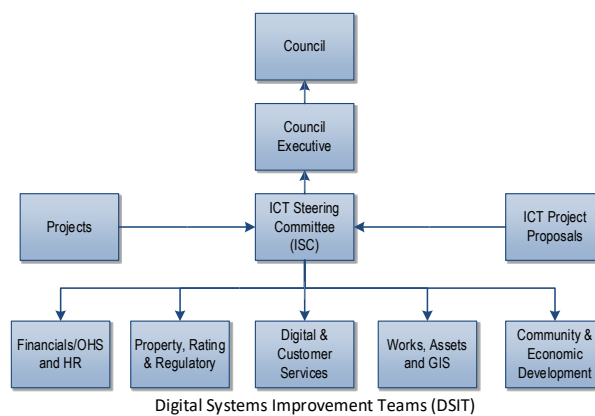


Figure 12: ICT Governance Framework

Group	Role in Digital Governance
Council	Ratification of, and managing change to, the Strategic Direction for the Digital Strategy
Council Executive	Ratification of, and ongoing management, of all aspects of the Digital Strategy
ICT Steering Committee	Ongoing delivery of the Digital Strategy. Ongoing management of the Digital Strategy Roadmap
Digital System Improvement Teams	Working effectively as internal 'user groups' in the management of ICT systems for the relevant functions and areas. Business cases for changes to Digital Strategy Roadmap will be presented from these groups for consideration by the ICT Steering Committee
Project Steering Committee/s	Management of specific project delivery for projects supporting actions within the Digital Strategy Roadmap
ICT Project Proposals	Proposals by business units – capital or non-capital projects – which have ICT/Digital implications must be approved – from an ICT/Digital perspective - by the ICT Steering Committee.

Table 7: Roles in ICT Governance



**City of Darebin: ICT & Digital Strategy 2023
Strategy Overview**
Future State : Strategic Positioning: Responsible and Transparent Stewardship



ENTERPRISE ARCHITECTURE

We will adopt a high-level Enterprise Architecture which forms part of this strategy:

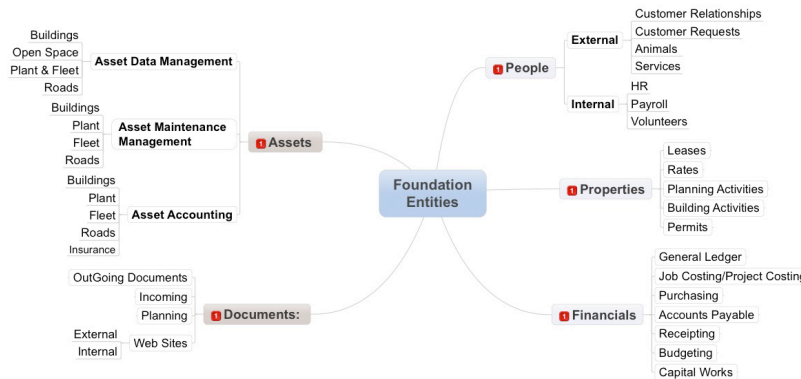


Figure 13: Enterprise Architecture

As part of this Enterprise Architecture, several key themes have been adopted including:

- A cloud-first approach to deployment of new systems
- Adoption of enterprise-wide ERP systems to consolidate its organisational functions around a limited number of different systems.
- Deployment of Microsoft/365 as core enabling infrastructure to support business systems.

MOBILE FOCUS AND FLEXIBLE WORKPLACE

We will progress to more mobile friendly, focused applications which will allow:

- Our staff to interact with systems wherever they are located, be it in office, in the field, at customer locations or external to the municipality.
- Customers to interact with our services using technology that suits them at a time that suits them.



Figure 14: Mobility

Wherever possible, mobile devices will be deployed to support capture of information and service delivery information in the field.

Furthermore, the systems environment will evolve to more effectively support the flexible workplace that we wish to continue transition to.



City of Darebin: ICT & Digital Strategy 2023
Strategy Overview
 Future State : Strategic Positioning: Responsible and Transparent Stewardship



MICROSOFT/365



Figure 17: Microsoft/365

Standardisation on Microsoft/365 based solutions where possible and practical, imbedding the Office environment and experience into the organisation.

Adopting Microsoft/365 standards will offer many benefits including transitioning key infrastructure away from in-house deployments to the cloud, as well as offering improved integration capabilities for core applications with Office tools, used by most staff in their day-to-day activities.

Furthermore, Microsoft/365 introduces technologies that will assist us to improve key business functions for collaboration between staff, as well the potential for streamlined records management functions using collaboration tools and facilities.

ICT SERVICES



Figure 18: ICT Services

ICT services will be realigned to provide a focus on business systems delivery and support, whilst combining existing service desk and core infrastructure support.

The ICT team will work proactively with business units – using an ICT Business Partner model – to ensure business units can rely on ongoing support of the ICT unit to assist in development of ICT capabilities for their specific business functions.

Business Transformation capabilities will be developed within the ICT unit as a specialised focus, ensuring that transformation activities can be focused on by the team away from normal Business-As-Usual support and management.

FUNDING

As we transition towards a digital enabled future, with service delivery to customers being streamlined and delivered through improved systems and processes.

Current levels of funding need to be realigned to support the delivery of the digital enabled future. Changes in the direction for ICT services include:

We will transition away from capital expenditure towards operating expenditure as part of the overall growth of cloud-based services. Significant additional funding is planned to transition towards recurrent/operating during the life of this strategy, reducing the reliance on capital funding further.

The operating expenditure spend requires baseline capture for consumption to control for costs creeping up from poorly managed cloud services, such as monitoring for costs of un-used or underutilised services. Effective management of these services becomes paramount.



Figure 19: ICT Funding



STRATEGIC POSITIONING: VALUE DRIVEN ENGAGEMENTS & PARTNERSHIPS

COLLABORATION



Figure 20: Collaboration

There are significant opportunities for us to work with other nearby councils in the development of Digital systems across the entire technology landscape.

Ongoing development of collaboration opportunities will be reinforced, with the expectation that such opportunities will continue to be developed during the strategy period.

CORPORATE RESPONSIBILITY

We will embed corporate responsibility into all aspects of our Digital and ICT delivery, ensuring equity is considered to ensure community outcomes / alignment are clear and impact equally effectively for all community groups and locations.



Figure 21: Corporate Responsibility



City of Darebin: ICT & Digital Strategy 2023
 Strategy Overview
 Getting to the Future State : Strategic Roadmap



4 GETTING TO THE FUTURE STATE

STRATEGIC ROADMAP

INTRODUCTION

The Strategy Roadmap consists of a series of actions that are designed to move us from its current state to meet the Strategic Direction. Each action has been classified in several ways:

- All actions have been aligned within a Specific Pillar, with a total of 48 Roadmap Actions being developed.
- A **Rating** has been applied – developed with conjunction of Council’s Project Reference Group - that provides a local perspective on the perceived status of each Action:

No	Rating	Description	Number of Actions
1	Must Do	Action must be undertaken to maintain service delivery, improve customer experience, support staff service delivery, or generally support the implementation of the Strategic Plan. Note that some actions are underway.	25
X	ERP Dependent	Action is reliant on, or part of preparation for, the proposed ERP roadmap action, and as such cannot be scheduled until that is complete.	6
2	Should Do	Not mandatory but should be undertaken to support the business and its Strategic Plan.	7
3	Could Do	Action could be undertaken but should be assessed annually.	6
Z	Complete	Action is already completed.	4

Table 8: Roadmap Action Summary

- Actions rated as **Must Do** are *Critical Must-Do* items that must be undertaken to ensuring effective ongoing support for the organisation from the Digital Transformation Strategy. **Should Do and Could Do** actions are discretionary within the strategic roadmap and should be reviewed annually.
- Most Actions has been assessed as to a potential start and completion date within the strategy period.

Summary information for the Roadmap Actions is detailed in this document. All actions are fully detailed in full in supporting documents to this Strategy, and these documents should be referenced for further details as required.



**City of Darebin: ICT & Digital Strategy 2023
Strategy Overview**
Getting to the Future State : Strategic Roadmap



ROADMAP ACTIONS: CRITICAL MUST-DO ACTIONS

No	Strategic Roadmap Action	Target Start	Target Completion
01.01.01	ERP System Business Case	22/23	22/23
01.01.02	Benefits Planning for ERP Implementation³	23/24	23/24
01.01.03	Procurement Processes for ERP	23/24	23/24
01.01.04	ERP System Deployment	24/25	27/28
01.02.01	Web Site and Intranet Update	22/23	23/24
01.02.02	Business and Customer Directories Consolidation	23/24	23/24
01.03.01	Customer Data Management	23/24	Ongoing
01.04.03	Integration Platform Deployment	24/25	26/27
02.01.01	Remediate Oracle Financials	23/24	25/26
02.02.02	Asset Management Systems Remediation	23/24	24/25
02.02.03	Pathway PPARS Support	23/24	23/24
02.02.01	GIS Strategy and Deployment	22/23	23/24
02.02.02	Deployment of Initiatives from GIS Strategy	23/24	27/28
03.01.01	ICT Governance Framework & Standards	22/23	22/23
03.01.02	Data Governance Framework Development & Implementation	23/24	23/24
03.01.03	Governance Framework and Tools for Cloud Services	22/23	24/25
03.02.01	Deployment of ICT Packaging & Monitoring Tools	23/24	25/26
03.02.02	Help System and Software	22/23	23/24
03.03.01	WAN, LAN & Telephony	22/23	22/23
03.03.02	Cloud Infrastructure Deployment	22/23	23/24
03.03.03	IT (Laptops, Desktops and Mobile Devices) Refresh	23/24	23/24
03.03.04	Printer Hardware Update	23/24	23/24
03.03.05	Development of ICT Capabilities of Meeting Rooms	24/25	26/27
03.03.06	ICT Asset Management Plans	23/24	23/24
03.03.07	Software Licensing Improvements	23/24	Ongoing
03.04.01	Addressing existing Cyber Security Risks	22/23	23/24
03.04.02	Ongoing Cyber Security Program	22/23	Ongoing
01.05.03	Collaboration Opportunities	24/25	Ongoing

Table 9: Critical Must-Do Roadmap Actions

ROADMAP ACTIONS: SUBJECT TO ERP ACTION

The following actions have been included – and would normally be considered Must-Do items – but have been deferred in the roadmap delivery pending the ultimate outcome of the ERP System Deployment Action. The ultimate capability and implementation of the ERP solution could impact on, or include these roadmap actions:

No	Strategic Roadmap Action	Target Start Timing	Target Completion
Customer Service and Responsive Service Delivery			
Customer Service			
01.03.02	Customer Relationship Management Deployment	Out of Scope	Out of Scope
Employee			
01.04.01	Rostering Capabilities	26/27	26/27
Empowered People			
Organisational Governance Capabilities			
02.05.01	PULSE System Management and Improvement	22/23	23/24
02.05.02	Agenda and Action Management Systems Update	23/24	Out of Scope
Business Process Development			
02.06.01	ProMap Usage and Related Tools	23/24	24/25
02.06.02	Consolidate approach to Business Forms	23/24	27/28

Table 10: Subject to ERP Roadmap Actions



**City of Darebin: ICT & Digital Strategy 2023
Strategy Overview**
Getting to the Future State : Strategic Roadmap



ROADMAP ACTIONS: DISCRETIONARY ACTIONS

No	Strategic Roadmap Action	Target Start Timing	Target Completion
Customer Service and Responsive Service Delivery			
01.03.03	Bookings, Events and Ticketing Management Systems	24/25	26/27
Smart Cities			
01.05.01	Smart Cities Deployment Program: Community Safety	24/25	Ongoing
01.05.02	Smart Cities Deployment Program: Smart Cities Deployment	24/25	Ongoing
Empowered People			
Interim Systems Update			
02.02.04	Pathway Mobility Deployment	23/24	24/25
Records Management			
02.03.01	Corporate Information Compliance Program	22/23	23/24
Organisational Reporting Capability			
02.04.01	Development and Enhancement of BI Reporting Functions	22/23	23/24
Organisational Governance Capabilities			
02.05.03	Establishment of Council Resolutions Register	24/25	27/28
Community Services			
02.07.01	Aged Care Systems Review	23/24	23/24
02.07.02	Aged Care Systems Update and Process Development	23/24	24/25
02.07.03	Kindergarten and Child Care Management Systems ⁴	24/25	25/26
02.08.01	Leisure Management Systems Replacement	24/25	25/26
Value Driven Engagements & Partnerships			
04.01	OpenData Initiatives	24/25	Ongoing
04.02	Customer Engagement Platforms	23/24	Ongoing

Table 11: Discretionary Roadmap Actions

TARGET IMPLEMENTATION

Target implementation timing and phasing for the roadmap items is spread across the 5-year strategy period, with a particular view to our ability to resource – both financial and people resourcing – such a transformation program.

This has resulted in the following plan for implementation:

⁴ The responsible business unit has begun work on this Roadmap Action – in preparing a business case for potential deployment earlier. The ICT Steering Committee will separately review this business case and will adjust the priority of this action as part of reviewing that business case.



City of Darebin: ICT & Digital Strategy 2023
 Strategy Overview
 Getting to the Future State : Strategic Roadmap

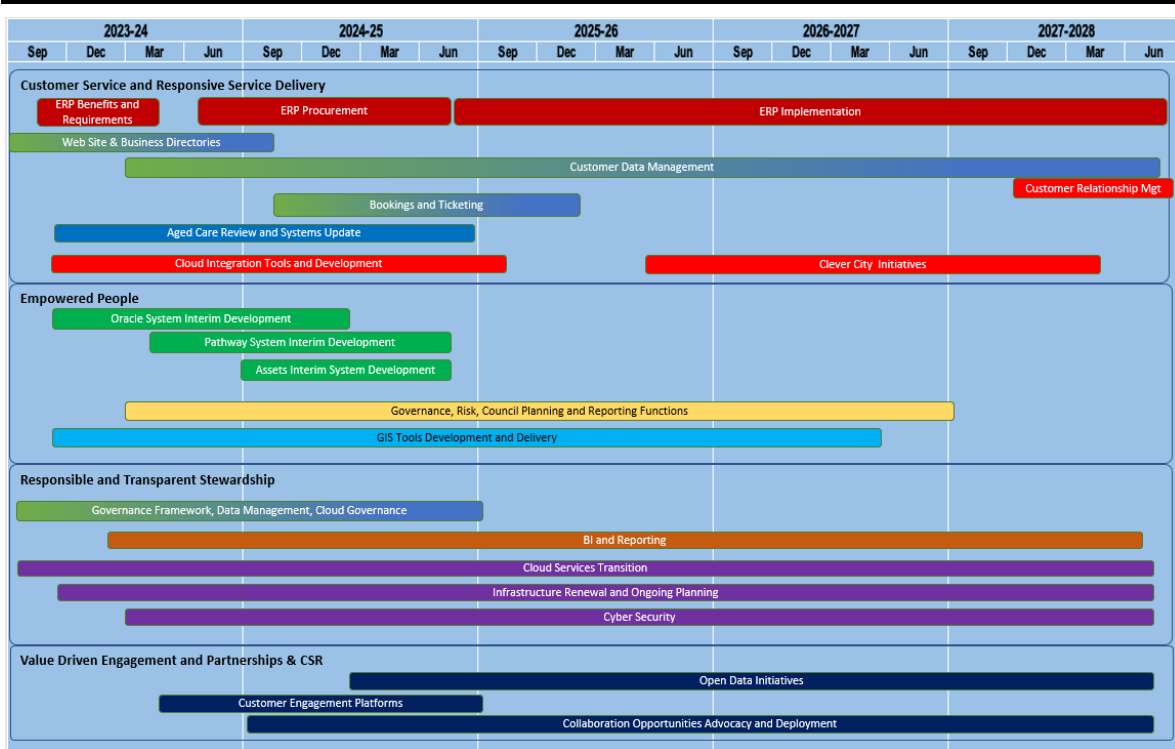


Figure 22: Target Roadmap Implementation

It is expected that this plan will require regular – at least annual – review to refine the program to meet current business challenges and expectations, noting that change is expected with any ICT program of this length. The Governance Framework will detail how this is to be managed.



City of Darebin: ICT & Digital Strategy 2023
Strategy Overview
 Getting to the Future State : Target ICT Service Maturity



TARGET ICT SERVICE MATURITY

A target state service maturity calculation has been undertaken based on the successful delivery of the roadmap detailed in this strategy. Using the calculation matrix - included as an additional supporting document detailed in Section 5 – the target maturity is estimated as:

Pillar	Maturity Level Rating
Governance and leadership	3.5
People and culture	3
Capacity and capability	4
Innovation	2.2
Technology	2.6
Overall digital maturity rating (add pillars then divide by 5)	3.06

Table 12: Target ICT Service Maturity

The estimated maturity score for the business is estimated to be around 3 at the completion of the strategy period, which is a significant improvement from the current score.



5 ADDITIONAL STRATEGY DOCUMENTS

SUMMARY DOCUMENTS

Aimed at different audiences and different engagement levels within Council:

Name	Description
Darebin ICT & Digital Strategy 2023 - 01 - Strategy On A Page	Simple presentation of the strategy on a single page, designed as a high-level communication of the strategy and its roadmap.

Table 13: Summary Strategy Documents

SUPPORTING DOCUMENTS

These documents are for reference purposes providing supporting information:

Name	Description
Darebin ICT & Digital Strategy - 04 - Roadmap Details	Word document that details each Roadmap Action, with full details of each roadmap action including background, actions, costs, and cost assumptions.
Darebin ICT & Digital Strategy - 05 – Workshop Issues	XL spreadsheet summarising all feedback received during consultation with the business during the development of this strategy. Each roadmap action is linked back to one of more of these issues.

Table 14: Supporting Strategy Documents

9.2 GOVERNANCE REPORT - MARCH 2024**Author:** Coordinator Governance Services**Reviewed By:** General Manager, Customer and Corporate

EXECUTIVE SUMMARY

- Summary of attendance at Advisory Committees Meetings, Councillor Briefings and other informal meetings of Councillors (**Appendix A**)
- Reports by Mayor and Councillors
- Responses to public questions taken on notice at the Council Meeting held on 26 February 2024 (**Appendix B**)
- Notes 2023 Darebin Annual Community Survey Update

Officer Recommendation

That Council:

- (1) Notes the Governance Report – March 2024.
 - (2) Notes the Summary of attendance at Advisory Committees Meetings, Councillor Briefings, and other informal meetings of Councillors at **Appendix A** to this report, for incorporation in the minutes of this meeting.
 - (3) Notes that reports by Mayors and Councillors submitted prior to the meeting and circulated to Councillors, will be incorporated in the minutes of this meeting.
 - (4) Notes the responses to the public questions taken on notice at the Council Meeting on 26 February 2024 (**Appendix B**).
 - (5) Notes the 2023 Darebin Annual Community Survey Update included in this report.
-

BACKGROUND / KEY INFORMATION

In accordance with Council's Governance Rules 2020, the agenda for each Ordinary Meeting is required to list certain governance/administrative matters in addition to other specified items.

These include Reports of Standing Committees i.e. Hearing of Submissions Committee, Summary of Meetings i.e. Briefings, Advisory Committee, responses to Public Questions taken on notice, reports by Mayor and Councillors, Councillor expenses and a range of other governance matters.

In accordance with best practice, good governance principles, transparent and accountable reporting, officers deem it appropriate to consolidate governance/administrative reports into one standing report to provide a single reporting mechanism for a range of statutory compliance, transparency and governance matters. This also ensure compliance with the requirements of the *Local Government Act 2020* ('the Act'), Council's Governance Rules and related regulations.

Previous Council Resolution

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

ALIGNMENT TO 2041 DAREBIN COMMUNITY VISION

Strategic Direction 1: Vibrant, Respectful and Connected

ALIGNMENT TO 2021-25 COUNCIL PLAN

Strategic Direction 4 Responsible, Transparent and Responsive

ALIGNMENT TO COUNCIL PLAN STRATEGIC OBJECTIVES

4.1 We will ensure balanced and responsible financial decision making that meets the needs of our community now and into the future

DISCUSSION

Matters covered in this report for the month of February 2024 are:

Summary of Advisory Committees, Councillor Briefing and other informal meetings of Councillors

Council's Governance Rules 2020 require any meeting of an Advisory Committee established by Council and attended by at least one Councillor, or a scheduled or planned meeting to discuss the business of Council, including briefing Councillors, and which is attended by at least half of the Councillors and one member of Council staff (excluding Council, Delegated Committee or Community Asset Committee meetings), the Chief Executive Officer must ensure that a summary of the meeting is:

- a) Tabled at the next convenient Council meeting; and
- b) Recorded in the minutes of that Council meeting.

The summary of the meeting should include:

- a) Time, date and location of the meeting
- b) Councillors in attendance
- c) Topics discussed
- d) Positions of council officers in attendance
- e) The organisation that any attendees external to council are representing; and
- f) Conflicts of interest declared, including the reason.

The Advisory Committees, Councillor Briefings or other Informal Meetings of Councillors are summarised at **Appendix A**.

Reports by Mayor and Councillors

By 4.00pm on the day of each Ordinary Council Meeting, the Mayor and Councillors submit a report detailing their attendance at various functions and activities since the last Council Meeting. These reports will be recorded in the minutes of this meeting.

Responses to Public Questions taken On Notice – Council Meeting 26 February 2024

Questions taken on notice at the Ordinary Council Meeting held on 26 February 2024 and subsequently responded to, are provided in **Appendix B** to this report.

2023 Darebin Annual Community Survey Update

A briefing report was provided on 12 March 2024 responding to a Council Resolution from 23 October 2023 outlining key actions being taken across the organisation in response to feedback from the Community Satisfaction Survey that was undertaken in August 2023.

Since the findings of the survey were released a range of organisation-wide and service-specific initiatives have been implemented or are in progress to address the feedback and drive towards improving overall customer satisfaction.

The progress of these actions will be reported through the Organisational Strategy and the annual Community Survey will be once again performed mid-year to monitor performance.

CONSIDERATION OF LOCAL GOVERNMENT ACT (2020) PRINCIPLES**Financial Management**

Not Applicable.

Community Engagement

Not Applicable.

Other Principles for consideration**Overarching Governance Principles and Supporting Principles**

(i) the transparency of Council decisions, actions and information is to be ensured.

Public Transparency Principles

(a) Council decision making processes must be transparent except when the Council is dealing with information that is confidential by virtue of this Act or any other Act;

Strategic Planning Principles

Not Applicable.

Service Performance Principles

Not Applicable.

COUNCIL POLICY CONSIDERATIONS**Environmental Sustainability Considerations (including Climate Emergency)**

Not applicable

Equity, Inclusion, Wellbeing and Human Rights Considerations:

Not applicable

Economic Development and Cultural Considerations

Not applicable

Operational Impacts

Not applicable

Legal and Risk Implications

Not applicable



IMPLEMENTATION ACTIONS

Not applicable

RELATED DOCUMENTS

- *Local Government Act 2020*
- Governance Rules

Attachments

- Summary of Councillor Attendance Record - March 2024 (**Appendix A**) [↓](#) 
- Record of Questions taken on notice - Council Meeting 26 February 2024 (**Appendix B**) [↓](#) 

DISCLOSURE OF INTEREST

Section 130 of the *Local Government Act 2020* requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any conflicts of 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.



SUMMARY OF COUNCILLOR ATTENDANCE AT ADVISORY COMMITTEES, COUNCILLOR BRIEFINGS AND OTHER INFORMAL MEETINGS OF COUNCILLORS

MEETING DETAILS:	Title:	Councillor Briefing
	Date:	5 February 2024
	Location:	Virtual Meeting
PRESENT:	Councillors:	Cr. Newton (Mayor) (Chairperson), Cr. Dimitriadis (joined at 4.18pm), Cr. Greco, Cr. Hannan, Cr. McCarthy (joined at 4.27pm), Cr. Messina (left the meeting at 5.05pm), Cr. Rennie (from 4.45pm), Cr Williams
	Council Staff:	<p>Peter Smith, CEO</p> <p>Caroline Buisson, General Manager Governance and Engagement</p> <p>Kylie Bennetts, General Manager Community</p> <p>Rachel Ollivier, General Manager Operations and Capital</p> <p>Vanessa Petrie, General Manager City Sustainability and Strategy</p> <p>Enna Giampiccolo, Manager Governance and Communications</p> <p>Anthony Smith, Governance Adviser</p> <p>Valli Morphett, Manager Creative Culture & Economic Development</p> <p>Phillip O'Brien, Team Leader, Jobs for the Future</p> <p>Emma Pase, Acting Head, Economic Development and Activation</p> <p>Chad Griffiths, Manager, City Futures</p> <p>Munir Vahanvati, Chief Architect</p> <p>Allan Middlemast, Acting Manager, Climate Emergency and Sustainable Transport</p> <p>Michele Burton, Coordinator Climate Emergency and Sustainable Transport</p> <p>Lorna Pettifer, Climate Emergency</p> <p>Jeanne Poustie, Manager Supported and Connected Living</p> <p>Nathan Korotkov, Senior Team Leader, Service Projects., Supported and Connected Living.</p>
	External Attendees:	<p>KPMG presenters:</p> <p>Lauren Ffrost</p> <p>Nicki Doyle</p> <p>Joanne Chenn</p>

APOLOGIES:		Cr. Laurence (Deputy Mayor)
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The Meeting commenced at 4.06pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
4.1	Economic Development Framework	
4.2	Climate Emergency Plan and Stage 2 Community Engagement	
4.3	Aged Care Reforms Preparation KPMG Consultation with Councillors	Cr Messina declared a conflict with regard to this item. Cr Messina left the meeting at 5.05pm.

The Meeting concluded at 6.05pm

RECORD COMPLETED BY:	Officer Name:	Enna Giampiccolo
	Officer Title:	Manager, Governance and Communications



SUMMARY OF COUNCILLOR ATTENDANCE AT ADVISORY COMMITTEES, COUNCILLOR BRIEFINGS AND OTHER INFORMAL MEETINGS OF COUNCILLORS

MEETING DETAILS:	Title:	Councillor Briefing – Planning Committee
	Date:	12 February 2024
	Location:	Virtual Meeting
PRESENT:	Councillors:	Cr. Newton (Mayor) (Chairperson), Cr. Laurence (Deputy Mayor), Cr. Dimitriadis, Cr. Greco, Cr. Hannan, Cr. McCarthy, Cr. Messina, Cr. Rennie,
	Council Staff:	Vanessa Petrie, General Manager City Sustainability and Strategy Anthony Smith, Governance Adviser Enna Giampiccolo, Manager Governance and Communications Neil Cooney, Acting Manager City Development Chad Griffiths, Manager City Futures Matthew Cullen, Coordinator Statutory Planning Alex McKenna-Cocks, Principal Planner Jack Allworth, Senior Statutory Planner Nick Van, Governance Officer
	External Attendees:	
APOLOGIES:		Cr Williams

The Meeting commenced at 4.03 pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
4.1	Pre-Planning Committee Agenda Briefing & Question Time	

The Meeting concluded at 4.26 pm

RECORD COMPLETED BY:	Officer Name:	Enna Giampiccolo
	Officer Title:	Manager, Governance and Communications



SUMMARY OF COUNCILLOR ATTENDANCE AT ADVISORY COMMITTEES, COUNCILLOR BRIEFINGS AND OTHER INFORMAL MEETINGS OF COUNCILLORS

MEETING DETAILS:	Title:	Councillor Briefing – Planning Committee
	Date:	19 February 2024
	Location:	Virtual Meeting
PRESENT:	Councillors:	Cr. Newton (Mayor) (Chairperson), Cr. Dimitriadis (Left at 4.30), Cr Hannan, Cr Laurence (joined at 4.55pm), Cr McCarthy, Cr. Rennie, Cr Williams
	Council Staff:	Peter Smith, Chief Executive Officer Vanessa Petrie, General Manager City Sustainability and Strategy Kylie Bennetts, General Manager Community Rachel Ollivier, General Manager Operations and Capital Caroline Buisson, General Manager Customer and Corporate Enna Giampiccolo, Manager Governance and Communications Anthony Smith, Governance Adviser Jeanne Poustie, Manager Supported and Connected Living (Item 4.1) Nathan Korotkov, Senior Team Leader Service Projects, Supported and Connected Living (Item 4.1) Yvette Fuller, Chief People Officer (Item 4.2)
	External Attendees:	Kate Oliver, Maddocks (Item 4.2) Amber Davis, Maddocks (Item 4.2)
APOLOGIES:		Cr Laurence (Deputy Mayor) (joined meeting from 4.55pm), Cr Greco, Cr Messina.

The Meeting commenced at 4.05 pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
4.1	Commonwealth Single Assessment Tender Update	
4.2	Good Governance and OHS	

The Meeting concluded at 5.05pm

RECORD COMPLETED BY:	Officer Name:	Enna Giampiccolo
	Officer Title:	Manager, Governance and Communications



SUMMARY OF COUNCILLOR ATTENDANCE AT ADVISORY COMMITTEES, COUNCILLOR BRIEFINGS AND OTHER INFORMAL MEETINGS OF COUNCILLORS

MEETING DETAILS:	Title:	Councillor Briefing – Planning Committee
	Date:	20 February 2024
	Location:	Virtual Meeting
PRESENT:	Councillors:	Cr. Newton (Mayor) (Chairperson), Cr. Dimitriadis, Cr Hannan (4.30pm), Cr McCarthy (5.11pm), Cr. Messina, Cr. Rennie, Cr. Williams
	Council Staff:	<p>Peter Smith, Chief Executive Officer</p> <p>Vanessa Petrie, General Manager City Sustainability and Strategy</p> <p>Kylie Bennetts, General Manager Community</p> <p>Rachel Ollivier, General Manager Operations and Capital</p> <p>Caroline Buisson, General Manager Customer and Corporate</p> <p>Srini Krishnan, CFO</p> <p>Enna Giampiccolo, Manager Governance and Communications (4.33pm)</p> <p>Wendy Dinning, Acting Manager Equity and Wellbeing</p> <p>Allan Middlemast, Acting Manager Climate Emergency & Sustainable Transport</p> <p>Chad Griffiths, Manager City Futures</p> <p>Jody Brodribb, Coordinator Governance Services</p> <p>Anthony Smith, Governance Advisor</p> <p>David Cecala, Coordinator Procurement & Contracting</p> <p>Lorna Pettifer, Coordinator Climate Emergency & Environment Strategy (4.50pm – 5.11pm)</p> <p>Stephanie Lai, Senior Environment Strategy Officer (Waste & Water) (4.50pm – 5.11pm)</p> <p>Lisa Wheelhouse, Manager Customer and Transformation</p> <p>Julie Wyndham, Coordinator Corporate Strategy</p>
	External Attendees:	
APOLOGIES:		Cr Greco, Cr Laurence

The Meeting commenced at 4.15 pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
4.1	Procurement Options	Nil
4.2	Hard Rubbish Service	Nil
4.3	Response to Resolution: Housing for Darebin Community Member	Mayor Newton left at 5.12pm and returned at 5.23pm Cr Williams left at 5.12pm and returned at 5.19pm
4.4	2023-24 Q2 Performance Report (Financial and Non-Financial) ending 31 December 2023	Nil
4.5	Updates on Responsible Pet Ownership at Edwardes Lake Park	Nil
5.1	Container Deposit Scheme - Leasing Arrangements at Ray Bramham Gardens	Nil
5.2	General Business	Nil

The Meeting concluded at 5.52pm

RECORD COMPLETED BY:	Officer Name:	Jody Brodribb
	Officer Title:	Coordinator Governance Services



SUMMARY OF ADVISORY COMMITTEES, COUNCILLOR BRIEFINGS AND OTHER INFORMAL MEETINGS OF COUNCILLORS

MEETING DETAILS:	Title:	Darebin Interfaith Council
	Date:	28 February 2024
	Location:	Darebin Intercultural Centre, 350 High St, Preston
PRESENT:	Councillors:	Cr Gaetano Greco, Mayor Susan Newton
	Council Staff:	Ana Galvez Samuel Muchoki Melinda Hetzel Sofiah Fauzi Amy Nolan-Ferguson
	Other:	Northern Community Church of Christ, West Preston Baptist Church, Preston Mosque, Focolare Movement, Victoria Police (1), Greek Orthodox Archdiocese of Australia - District of Northcote
APOLOGIES:		Bahai Community of Darebin, Taste of India, Sikh Interfaith Council of Victoria

The Meeting commenced at 5.30pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Committee Update: Introduction of Committee members' replacement	No disclosures were made.
2	Actions from previous meeting: Update on recruitment of Committee members	No disclosures were made.
3	Committee discussion: Opportunity for members to discuss the Council Resolution from the Darebin Council Meeting on 18 December 2023 and the Procurement Options report (and any decision made by Council at the meeting on 26 February)	Committee members discussed this item in confidentiality. No Council staff was present.

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
Darebin Intercultural Centre: Opportunities for collaboration with Darebin Interfaith Council		This agenda item was not discussed due to time constraints. It will be added to the agenda for the next meeting.
Events at West Preston Baptist Church		No disclosures were made.
Ideas for Interfaith Engagement 2024		This agenda item was not discussed due to time constraints. It will be added to the agenda for the next meeting.
Refugee Week 2024, Working Groups		This agenda item was not discussed due to time constraints. It will be added to the agenda for the next meeting.

SUMMARY OF MEETINGS – PUBLIC RECORD (CONT)

The Meeting concluded at 8.00pm

RECORD COMPLETED BY:	Officer Name:	Officer Ana Galvez
	Officer Title:	Interfaith & Multicultural Officer



SUMMARY OF COUNCILLOR ATTENDANCE AT ADVISORY COMMITTEES, COUNCILLOR BRIEFINGS AND OTHER INFORMAL MEETINGS OF COUNCILLORS

MEETING DETAILS:	Title:	Councillor Briefing
	Date:	4 March 2024
	Location:	Hybrid Meeting
PRESENT:	Councillors:	Cr. Newton (Mayor) (Chairperson), Cr Laurence, Cr Hannan, Cr McCarthy, Cr. Rennie,
	Council Staff:	Peter Smith, Chief Executive Officer Vanessa Petrie, General Manager City Sustainability and Strategy Kylie Bennetts, General Manager Community Rachel Ollivier, General Manager Operations and Capital Caroline Buisson, General Manager Customer and Corporate Enna Giampiccolo, Manager Governance and Communications Kevin de Leeuw Team Leader Transport Planning Valli Morphett, Manager Creative Culture & Economic Development Emma Pase, Acting Head Economic Development and Activation Megan Haberle, Place Leader Chad Griffiths, Manager City Futures Neil Cooney, Acting Manager City Development Jeanne-Marie Poustie, Manager Supported and Connected Living
	External Attendees:	
APOLOGIES:		Cr. Dimitriadis, Cr Greco, Cr Messina

The Meeting commenced at 4.10 pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
4.1	Extended E-Scooter Trial Participation - Darebin's Options	
4.2	Draft Outdoor Dining and Trading Policy - Consultation Feedback Summary and Project Update	
4.3	Council response to state government control of statutory planning applications	
5.1	Supported and Connected Living Q2 Service Delivery Report	Nil

The Meeting concluded at 5.03pm

RECORD COMPLETED BY:	Officer Name:	Enna Giampiccolo
	Officer Title:	Manager Governance and Communications



SUMMARY OF ADVISORY COMMITTEES, COUNCILLOR BRIEFINGS AND OTHER INFORMAL MEETINGS OF COUNCILLORS

MEETING DETAILS:	Title:	Darebin Nature Trust Advisory Committee
	Date:	5 March 2024
	Location:	Birnum Djirri Room (Conference Room) at Darebin City Council, Preston
PRESENT:	Councillors:	Cr. Trent McCarthy
	Council Staff:	Sofia Enrigue (Urban Ecology and Biodiversity Officer) Marina Murua (Principal – Environment and Conservation) Jody Brodribb (Coordinator Governance Services) Natalie Jamieson (Environment Programs Officer – Climate Emergency) Kristie Dunn (Senior Climate Emergency Programs Officer – Climate Emergency)
	Other:	Members (8)
APOLOGIES:		Members (2); Councillors (2)

The Meeting commenced at 6.05pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Open meeting, acknowledgements & apologies	No disclosures were made
2	Welcome and Introductions	No disclosures were made
3	DNT overview	No disclosures were made
4	Advisory Committee Terms of Reference	No disclosures were made
5	Wominjeka/Welcome to Darebin	No disclosures were made
6	Open Space Plans and Strategies	No disclosures were made
7	Climate Emergency Plan consultation	No disclosures were made

SUMMARY OF MEETINGS PUBLIC RECORD (CONT)

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
9	Other businesses	No disclosures were made

The Meeting concluded at 7.06pm

RECORD COMPLETED BY:	Officer Name:	Officer Name: Sofia Enrigue
	Officer Title:	Officer Title: Urban Ecology and Biodiversity Officer



SUMMARY OF COUNCILLOR ATTENDANCE AT ADVISORY COMMITTEES, COUNCILLOR BRIEFINGS AND OTHER INFORMAL MEETINGS OF COUNCILLORS

MEETING DETAILS:	Title:	Councillor Briefing
	Date:	12 March 2024
	Location:	Hybrid Meeting
PRESENT:	Councillors:	In person: Cr. Newton (Mayor) (Chairperson), Cr McCarthy, Cr. Rennie (in person from 4.pm, then online from 5.55pm) Cr Williams (in person from 6.16pm), Cr Hannan (online from 4.23pm, in person from 6.41pm), Cr Messina (online from 4.30pm and left at 5pm, returned at 5.55pm), Cr Laurence (online from 5.36pm, in person from 5.50pm)
	Council Staff:	Peter Smith, Chief Executive Officer Vanessa Petrie, General Manager City Sustainability and Strategy Kylie Bennetts, General Manager Community Rachel Ollivier, General Manager Operations and Capital Caroline Buisson, General Manager Customer and Corporate Enna Giampiccolo, Manager Governance and Communications Lalitha Koya, Chief Information Officer Bobby Bassi, Senior Project Manager Valli Morphett, Manager Creative Culture & Economic Development Daryl Whitford, Senior Finance Adviser Srini Krishnan, CFO Lisa Wheelhouse Manager of Customer and Transformation Julie Wyndham Coordinator Corporate Strategy Carmel Ganino, Coordinator, Communications and Engagement Melanie McCarten, Manager Recreation and Libraries Michael Pogemiller, Acting Manager Parks and Open Space. Neil Cooney, Acting Manager, City Development
	External Attendees:	Phil Bourke (item 4.1)
APOLOGIES:		Cr. Dimitriadis, Cr Greco

The Meeting commenced at 4.05pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
4.1	ICT & Digital Strategy - ERP Discussion Follow Up	
4.2	2024-25 Integrated Planning and Budgeting - Service Change Proposals Presentation	
4.3	General Business	
5.1	2023 Darebin Community Survey Key Actions	

The Meeting concluded at 8.29pm

RECORD COMPLETED BY:	Officer Name:	Enna Giampiccolo
	Officer Title:	Manager Governance and Communications

Questions Taken on Notice at the Council Meeting – 26 February 2024

Question and Submission Time – Questions taken on Notice

At the Council Meeting held on 26 February 2024, the following questions were taken on notice.

- **Manager of Governance and Communications**

There have been a number of questions received about Your Streets Your Say, and particularly about Community Safety. In line with our Governance Rules, we have grouped like questions and the GM for City Sustainability and Strategy will provide an overall response.

Response from General Manager City Sustainability & Strategy

Thank you for the questions. Community engagement for this project will open this week. We will take all these questions on notice, and an officer will contact you this week to discuss your questions.

Thank you to the following people who also asked us questions: Sian Davies, Edward Hore, Rosie Hore, Ian Latimour, Liz Gupta, Christopher Wilkinson, Ruth Jelley and Karl Charikar.

Contacted Edward Hore, Rosie Hore and Christopher Wilkinson. Edward Hore was reached over the phone. Rosie Hore was unreachable over phone so Edward Hore said he would share the details with her wife Rosie.

No answer for Christopher. Email with further details and the link to the Your Street Your Say Group B consultation page has been sent to three of them.

Attempted to call Sian. No answer but left a message with my contact details.

Officers have spoken with Ian and discussed that the YSYS consultation is now open and encouraged Ian to participate and provide his feedback on the draft plans. Ian sounded interested and keen to participate.

Officers attempted to call Liz however the call went straight to voicemail. A follow up email was sent advising her about the upcoming YSYS consultation.

Officer attempted to call Karl Charikar who was unavailable. A detailed voicemail was left on YSYS consultation. A follow up email was sent advising Karl about further details and the link to YSYS consultation page”

Questions Taken on Notice at the Council Meeting – 26 February 2024

• Lynton Martin of RESERVOIR

1. What actions will Council take to stop the constant bike usage of the Edwardes Lake Park Athletics Track. This is becoming a hazard to members of the community using the track for its intended purpose (track and field) and damages the condition of the track which will mean the track will need to be resurfaced sooner than expected. As the only Track and Field facility in the Darebin Council area, Council should be taking steps to look after this facility. There are plenty of places in Darebin where cyclists can ride their bikes such as bike paths, the beautiful path around Edwardes Lake, and the velodrome next to Reservoir Leisure Centre.

Response from General Manager Infrastructure Operations & Finance

Thank you for your question, Lynton.

Our officers will be in contact with you to understand more about this matter and consider what next steps are appropriate.

Officers have engaged with Lynton (13/3) to seek further clarification on specifics of the use, type of rider, days, times, frequency of hazards and identification of any damage. This will frame considerations for what next steps are appropriate.

• Ben Hjorth of Thornbury

1. Can Council please provide the list and database of contractors with Darebin mentioned in the report for item 9.4, as we understand this is publicly available information following public tender processes?

Response from Manager Governance and Communications

1. Thank you for your question. Officers will take this on notice.

Enna Giampiccolo sent response on 13/3/2024

• Marion Attwater of Pascoe Vale

1. The 10 big actions for the Council Plan are on page 77 of the Agenda, and big action number 8 includes a review of the Darebin planning scheme. I have searched the Council's website and cannot find the previous planning scheme review. When was the last review of the planning scheme and is it in one of the past council agenda that is on the website please?

Response from General Manager City Sustainability & Strategy

1. Thank you for your question. An Officer will contact you.

Stevie Myer contacted Marion via phone to discuss this matter further – 27/2/2024

9.3 OUTDOOR DINING AND TRADING POLICY AND DESIGN GUIDELINES

Author: Acting Head of Economic Development and Activation
Business Engagement – Skills and Employment

Reviewed By: General Manager Community

EXECUTIVE SUMMARY

The purpose of this report is to provide Council with the final draft Outdoor Dining and Trading Policy (Appendix A) and Design Guidelines (Appendix B) for adoption (the Policy and Guidelines).

Consultation with community, businesses, businesses with existing parklets, and State Government agencies has resulted in the refinement of the draft Policy and Guidelines.

At a briefing in March 2024, Councillors requested that officers present options on how the Policy and Guidelines could further contribute towards the Climate Emergency declaration. This is also included in this report. The default option as outlined in the current Policy and Guidelines is Option 1.

Officer Recommendation

That Council:

- (1) Endorses the draft Outdoor Dining and Trading Policy (the Policy) and draft Design Guidelines (the Guidelines) as outlined in **Appendix A** and **Appendix B** of this report.
 - (2) Endorses the implementation and operationalisation of the adopted Policy and Guidelines with existing parklet owners and for future permit applications.
 - (3) Supports businesses with existing parklets to transition to the new Policy and Guidelines by providing a transitional grace period, where no parklet permit fees are required to be paid to Council for the period 1 April 2024 to 30 June 2024 to enable engagement with each business to determine which elements of their existing parklet meets the new Policy and Guidelines and which elements will be required to be removed by Council as they do not meet the new Policy and Guidelines.
 - (4) Endorses the fee structure as outlined in **Appendix C** of this report and notes that these will be included in the 2024/25 Council Plan and Budget and that subject to Council's adoption of the 2024/25 fee schedule through the budget process will be charged to all businesses with parklets from 1 July 2024.
-

BACKGROUND / KEY INFORMATION

On 25 September 2023, Council was presented with the draft Policy and Guidelines for outdoor dining, trade and parklets. This report also proposed a temporary extension to the current parklets.

Council resolved that the development of the Policy and Guidelines include community engagement to ensure Council could fully consider the policy impacts, with an understanding of business needs, community views and State Government regulatory authorities perspectives.

It was also resolved that existing parklet owners be given the opportunity to extend their current permit for an additional six months up to March 2024 while officers developed the draft Policy and Guidelines, to allow them to continue to trade from their parklets throughout the policy's development.

It is proposed that existing businesses who have extended their parklet permit up to March 2024 now enter into a transitional grace period, where no parklet fees are required to be paid to Council for a small defined period to allow for engagement with these businesses to determine what elements of their parklets meet the new Policy and Guidelines and what elements will be required to be removed by Council as they do not meet the new Policy and Guidelines that outline the accessibility, design and safety requirements expected of all parklets in Darebin moving forward.

The grace period where existing parklet hosts would not be required to pay parklet permit fees to Council is proposed to be from 1 April to 30 June 2024. During this period of time, each parklet host will be engaging with Council officers about the adopted Policy and Guidelines and how it relates to their existing parklet structures. An approach will be tailored for each parklet based on whether a business owner wishes to retain the parklet and what works need to be completed by the business owner to ensure the parklet meets the accessibility, design, and safety requirements outlined in the new Policy and Guidelines. Where a business owner decides they no longer wish to host a parklet or do not wish to undertake required works to meet the new Policy and Guidelines these parklets (or part thereof) will be removed by Council at Council's cost. These activities will be staggered across the 3-month transition grace period.

It is important that existing parklets and all new parklets going forward, meet accessibility, design and safety requirements as outlined in the new Policy and Guidelines for the safe use of parklets by community and businesses in the longer-term and for Council to appropriately fulfill its role as a regulator of the use of public space. Other local Councils have adopted similar approaches.

Previous Council Resolution

At the meeting held 25 September 2023, Council resolved:

'That Council:

- (1) *Endorses the minor updates to the 'Footpath Trading Policy' shown within Appendix A to enable the consideration of parklets as an additional form of outdoor dining.*
- (2) *Resolves to write and communicate with businesses with existing parklets to:*
 - a) *Offer a six-month extension through to 31 March 2024 for existing parklets, subject to the following:*
 - i. *Payment of a fee calculated on the basis of \$2.50 per parking bay, per day.*
 - ii. *Requiring identified safety/compliance rectification works at the businesses' expense.*
 - iii. *Requiring applicants to apply for any other permits/approvals necessary to continue their outdoor dining activities.*
 - b) *Offer assistance and support in complying with the requirements.*
 - c) *Provide a copy of the draft revised Outdoor Dining and Trading Policy inviting submissions on the draft policy.*
 - d) *Clearly explain the intended new approach to parklets, including the new fee structure.*
 - e) *Advise that at the conclusion of the 6-month extension, the parklet:*

- i. All applicants - as part of a broader invitation to other businesses – be invited to re-apply to create parklets that comply with the new policy and design guidelines.*
 - ii. All existing parklets may remain if they satisfy safety and compliance requirements of the new Outdoor Dining and Trading Policy, and if parklets don't comply, Council will make every effort to support traders to become compliant.*
- (3) Endorses the following draft documents for the purpose of community consultation:*
 - a) 'Darebin Draft Outdoor Dining and Trading Policy' including the proposed new fee structure, as found in Appendix C and Appendix D, and including an amendment to the draft policy that incorporates requirements set out at (2)e) above.*
 - b) 'Darebin Draft Outdoor Dining and Trading Policy Design Guidelines' as found in Appendix E.*
- (4) That a further report come back to Council, as early as possible, detailing:*
 - a) The policies and approaches to parklets used by other Councils.*
 - b) Options for Council to install temporary parklets, including the option to install new parklets before the revised Outdoor Dining and Trading Policy, and Outdoor Dining and Trading Policy Design Guidelines are adopted.*

ALIGNMENT TO 2041 DAREBIN COMMUNITY VISION

Strategic Direction 2: Prosperous, Liveable and Flourishing

ALIGNMENT TO 2021-25 COUNCIL PLAN

Strategic Direction 2: Prosperous, Liveable and Flourishing

ALIGNMENT TO COUNCIL PLAN STRATEGIC OBJECTIVES

2.4 We will foster local urban streetscapes and activity centres that connect our community, support economic recovery, and encourage people to live, work and play locally

2.9 We will focus on our economic assets and recovery to ensure Darebin is a great place to do business

2.11 We will support, promote, and attract diverse local businesses and industries

DISCUSSION

Community Engagement

The consultation process undertaken for the draft Policy and Guidelines included the implementation of a Your Say Page that was promoted across Council's social media channels and e-newsletters. Café conversations in main activity centres were scheduled and one on one conversations were held with existing parklet hosts.

Submissions were received from Yarra Trams, VicRoads, and the Department of Transport after direct requests for engagement and feedback were made.

Engagement activity	Number of participants/ people engaged	Target group
Your Say online engagement webpage	740 views 655 visits 456 different visitors 23 contributions 2 followers of the project	Darebin business community, residents, community groups, and trader associations
Five Café Conversations in main activity centres – Fairfield, Northcote, Thornbury, Preston, Reservoir	3 visits across the 5 sessions, from the business community	Darebin business community, residents, community groups, local traders, and trader associations
Direct Request for Feedback from Relevant Government Bodies	3 government bodies were contacted for feedback; Department of Transport, Yarra Trams, and Vic Roads	Professional experts within the transport and road industry

Consultation findings

Analysis of the community engagement and consultation outcomes were presented at Council briefing on 4 March 2024.

State Government agency feedback

State Government agency feedback has been used to align local guidelines with State-based parameters. Actionable feedback incorporated into the Policy and Guidelines included:

- The new guideline document should be updated to advise applicants of the required setbacks of kerbside dining from front of tram stops.
- The Trading Zone is where commercial activity can take place. The amount of space you can use varies according to the width of the footpath and how close you are to a tram stop, loading zone, street trees, bins, public seating and so on.
- A new dot point could be added which states: *“Align with Yarra Trams Guidelines and Requirements, who also reserve the right to request existing dining set-ups to be removed or relocated in circumstances where new tram or bus stops are installed”*.
- Each proposal for parklet on Broadway will be assessed on case-by-case basis by DTP against its new policy.
- A Cancellation clause should be provided to the permits which specifies that the cancellation of a permit must not incur any cost to DTP.
- There is no mention of safety barriers/ appropriate speed reduction, etc. – Please note that DTP is currently developing new guidelines for arterial roads.
- Any lighting arrangement must not face traffic and must not impact road user eyesight.

Community Consultation feedback

The community consultation showed that the areas of most concern include:

- Footpath hazards and restricted access for mobility vehicles and prams.
- The fee structure and the calculations that apply to primary and secondary activity centres.

- Concerns around the negative environmental impacts of gas heaters being installed in outdoor dining spaces.
- Lack of equity for the location restrictions being imposed for certain locations across the LGA making participation for some businesses impossible.
- The guidelines are too long and complex for businesses to be across.

The community consultation showed that the areas of accessibility, mobility and affordability for businesses were priorities for respondents.

Policy actions

Actionable feedback to align the Policy and Guidelines to various State level regulations and guidelines has been incorporated in updated draft Policy.

The feedback from community, businesses and parklet hosts showed the areas of accessibility, mobility and affordability for businesses were priorities for the consultation respondents. Many areas of feedback had previously received analysis to ensure legislative and social principles of fairness, equity and accessibility which have been incorporated in updated draft Policy.

Heating Options

Winter is a challenging time for street-based businesses, with revenue dipping significantly in colder months for some businesses. Outdoor heating enables year-long trade within outdoor dining and parklet spaces by providing a comfortable temperature during the cooler months. The Policy and Guidelines currently permits the use of portable gas heating to respond to businesses interest to design and set up outdoor dining options that support comfort of patrons, however feedback was received from Councillors at Council Briefing on 4 March that this does not align with Council's Climate Emergency Plan goal of reducing use of gas and other fossil fuels.

The table below details the advantages and disadvantages of gas, electric and passive heating options that could be considered for inclusion in the draft Policy and Guidelines.

Gas patio heaters		Electric radiant heaters		Passive heating
Advantages	Disadvantages	Advantages	Disadvantages	Non-energy consuming
Cheap to buy	Expensive to run	Much nicer heat	Expensive to buy and install	Options for businesses to use items such as rubber mats, windbreak screens, awnings and umbrellas can help to shelter diners from the elements. Providing blankets for patrons to use if they chose to sit outside during colder months can also assist in making the experience more comfortable. Cleaning and sanitation of blankets comes at an additional cost for businesses.
Local power source (no wiring)	Air quality reduction / asthma hazard	Can be mounted to framework / awning so don't take up floor space	Require permanent wiring by electrician (some portable models available but require extension cords etc)	
Portable	Time spent checking and changing gas bottles	Much safer	Require secure overhead structure to support	

Gas patio heaters		Electric radiant heaters		Passive heating
Advantages	Disadvantages	Advantages	Disadvantages	Non-energy consuming
	Danger of burns	Can install occupancy sensors		These passive heating options will come at an additional cost to businesses however these resources are reusable and align with Council's sustainability policy.
	Fire hazard	Can be much more targeted rather than heating a large area		
	Non-renewable energy and high greenhouse emissions	Can be powered by 100% clean renewable energy (dependant on business power choices)		
	Take up floor space	Longer lifetime		

Heating Options Analysis

The following options are presented for Council consideration in relation to the consultation feedback on the inclusion of gas heating within the draft Policy and Guidelines.

Option 1 – Business applicant choice (default option of current Policy)

- This option would recommend, advocate, and encourage passive and electric heating options over gas; however, businesses could elect what heating they want to include in their permit application.
- More affordable, portable and easier for businesses to install.
- This option would involve no effective change to the draft Policy and Guidelines.

Option 2 – Remove gas heating, with electric or passive heating being the only choice

- This option would involve changes to the Policy and Guidelines to ensure that gas heating was not permitted to feature in outdoor dining or parklet design applications on Council land.
- Passive options and electric heating options to support temperature and comfort for outdoor dining patrons would be included within the Policy and Guidelines to encourage businesses to consider alternatives to gas.
- In practice, the use of electric radiant heaters in this context would only be compliant in very minimal settings due to the dislocation of the footpath and carparking spaces away from electricity supply sources. This Option will result in all powered heating being unsuitable for a significant majority of applicants, with passive heating being the sole option for businesses.
- The cost associated with setting up outdoor dining or parklets in car parking spaces may not be feasible for certain businesses without heating options to support yearlong trade. Winter trade ability will be impacted at a time where trade is slow.
- Financial subsidisation may need to be considered in future.
- Hard to monitor and regulate.

- Further work will be undertaken by officers to incorporate safety measures and installation practices and guidelines within the Policy and Guidelines.

Parklet compliance and removal

Each parklet host has been informed of Council's approach and process, has received permit invoices and compliance works invoices, and some have elected to remove their parklet in advance of the adoption of the Policy and Guidelines.

Officers will work with local businesses who wish to maintain their parklet to discuss ways to achieve compliance with the Policy and Guidelines in addition to promoting the new Policy and Guidelines to other businesses who may wish to establish a parklet once Council have resolved their position.

CONSIDERATION OF LOCAL GOVERNMENT ACT (2020) PRINCIPLES

Financial Management

The Proposed Changes to Fee Structure (**Appendix C**) outline fees proposed to be charged by Council for the commercial use of public land. The quantum of fees received by Council will be dependent upon take up of parklets by local businesses in any given year. Businesses will make their own decisions around whether it is viable and of benefit to their business to host a parklet.

Parklet Removal Program

Parklet removal fees have been estimated at \$1,830 per parklet, with additional costs for traffic management plans quoted at \$250 and traffic control requirements will be assessed on a case-by-case basis at a further additional cost. Indicative costs for on-site traffic management for the removal process is estimated at \$680 for sites located on roads owned by Vic Roads. There are 16 parklets that may require removal prior to the end of the 2023/24 financial year, dependent upon the parklet owners' decisions regarding the new Policy and Guidelines and their intention to apply for a modified parklet.

Existing operational budget of \$1,000 per parklet was earmarked in September 2023, based on 20 parklets.

Further funds will be required should all extended parklets require removal. This will be found within existing operational budgets of Council.

Other Principles for consideration

The principles listed below directly informed the development of this policy and accompanying design guidelines as well as guiding the consultation process.

Overarching Governance Principles and Supporting Principles

- (b) priority is to be given to achieving the best outcomes for the municipal community, including future generations;

Public Transparency Principles

- (c) Council information must be understandable and accessible to members of the municipal community;

Strategic Planning Principles

(b) strategic planning must address the Community Vision;

Service Performance Principles

(a) services should be provided in an equitable manner and be responsive to the diverse needs of the municipal community;

COUNCIL POLICY CONSIDERATIONS**Environmental Sustainability Considerations (including Climate Emergency)**

The Parklet Program has been devised with significant connection to the Social and Sustainable Procurement Policy. Where parklets (or part thereof) are being removed, waste management and recycling considerations have been factored into the determination of a preferred supplier for the demolition and disposal of the Parklets.

Options are presented within this report for Council to consider how the Policy and Guidelines relate to the inclusion or not of gas heating for outdoor parklets.

Equity, Inclusion, Wellbeing and Human Rights Considerations:

An EIA was undertaken on 5 September 2023 with considerations made within the development of the draft Policy and Guidelines. The importance of accessibility and mobility was reiterated in the community consultation feedback.

Council's community consultation process was delivered in the top 6 most frequently used languages spoken across Darebin. This includes translatable options for Council's Your Say page as well as printed flyers in each of the 6 languages which were taken to the café conversation sessions.

Economic Development and Cultural Considerations

Outdoor Dining and Footpath Trading offers a range of demonstratable economic and social benefits for Darebin's activity centres. It plays a key role in enhancing the safety and vibrancy of the public realm and encourage more pedestrians and visitors to the areas, benefitting the broader business precinct.

Operational Impacts

Process mapping will be completed to understand the application of the draft Policy and Guidelines in alignment with Council's existing business support mechanisms, permit application processes, and customer service portals.

Legal and Risk Implications

The draft Policy and Guidelines have been developed in accordance with the following legislation:

- Darebin Local Laws
- *Disability Discrimination Act (1992)*
- Australian Standards for Access and Mobility (AS1428.2-1992)
- *Road Management Act (2004)*
- Road Rules Victoria (1999)

- *Liquor Control Reform Act (1998)*
- *Tobacco Act (1987)*
- *Planning and Environment Act (1987)*
- *Building Act (2003)*
- Building Regulations (2006)

It is intended to be adjusted according to superseding legislation and applicable State and Federal legislation changes over the course of their implementation lifespan.

IMPLEMENTATION ACTIONS




Endorsing the Policy and Guidelines and requesting the implementation and operationalisation of these new principles and processes, will commence the following activities:

- The various departments of Council engaged with the practical delivery of the Policy and Guidelines will commence the refinement of the customer service processes to engage with the business community.
- Economic Development will design the process to align to the existing Better Approvals Process to assist customers and businesses to understand the Policy and Guidelines and be able to work with Council officers on the development of their applications.
- Economic Development will engage with existing parklet owners to discuss how the adopted Policy and Guidelines relate to their materials and parklet set ups at their businesses, what their intention is to submit a permit application, and determine what interaction is necessary with the parklet removal program (if applicable).
- By end of June 2024, all existing parklets that are non-compliant or have not submitted a viable permit application to Council within the newly adopted Policy and Guidelines will be removed by Council as the parklets are considered to have now reached the end of their safe and useful life.

RELATED DOCUMENTS

Nil

Attachments

- Draft Outdoor Dining and Trading Policy (**Appendix A**) [↓](#) 
- Draft Outdoor Dining and Trading Design Guidelines (**Appendix B**) [↓](#) 
- Draft Outdoor Dining Fee Structure (**Appendix C**) [↓](#) 

DISCLOSURE OF INTEREST

Section 130 of the *Local Government Act 2020* requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any conflicts of 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.



OUTDOOR DINING AND TRADING DRAFT POLICY

2024

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INTRODUCTION

Outdoor dining plays an important role in activating public space for commercial benefit to local business and in return they help foster vibrant public spaces, streets and local activity centres for the local community to enjoy.

As our city continues to densify, these spaces become our everyday outdoor meeting spaces for social gatherings, help to create a sense of identity and place, and make our centres more interesting and exciting.

Darebin encourages local businesses to help activate our city with outdoor dining and footpath trading on footpaths, nature-strips and road-spaces, ensuring that it's done in a balanced way, with safety and accessibility at the forefront.

PURPOSE OF THIS POLICY

The purpose of the Darebin Outdoor Dining and Trading Policy (the Policy) is to:

- Ensure that the objectives of Council's Local Laws No 1 are achieved in administering this Policy.
- Give effect to the relevant provisions of the legislation outlined in Attachment 1 and the applicable parts of other Council policies in Attachment 2.
- Provide clear and simple guidance to assist businesses with their applications to establish new or extend existing outdoor dining and trading areas.
- Provide Council with a clear decision-making framework for the evaluation of applications and the enforcement of Outdoor Dining and Footpath Trading permits.
- Provide a framework for Council's guiding principles on activating public footpaths and roadways for commercial purposes and for the broader community benefit while maintaining a balance between the safe passage for pedestrians and vehicles through these shared spaces.
- Support trialling short term commercial use of on-street parking bays or road space, which could inform longer-term public space priorities, projects, and investment by Council.



POLICY STATEMENT

The Policy will ensure that Outdoor Dining and Trading in Darebin will:

- Enhance the safety and vibrancy of the public realm and encourage more pedestrians and visitors to the areas, benefiting the broader business precinct.
- Encourage more foot traffic and ongoing support for local businesses across the precinct.
- Spread activation onto the street encouraging people to pause, sit, linger, engage and gather along the street edge, blending public space with the private realm in commercial centres.
- Be designed in a way that reflects local place and identity, minimises street clutter, creates a safe environment for all users and provides dignified access for all members of the community to use and enjoy.
- Be implemented ensuring a good balance between the public and privatisation of public space is achieved.
- Facilitate partnerships with local businesses to help activate our retail precincts.

POLICY GOVERNANCE

Council’s Business Development Unit are the custodians of this Policy, holding responsibility for the implementation, education, and monitoring.

Council’s Local Laws unit are responsible for ensuring compliance of this policy in accordance with Darebin Local Laws.

This Policy is to be formally reviewed every 5 years. Council may, at its discretion, review it sooner.



POLICY PRINCIPLES

The following principles have been developed to provide guidance for successful Outdoor Dining and Footpath Trading applications. All permit applications should respond to the following principles:

Safe and Welcoming

Outdoor dining and trade proposals must be designed with safety in mind. Darebin's streets are to remain welcoming and accessible for users of all abilities, without obstacles or hazards for walkers and wheelers. Safety and perception of safety is essential for a successful and enjoyable public realm. Outdoor dining and trading areas must be and feel safe to use to succeed.

Applicants must consider the safety of all public realm users and how they will use, perceive, interact with, and be impacted by outdoor dining and footpath trading. This includes the arrangement, design and location of street and business furniture, structural integrity of proposed furniture, services and equipment, opportunities for passive surveillance, access and conflicts between pedestrians, cyclists, and vehicles.

Equitable and Accessible

Outdoor dining and trade proposals facilitate safe, functional, active, and inclusive public streets and spaces.

Applications must meet the access needs of all public space users and modes of transport to ensure their passage is convenient, safe, equitable and efficient. All proposals can be accessed, used, and enjoyed by people of all ages and abilities. They also prioritise access for active modes of transport like walking and cycling over motor vehicles.

Attractive and Enjoyable

The design and appearance of outdoor dining and trade should positively contribute to the public realm experience and entice people to use these spaces.

Proposals should consider and respond appropriately to the surrounding context and preferred character of the area through considered use of material, colour, planting and furniture selection. Outdoor dining should be considered as part of the street design and incorporate and enhance existing features such as trees and verandas.

Outdoor dining approaches and furniture should be of high quality and design and make a positive contribution to the street experience. Interesting and innovative approaches which are built for purpose are encouraged. Proposals which are well designed and maintained are essential in providing comfortable spaces for people to enjoy, sit and linger without any obstructions.

Resilient, Sustainable and Well Maintained

Furniture and materials used for outdoor dining and trade should be robust, weather resistant and easy to maintain, aligning with the Design Guidelines.

The use of locally sourced materials which aligns with Council's Environmental Sustainable Design (ESD) principles is strongly recommended. Businesses need to ensure outdoor trading spaces are maintained regularly, with furniture to be stored inside building when the business is not operating.

DEFINING ZONES FOR OUTDOOR DINING AND TRADING

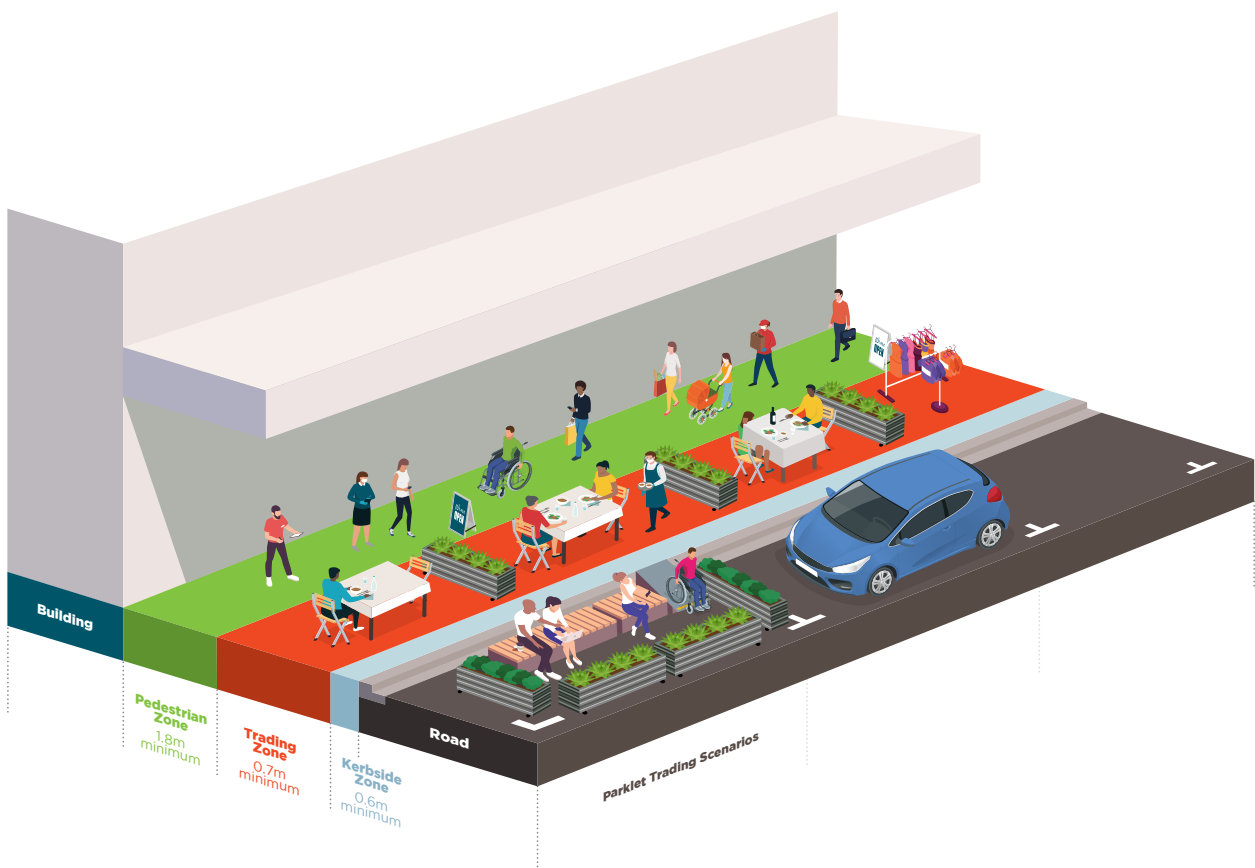
The publicly owned areas in front of shops and businesses are commonly referred to as 'Footpaths' and 'Nature Strips', and these abut publicly owned roads.

There are many competing demands for these public areas which often contain trees and landscaping, artwork, street furniture (bins, water fountains, benches, etc.), public infrastructure (bus stops, power and lighting poles, inspection pits, etc.) in addition to being spaces that provide access to shops, businesses and homes. All of these services and infrastructure may prohibit or limit opportunities for outdoor dining and trading.

While outdoor dining and trading will help activate and positively contribute to the vibrancy and activation of our retail centres and support local businesses, these benefits need to be balanced against the need to maintain clear and unobstructed access for pedestrians walking along the footpath, as well as pedestrian access from parked vehicles to the footpath area.

The footpath can be defined by four zones that govern its use, and can be identified as:

- Pedestrian Zone.
- Nature Strip or Back-of-Kerb Zones (footpaths).
- Kerbside Zone.
- Parking Spaces or Road Space.



Defining Zones for Outdoor Dining and Trading

APPLICATION OF POLICY

As required under the Darebin General Local Law No. 1 a permit is required for the following:

- A temporary advertising sign up to 1.5 square metres in size on a road or Council land.
- Undertaking a commercial use or activity on a road or Council land to:
 - a. provide outdoor dining areas where such a use is not regulated by the Planning Scheme; or
 - b. sell goods or services, display goods for sale or hold occasional sales of goods.

This Policy applies to businesses and community non-for profit groups who wish to use publicly owned footpaths, nature strips, road reserve, on-street parking, and laneways for commercial purposes, as well as the erection of the following temporary or fixed infrastructure:

- Furniture (chairs and tables).
- Outdoor heaters.
- Temporary signage (A-Frames and pointer boards).
- Outdoor structures (i.e., pergolas, overhead structures).
- Outdoor displays.
- Planter boxes.
- Umbrellas.
- Power, lighting and speakers.
- Café screens.
- Windproof ashtrays.
- Blinds, weather blind anchors and awnings.
- Parklet infrastructure.



This Policy distinguishes between the following classes of applications:

- Temporary advertising signs, including A-Frames.
- Temporary display of goods including display cases and clothing racks.
- Temporary outdoor dining generally within the Nature Strip and/or Back-of-Kerb Zone (Footpaths).
- Temporary outdoor dining within a Parking Space, Road Zone or Laneway (Parklets).
- Temporary and Fixed Café Screens.
- Temporary and Fixed (in ground) Umbrellas.

Under the Tobacco Act 1987, smoking is banned in outdoor dining areas from 1 August 2017. This Policy reinforces this legislation.

The following criteria will be applied to the assessment of applications for outdoor dining and trading in the footpath and associated public areas. Each element of this policy contains:

- **Objectives:** An objective describes the desired outcome to be achieved.
- **Standards:** A standard contains the requirements to meet the objective.
 - A standard should normally be met. However, if Council is satisfied that an application for an alternative design solution meets the objective, the alternative design solution may be considered.
- **Decision guidelines:** The decision guidelines set out the matters that Council will consider before deciding if an application meets the objectives.

The easiest and quickest path to approval for outdoor dining and trading is compliance with the defined Standards. Alternative approaches are possible but require assessment and consideration.

ELIGIBLE LOCATIONS

Outdoor dining and trade have many potential benefits for local retail areas – for both businesses and residents.

This includes enhancing perceptions and feelings of safety, increasing the vibrancy, attractiveness and excitement of retail areas, providing more entertainment and social interaction opportunities for residents and encouraging more visitors and economic activity.

But these benefits need to be balanced against the other community demands and expectations, including amenity impacts in residential areas, traffic impacts and access to parking and the need to ensure the continuing orderly operation of retail areas.

Objectives

Proposed outdoor dining and trading proposals should achieve the following objectives through their location in appropriate areas and sites:

- To enhance the vibrancy, attractiveness, and excitement of retail areas through the Darebin.
- To protect the amenity of residential areas from encroachment from commercial activities.
- To enable a direct extension of trade from an existing ground floor business into the public realm adjoining the business.
- To ensure the views of adjoining ground floor businesses are considered in the assessment of outdoor dining and trade applications located in front of their premises.
- To provide flexibility to consider alternative uses of the public realm outside of normal operating hours.
- To protect the function of State Arterial roads and the operation of the tram and bus network.
- To minimise potential impacts to on-street parking and to ensure an appropriate balance of outcomes within each activity centre.

Standards

All applications for outdoor dining and/or trade must meet the following standards, unless Council is satisfied that an alternative design solution/approach can meet the above objectives:

- Outdoor dining and trade within the public realm will only be supported for businesses that are operating on the street level of an abutting/adjacent premise.
- Applications for Outdoor Dining on Footpaths, Parklets and Road Space will be considered in the following locations:
 - All Major and Neighbourhood retail centres and commercial areas of the municipality, as defined by commercial zones and similar zones that enable a range of commercial activities in the Darebin Planning Scheme. (Refer to **Attachment 3** for a map of all retail centres in Darebin).
 - Outdoor dining on footpath is prohibited within 1.5 metres of either side of the pedestrian zebra crossing.
 - Some residential zoned areas adjoining/ adjacent larger commercial areas (subject to assessment).
- Applications for Parklets are prohibited in the following locations:
 - Within 1.5m of a Pedestrian Zebra Crossing.
 - Within 10m from an intersection (measured from the building line).
 - Within 20m of a signalised intersection on the approach side.
 - Within 20m from a tram stop flag (sign) on the approach side, or within any part of a kerb outstand tram stop, or to the discretion of Yarra Trams or DTP.
 - Within 20m of the departure side of a signalised intersection, applications will be considered on a case-by-case basis. Due to safety reasons and vehicle access requirements, locations with the following elements are not suitable.
 - In dedicated car-spaces for delivery/ loading, essential and emergency vehicle access and parking.
 - In clearway zones.
 - In accessible and car share* parking spaces.

**Carshare spaces may be considered on a case-by-case basis. Any relocation costs of the car share space will be at the applicant's expense.*

Applications for Outdoor dining and trade on State Arterial Roads such as Broadway, Reservoir and Station Street, Fairfield will require approval from Department of Transport and Planning.

- To minimise potential impacts to the availability of on-street parking, an ideal minimum- maximum number of Parklets has been calculated for the Reservoir, Northcote Central and Fairfield commercial areas. The following upper limits have been calculated with reference to:
 - The total number of available on-street and off-street carparks servicing each centre.
 - Public transport connections.
 - Footpath widths.
 - Safe and protected bike infrastructure.

RETAIL AREA	POTENTIAL RANGE OF PARKLETS THAT MAY BE CONSIDERED IN RETAIL AREAS
Reservoir – Edwardes Street	4-7
Reservoir – Broadway	9-12
Northcote Central	10-12
Fairfield (Commercial zoned land in Station Street, Wingrove Street and Railway Place)	9-11

- Despite the above limits, balancing the need for on-street parking, economic and social impacts will need to be considered for each application.
- No maximum limits apply to retail centres outside above table, but rather decisions will be made on a centre-by-centre basis, balancing the need for on-street parking against the benefits arising from outdoor dining. This will include major retail centres such as Thornbury Village, Preston Central and Westgarth as clearways are in place for these centres, reducing the centre's capacity to house Parklets.

Notification Requirements

- Outdoor dining and trade applications should be fully contained within the public realm area that directly aligns with the shopfront of the business applying for the permit. For these applications:
 - Notification to adjoining or nearby property owners/occupiers is required. Consent from adjoining businesses will not be sought through this notification process.
 - They will remain subject to a positive assessment against the criteria within this policy.
- Applications can be made to occupy unused footpath space and/or car spaces in front of immediately neighbouring properties. For these applications:
 - Council will give written notice to the owners and occupiers of the adjoining property of the proposed application. This applies to neighbouring premises on street level only, not residents or businesses located directly or indirectly above the business in question.
 - Notified parties will have a minimum two (2) week period to make a submission before a Council decision is made.
 - Council will consider any submissions/concerns received as part of its assessment of the application for a permit.
 - The applicant will pay an additional fee to cover the cost of notification and assessment of submissions.
 - They will remain subject to a positive assessment against the criteria within this policy.

An application can be made to temporarily occupy a laneway or road for outdoor dining and/or trade. For these applications:

- Council will give written notice to the owners and occupiers of the adjoining property of the proposed application. This applies to neighbouring residents or businesses directly impacted by the road closure and will be determined by officers.
- Council will give written notice to Department of Planning and Transport and any relevant public transport service providers.
- Notified parties will have a minimum two (2) week period to make a submission before a Council decision is made.

- Council will consider any submissions/concerns received as part of its assessment of the application for a permit.
- The applicant will pay an additional fee to cover the cost of notification and assessment of submissions.
- They will remain subject to a positive assessment against the criteria within this policy.

Decision Guidelines

In making a decision on an application, Council will consider (as appropriate):

- The orderly planning of the area.
- Local context and amenity.
- Urban design outcome and overall contribution to the street.
- Traffic and safety impacts, including the outcomes of a Road Safety Audit if required.
- The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.
- For applications in residential zoned areas adjoining/adjacent larger commercial areas Approval from DTP for applications on State Arterial roads (Broadway and Station Street), the protection of residential amenity is of high importance. In determining whether to allow outdoor dining and trade, the following will be considered:
 - The primary, overall balance of land use in the immediate area (i.e., does the area have a mix of uses, or is it primarily residential?).
 - The extent of any negative externalities and impacts likely to be generated by the proposed activity.

- For Parklet applications in all retail centres.
 - Views of the Council's Transport unit on the proposed location to understand its impact on safety and transport considerations.
 - Views of the Council's Drainage Engineer for proposals in areas subject to flooding.
 - Locations where major streetscape works are scheduled.
 - Any on-road Dining proposals on State Arterial roads must be approved by Department of Transport.
 - Views of Department of Transport and Yarra Tram, including whether an existing tram or bus stop is nearby, or whether a new tram or bus stop is proposed to be installed in the near future.
 - Applications must with the Yarra Trams guidelines relating to tram corridors and spacing.
 - Yarra Trams and Department of Transport may reserve the right to request existing dining set-ups to be relocated or removed in circumstances where new tram or bus stops are installed.
- In determining how many Parklets will be allowed in all centres consideration will be given to the following:
 - The total number of available on-street and off-street carparks servicing each centre.
 - Public transport connections.
 - Footpath widths.
 - Safe and protected bike infrastructure.
 - Whether the number of existing Parklets has caused negative impacts on the operation of the local retail centre.
 - The turnover of carparking in the centre, (occupancy rates).
 - Business mix of the local centre (consider the percentage of hospitality vs non-hospitality).
 - Ability to share Parklets between businesses (e.g. day and night businesses).
- For applications to occupy unused footpath space and/or car spaces in front of immediately neighbouring properties, the following matters will be considered (in addition to rest of this policy):
 - The views of the adjoining parties as expressed in any submission received.
 - The nature and operating requirements of the neighbouring business/property.
 - The extent of the encroachment into the public realm in-front of the adjacent property.
 - The proposed operating hours of the proposed outdoor dining and/or trade, as compared to operating hours of the neighbouring business/property.
 - Any potential impact on trade or operation of the adjoining business/property.
 - Any other matters deemed relevant by Council.
- For Applications which seek to temporarily occupy a laneway or road the following matters will be considered (in addition to rest of this policy):
 - Impact of the proposal of the local movement network.
 - The findings of a Traffic Management Plan and Traffic Study to be submitted by the applicant.
 - View of Department of Planning and Transport and any public transport provider. The views of the adjoining parties as expressed in any submission received.



PERMITTED USES, FEES AND RENEWAL

Outdoor dining and trade are the temporary uses of public space and are not intended to privatise the public realm. It enables businesses and community groups who wish to use publicly owned footpaths, nature strips, road reserve, on-street parking and roadscape to do so for commercial or public benefit. Any proposal which fully encloses outdoor dining or creates visual and physical privatisation of the public realm will generally not be supported.

Operators and customers can make use of these public spaces but do not have exclusive rights over the occupancy of the area. Outdoor dining is supplementary to the business' internal trade and seating. Businesses should not be reliant on outdoor dining. Additional infrastructure to support outdoor dining should be temporary, so that the area can be reinstated as public space in both appearance and function.

Permits are issued with the intent of balancing the needs of all users of the public realm in retail areas. While outdoor dining and trade has broader benefits to the general public, they also generate financial benefits for private individuals. To this end, fees for permits and renewal seek to cover the cost of administration of this policy and realise a reasonable return to the citizens of Darebin through the use of public land.

Objectives

The assessment of applications for permits for outdoor dining and/or trade should achieve the following objectives:

- To enable the temporary occupation of publicly owned land for private commercial activities and community uses via a local laws permit.
- To distinguish between initial 'establishment' permits, and renewal permits.
- To provide longer term certainty for some forms of outdoor dining and trade in recognition of the increased investment associated with their establishment.
- To recoup the costs of implementing this policy to minimise the financial impact on Darebin ratepayers.
- To ensure that some of the financial benefits accruing to private businesses from the commercial occupation of public land is returned to the Darebin community.
- To apply a fee structure based on a fixed percentage of commercial rents for different commercial areas.
- To provide a differential fee structure to encourage the proliferation of outdoor dining in lower order activity and retail centres.

Standards

All applications for outdoor dining and/or trade must meet the following standards, unless Council is satisfied that an alternative design solution/approach can meet the objectives of this policy:

- The following types of permits are available for the following durations:
 - Annual permits, issued for up to 12 months.
- Permits for Parklets may be issued for:
 - Seasonal permits, issued for up to 6 months (between 1 November – 30 April)
 - A period up to 2 years.
- Applications for permits must be accompanied by the following applicable **prescribed fees**:
 - A flat annual fee for the erection of signage (A-frames and similar)
 - A flat annual fee for the display of a goods calculated by reference to the method and area of display.

- A flat fee for the assessment of new applications for outdoor dining and Parklets.
- An annual fee for outdoor dining.
- The first-year value of a two-year permit for a parklet, with a subsequent payment for the remaining value 12 months later.
- An upfront transfer of ownership fee.
- Notification of Application to adjoining properties.
- The calculation and updating of fees will be undertaken annually as part of Council's budget process.

Fees and Charges

Fees and Charges will be determined by Council at the start of each financial year in accordance with the published Fees and Charges schedule.

Fees will be calculated as follows:

- Outdoor dining on footpaths will be calculated on a square metre rate at the following percentages for different business precincts:
 - a rate of 30 % of the annual average retail rents for the centre.
- Outdoor dining on nature strips and in road spaces (Parklets) will be calculated on a square metre rate at the following percentages for different business precincts:
 - a rate of 50% of the annual average retail rents in Primary areas.
 - a rate of 40% of the annual average retail rents in Secondary area.
 - a rate of 20% of the annual average retail rents in Revitalisation areas (or a standard applicable rate as calculated by Council).
- Remove fees and charges for individual items proposed in the outdoor trading area. This does not apply for businesses who wish to only display an 'A-Frame' sign or Display Racks/Cases.
- Additional fees for fixed structures will be calculated as follows:
 - A per linear metre for fixed café screens, plus an upfront footpath reinstatement fee.
 - A per item fee for inground umbrellas, plus an upfront footpath reinstatement fee.

Footpath reinstatement fees will be determined at the start of each financial year as part of Councils annual Fees and Charges, and will be charged at the following rate:

- Fixed café screens will be charged at 25% the 'Footpath Replacement' rate, plus an inspection fee charge.
- In-ground umbrellas will be charged at 100% of the 'Footpath Replacement rate' rate, plus an inspection fee charge.
- Applicable permit fees are paid annually by the permit holder and are non-refundable.
- Permits may be renewed the following periods, following which a new application and assessment will need to be made (and subject to an assessment fee):
 - Signage permits; display racks/cases, and outdoor dining permits (excluding Parklets): initial permit + 2 renewals (for a total of 3 years). (TBC)
 - Parklets: initial permit + 1 renewal (for a total of 4 years). (TBC)
- Permit renewals may not be granted if:
 - Non -payment of fees.
 - Businesses breaches conditions of permit.
 - For parklet applications, Council streetscape works are scheduled in area.
 - For parklets applications, there is a waiting list of parklet requests in your precinct.
 - There have been recorded incidents of non-compliance or enforcement action taken.
- Permit holders will be notified at the end of the permit period on how to renew each year.
- Permit renewal requests will require a site inspection and rectification of any permit non-compliances.
- Permit renewal notices will be issued to permit holders before end of July each year.
- Permit renewals will only be issued upon receipt of all required information, including current Public Liability Insurance and any applicable fees.
- If a permit is not renewed before expiry, a new application will be required.
- Permit fees are not refundable should the business no longer wishes to proceed with application.
- Permit holders can apply to amend the outdoor dining and footpath trading permit at any time. An amendment fee is payable for officer assessment and liaison.

Permit transfer

- A permit applies only to the premises for which it is issued and is not transferable from one premises to another on the sale or transfer of ownership. There is no legal attachment to the sale or transfer of ownership of a business.
- To ensure a permit remains valid, the new proprietor must apply to transfer the ownership of the existing permit within 28 days and ensure that the current permit complies with the Outdoor Dining and Footpath Trading Guidelines.
- Council reserves the right to reassess and amend permit conditions to ensure compliance with the Outdoor Dining and Footpath Trading Guidelines.
- It is the responsibility of the existing proprietor to include the balance of any remaining permit fees in the sale of the business.
- An upfront transfer of ownership fee is required for officer assessment and liaison.

- For the purposes of the calculation of fees, the following retail areas are categorised as follows:

PRIMARY	SECONDARY	REVITALISATION
<ul style="list-style-type: none"> • Fairfield Village • Northcote Central • Preston Central • Reservoir: Edwardes Street • Reservoir: Broadway • South Preston • Thornbury Village • Westgarth Village 	<p>All other retail centres</p>	<p>To be determined by Council at the start of each financial year</p>

Decision Guidelines

In making a decision on an application, Council will consider (as appropriate):

- Providing a 50% discount on parklet fees for the first year, in any retail area where a parklet has yet to be established.
- Providing discounts in fees in locations affected by major works (ie Rail or Tram upgrades) in the immediate area to assist through a period of interrupted trade. Discounts would be applied on a case-by-case basis.
- Yarra Trams and Department of Transport and Planning (DTP) will endeavour to provide advice upfront on whether a new tram or bus stop is proposed in the vicinity of the proposed dining application location and the likely timeline for this installation. Yarra Trams and DTP reserve the right to request that an existing dining location on the footpath or roadway may need to be relocated or removed within 6 months’ notice, regardless of the permit approval period.

Refer to **Attachment 3** for a map of all retail centres in Darebin.



DESIGN, OPERATION, MAINTENANCE, AND COMPLIANCE

Darebin's streets and retail areas are high quality public spaces, providing opportunities for rest and shade and are layered with playful and quirky streetscape furniture and public art reflecting of the local place and community supporting them.

Outdoor dining is intended to be outdoors and should look and feel as such. Environmental and weather conditions should be accommodated without the addition of infrastructure that encloses the space. Outdoor dining and trade has the potential to create risks to the public through trips and falls. These need to be managed by applicants through the careful siting of displays and furniture, through considered design of any structures (such as parklet platforms), signage and regular maintenance, and inspection. Despite these measures, accidents can continue to happen and for this reason it is mandatory that activities in the public realm are insured.

Objectives

The following objectives should be achieved for proposed outdoor dining and trading proposals:

- To have safety and accessible at the core of all design proposals.
- To minimise street clutter and an unattractive spaces.
- To require structures and spaces to be designed in a high quality and 'playful' way that reflects local place and identity.
- To clearly establish a range of safety and compliance expectations for proponents.
- To require applicants to hold public liability insurance.
- To provide a standard 'off-the-shelf' set of engineering designs for Parklets structures.
- To ensure sustainability measures are considered in the design of all outdoor dining and footpath trading proposals.

Standards

All applications for outdoor dining and/or trade must meet the following standards, unless Council is satisfied that an alternative design solution/ approach can meet the above objectives:

- Outdoor dining and trade applications cannot not operate before 7am and after 10pm, in accordance with the EPA regulations. All furniture should be removed and stored by the permit holder within their premises during these hours.
- Business operators must ensure all relevant legislation, permits, licences, leases, local laws are always complied with, including obtaining planning and building permits where necessary.
- All approved permit holders must have Public Liability Insurance to the minimum amount required by Council and indemnify the Darebin City Council from any claim or demand arising from, or in relation to any act, omission, damage, loss, charge, liability, outgoing, payment, expense or cost. The permit holder is responsible for managing risks associated with the activity at its permitted location/site.
- Permit holders must operate with caution or cancel activities due to:
 - Extreme weather.
 - Safety concerns.
 - Identified risks.
 - Unsafe practices.
- Permit holders are required to adhere to the conditions outlined in the approved permit. If there is a failure to comply with these conditions, the Council reserves the right to undertake necessary actions without prior notice, with the associated expenses being borne by the permit holder.
- Permit holders will be responsible for addressing any identified potential risks, hazards, or incidents related to the asset or infrastructure put in place under the approved permit.
- The permit holder should ensure that the installed asset/infrastructure is maintained to the satisfaction of the Council. Defects/risks associated with installed asset/infrastructure will be reported to the permit holder with a request to rectify the defect/risk. The Council retains the authority to take appropriate measures to mitigate the identified risks if required.
- Building approval (where appropriate) and Engineering certification for the parklet structure and fixed café screens are provided.

Permit Compliance

- All permit holders must comply with Council’s Local Law and the Outdoor Dining and Parklet Guidelines.
- Council must investigate any complaints received. These are investigated by the Local Laws unit and any identified matters addressed with the permit holder.
- Council reserves the right to amend or cancel a Business Parklet permit in accordance with the Local Law.
- Once a permit has expired or cancelled, all third-party assets must be removed within seven days by the permit holder.
- If Council proposes to amend or cancel a permit the permit holder would have an opportunity to make a submission to the Permit Appeals Process on whether the amendment/cancellation should occur.
- Local Laws authorised officers may issue:
 - A written or verbal warning on behalf of Council to a business or Business Parklet permit holder who is breaching permit conditions or operating without a permit.
 - A Notice to Comply if the warning has been ignored.
 - A Penalty Infringement notice.
- A Penalty Infringement Notice will result in the cancellation of the permit and restrict eligibility to obtain another permit for a minimum of twelve (12) months from the date the permit is cancelled.

Permit Appeals Process

- A permit applicant seeking a review of an officer decision must provide a submission within 28 days of the date a decision, including all information to be taken into consideration. Submissions must be emailed to business@darebin.vic.gov.au
- A decision review will be considered by the Outdoor Dining Permit Panel, consisting of three senior Council officers, using this Policy and the Design Guidelines and any other matter deemed relevant.
- The permit applicant will be notified of the outcome of the decision review within a 14 day period.

Decision Guidelines

In making a decision on an application, Council will consider (as appropriate):

- The degree to which any furniture or structures negatively impacts programmed maintenance and street cleansing.
- Whether the proposed parklet utilises the standard engineering design endorsed by the Darebin City Council.
- The degree to which the proposed outdoor dining structure (parklet) complies with the Darebin Parklet Guidelines.
- For applications where Local Law officer have issue warnings, consideration will be given to:
 - Conditions of the permit.
 - Local Law 1, this Policy and Design Guidelines.
 - Safety, accessibility, and obstruction of the Pedestrian Zone.
- For applications being reviewed in the ‘Permit Appeals Process’, application of this Policy, Design guidelines and other relevant information provided by the applicant will be considered.



ENCROACHMENT INTO THE PEDESTRIAN ZONE

The primary purpose of the pedestrian zone is to provide an unobstructed pedestrian footpath corridor not less than 1.8 metres in width and measured between the property line and nearest object such as table or chairs within the trading zone. It is to ensure that a continuous and accessible path of travel, no furniture, signage or displays of goods are permitted within the pedestrian zone at any time.

This requires consideration of Disability Discrimination Act (DDA) requirements to ensure people of all abilities enjoy equal access to Darebin's retail areas.

In general, the Pedestrian Zone extends a minimum of 1.8m from the property boundary to the potential Trading Zone. Council will consider a reduction of the footpath width to 1.5m where narrow footpaths exist (as identified in **Appendix 3**) following a case-by-case assessment.

Objectives

The following objectives should be achieved for proposed outdoor dining and trading proposals within the pedestrian zone:

- To balance the use of footpath space.
- To create a safe environment for all users.
- To minimise street clutter.

Standards

- For streets greater than 3.5m in width, a minimum width of 1.8m is achieved for the pedestrian zone.
- For streets narrower than 3.5m in width, a minimum 1.5m is achieved for the pedestrian zone.

Decision Guidelines

- DDA access requirements are met.
- Clearances from existing streetscape infrastructure is met.
- Continuous and accessible path of travel is maintained in the pedestrian zone at all times.



OUTDOOR DINING/TRADING WITHIN THE NATURE STRIP / BACK-OF-KERB ZONE (FOOTPATH)

The primary purpose of the Footpath and Nature Strips are to provide clear pedestrian access and house public amenities and infrastructure including street furniture, street trees, landscaping, infrastructure and public amenities.

The Kerb Zone is the area between the face of the kerb and the Trading Zone. It is in place to provide clearance for parked vehicles allowing passengers to alight without obstruction.

The Trading Zone on the footpath includes the remaining area of the footpath between the Pedestrian Zone and the Kerb Zone. It is the only section of the footpath which may be used for commercial activity in accordance with a permit.

Objectives

The following objectives should be achieved for proposed outdoor dining in Nature Strip and Footpath spaces:

- To support outdoor dining and trade in Darebin's retail centres.
- To provide safe and accessible streets.
- To provide accessible outdoor dining spaces in footpath and nature strips.
- To provide high quality design that positively contributes to the local character.
- To help activate streets and the perception of safety.
- To ensure that public amenities such as bins and seats are provided within the retail centres, servicing the broader community.

Standards

- For ALL **outdoor dining and trade applications on existing footpaths and nature strips.**
 - All Clearances from streetscape infrastructure are satisfied as outlined in section 14.
 - Existing street trees are to be retained and protected.
 - Clear and accessible pedestrian paths of travel are retained to a width of 1.8m
- For **outdoor dining and trade applications which seek to expand into nature strips,**
 - DDA compliant surface is proposed for the subject area, whilst still meeting Council ESD principles.
 - Applications which seek to convert nature strip to outdoor dining space, replaces the 'access zone' with a 500mm landscape/vegetated buffer to the road and/or plant a new street tree. This is a mandatory requirement for large corner sites, with no overhead restrictions.
 - All existing street trees are protected with a 1m offset in place from all proposed furniture.
 - Road Safety Audit is undertaken for applications to repurpose nature strips for outdoor dining.
 - Applications which seek to remove nature strip are located in locations where future streetscape improvements are planned are encouraged.
 - Clear and accessible pedestrian paths of travel are retained to a width of 1.8m on the adjacent footpath
 - Accessible paths of travel are provided within the proposed space.

Decision Guidelines

- Application for outdoor dining and trade applications on existing footpaths
 - DDA access requirements are met.
 - Clearances from existing streetscape infrastructure is met.
 - Continuous and accessible path of travel is maintained in the pedestrian zone at all times.
 - The proposal is a high-quality design, responding to local place.
- Applications to expand commercial activity into nature strips will be considered on a case-by-case basis due to the complexity of city streets, speed limits, traffic conditions, accessibility and associated safety considerations.
- Consideration will be given to any adopted streetscape masterplans or improvement plans for the retail area, or proposed street tree planting (aligning with the Darebin Urban Forest Strategy) where applications to expand commercial activity into nature strips.
- Works may be required to be undertaken at the expense of the businesses to ensure a safe and accessible Trading Zone is achieved (ie providing a DDA compliant surface). Council expects the remediation of the site back to its original condition if outdoor trading is discontinued (unless a nominated project in a Master plan).
- If Council works are scheduled in the area.
- The views of Council’s Parks and Tree Planting unit.
- Results of a *Dial Before You Dig* submitted by the applicant.

OUTDOOR DINING/ TRADING WITHIN ON-STREET PARKING, LANEWAY AND ROADS (PARKLETS)

The Trading Zone may occupy the on-street parking in-front of a business, laneway and roads and is commonly referred to as ‘Parklets’. Council will support applications for Parklets where it is safe to do so.

Objectives

The following objectives should be achieved for proposed outdoor dining in Parking Space and Road Space:

- To support repurposing of on-street parking for outdoor dining in activity centres across Darebin.
- To provide accessible outdoor dining spaces in Parklets.
- To increase ‘greening’ of retail centres.
- To provide high quality design that positively contributes to the local character.
- To help activate streets and the perception of safety.
- To test public appetite for permanent streetscape improvements.



Standards

- For applications with Darebin's Major Activity Centre, the parklet quotas are met.
- The Outdoor Dining and Trade Design Guidelines – which focus on section 2 in relation to Parklets.
- For applications on key Tram Corridors, compliance with the Yarra Trams Parklet Guidelines.
- For application on State Arterial Road, compliance with Department of Transport and Planning (DTP) Parklet guidelines.

Decision Guidelines

- Applications must consider the safety of all public realm users and how they will use, perceive, interact with and be impacted by Parklet. This includes the arrangement, design and location of street and business furniture, structural integrity of proposed furniture, services and equipment, opportunities for passive surveillance, access and conflicts between pedestrians, cyclists and vehicles.
- The recommendations of a Road Safety Audit submitted by the applicant.
- Advice from Council's drainage Engineer should the parklet be in an area subject to flooding.
- Advice from DTP or Yarra Trams, should the parklet be located on a State arterial road or tram corridor.
- Consideration will be given to any adopted streetscape masterplans or improvement plans for the retail area, or proposed street tree planting (aligning with the Darebin Urban Forest Strategy) where applications to expand commercial activity into laneways and local roads.

CLEARANCE AND ACCESS – ALL ZONES

Darebin Council is committed to providing street furniture that is accessible, safe and comfortable.

The provision of public seating gives people the opportunity to rest and take time out. Public seating also provides a place for people to pause along busy walking routes and creates informal meeting places.

Well maintained public places improve the perception of how safe a place is and support the public's desire to occupy and use those places.

Footpath trading must not compromise the ability for the general public to access street furniture or public infrastructure.

Objectives

The following objectives should be achieved for proposed outdoor dining and trading proposals in all four trading zones:

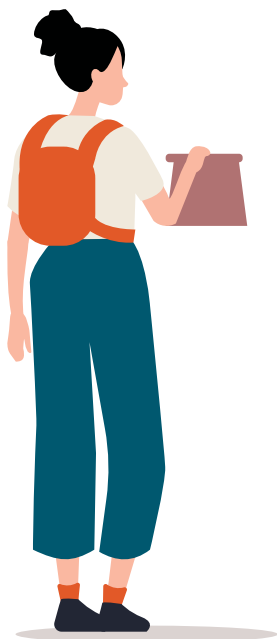
- To facilitate pedestrian access to the kerb and road from the footpath and entries to shops/ businesses.
- To ensure access to street furniture and to ensure it can continue to be used and maintained.
- To minimise street clutter.
- To create a safe environment for all users and avoid the creation of trip hazards.
- To provide dignified access for all members of the community to public areas in retail centres.
- To balance the benefits of outdoor dining and trading against the needs of different communities for safe, dignified access to commercial areas and civic infrastructure.

Standards

The following setbacks from public infrastructure should be achieved.

ELEMENT	SETBACK REQUIREMENT
Setback of footpath trading items from public infrastructure including: <ul style="list-style-type: none"> • Bins. • Public seating. • Bike hoops. • Fire hydrants. • Payphones. • Wayfinding signage / centre signage. • Bus stop shelters.* • Post box. 	1,000mm
Setback from the public infrastructure: <ul style="list-style-type: none"> • Service pits (underground infrastructure). • Street trees and tree pit edge. • Planters installed by Council. • Electricity boxes. • Electricity poles (500mm). • Street light poles. • Traffic signage poles (electronic signs) <ul style="list-style-type: none"> - doesn't not apply to static signs (not including council carparking). 	1,000mm
Setback from Disability Parking Bay	1,600mm
Setback of Trading Zone from Bus Stops	Prohibited in the area from the bus flag to 9 metres on the approach to the bus flag/totem
Setback of Trading Zone from Tram Stops	Setback of Trading Zone from Tram Stops prohibited in the area from the tram flag to 20 metres on the approach to the tram flag/totem, or within any part of a kerb outstand tram stop.
Setback of Trading Zone from Loading Zones	0.6m* No permanent or temporary café screens permitted
Setback of Trading Zone from Taxi Ranks	Prohibited in the area from the taxi totem/flag to 6 metres on the approach to the taxi totem/flag*
Required Clearances for properties adjacent to intersections and crossovers (may affect 2-3 properties near an intersection)	To be assessed by Council's Transport Management Officer
Public Transport Super stops and kerb outstands	To be assessed by Council's Transport Management and Planning officers
Setback of Trading Zone from adjoining property boundary (referred to as 'Access Section')	450mm
Setback of Trading Zone from Roadway (where trading zone is located in the road space)	450mm
Zebra Crossing - Setback requirement	No footpath dining or parklets be approved within 1.5 metres of either side of the zebra crossing – extending all the way back to the building line.

- Outdoor dining and footpath trading applications on footpaths exceed 10m in length, clearance breaks of 1500mm are required.
- The following clearances between dining/trading areas is required to prevent a continuous line of outdoor cafés:
 - Fixed furniture clearances - Glass screens are considered fixed furniture. A 900mm clearance is required between neighbouring outdoor café boundaries, where furniture such as screens are fixed in place. A minimum of 450mm clearance is required from the boundary of each outdoor café giving a total of 900mm.
 - Non-fixed furniture clearances - A 500mm clearance is required between neighbouring outdoor cafés, where furniture such as screens are not fixed in place. A minimum of 250mm clearance is required from the boundary of each outdoor café giving a total of 500mm.
- Businesses may apply to have Council infrastructure (seats, bins and bike hoops only) removed, relocated, or modified to assist applications in meeting the requirements of this Policy.



Decision Guidelines

In making a decision on an application, Council will consider (as appropriate):

- Safe access is retained within the pedestrian zone.
- Contribution to visual clutter on the street.
- The degree to which proposed activities pose a trip hazard or impede the safe flow and movement of pedestrian traffic.
- The removal, relocation or modification of Council infrastructure (seats, bins and bike hoops only) will be considered on a case-by-case basis subject to the applicant:
 - Identifying opportunities to provide an appropriate alternative location/s for existing street furniture to maintain streetscape amenity and align with the benchmarks in Council's Streetscape Policy.
 - The degree to which the removal, relocation or modification results in an equal, if not a better outcome for the community.
 - Any removal, relocation or modification of Council infrastructure will be at the cost of the applicant.
 - Should a new location be found, approval in writing from the landowner and business owner must form part of the application.
 - Where the infrastructure does not belong to Council, the business owner should contact the relevant infrastructure manager / Service Authority to discuss their application.

ATTACHMENT 1: OTHER RELEVANT LEGISLATION

In granting an Outdoor Dining and Footpath Trading Permit, Council will also adhere to the following legislation:

Commonwealth Disability Discrimination Act 1992	All outdoor dining arrangements must be accessible and DDA compliant.
Liquor Control Reform Act 1998	If alcohol is to be consumed within a tenancy including within a Footpath Area.
Tobacco Act 1987	All outdoor dining areas which serve food are to be smoke free.
Planning and Environment Act 1987	If alcohol is to be consumed within a tenancy including within a Footpath Area or if buildings or works to the retail premises are proposed.
Council's local laws	
Food Act 1984	Permits for Outdoor Dining are available to a registered food and drink business with a compliant working kitchen or food preparation area under the Food Act 1984.
Building Act	Building permits for awing extensions.
Road Management Act 2004 Local Government Act 2020	This legislation defines public road status and is relevant to the general rights of the public for use and access, which is on a non-exclusive basis; any permissions to individuals for use must be subject to public rights.
Health and Wellbeing Plan 2017-2021	

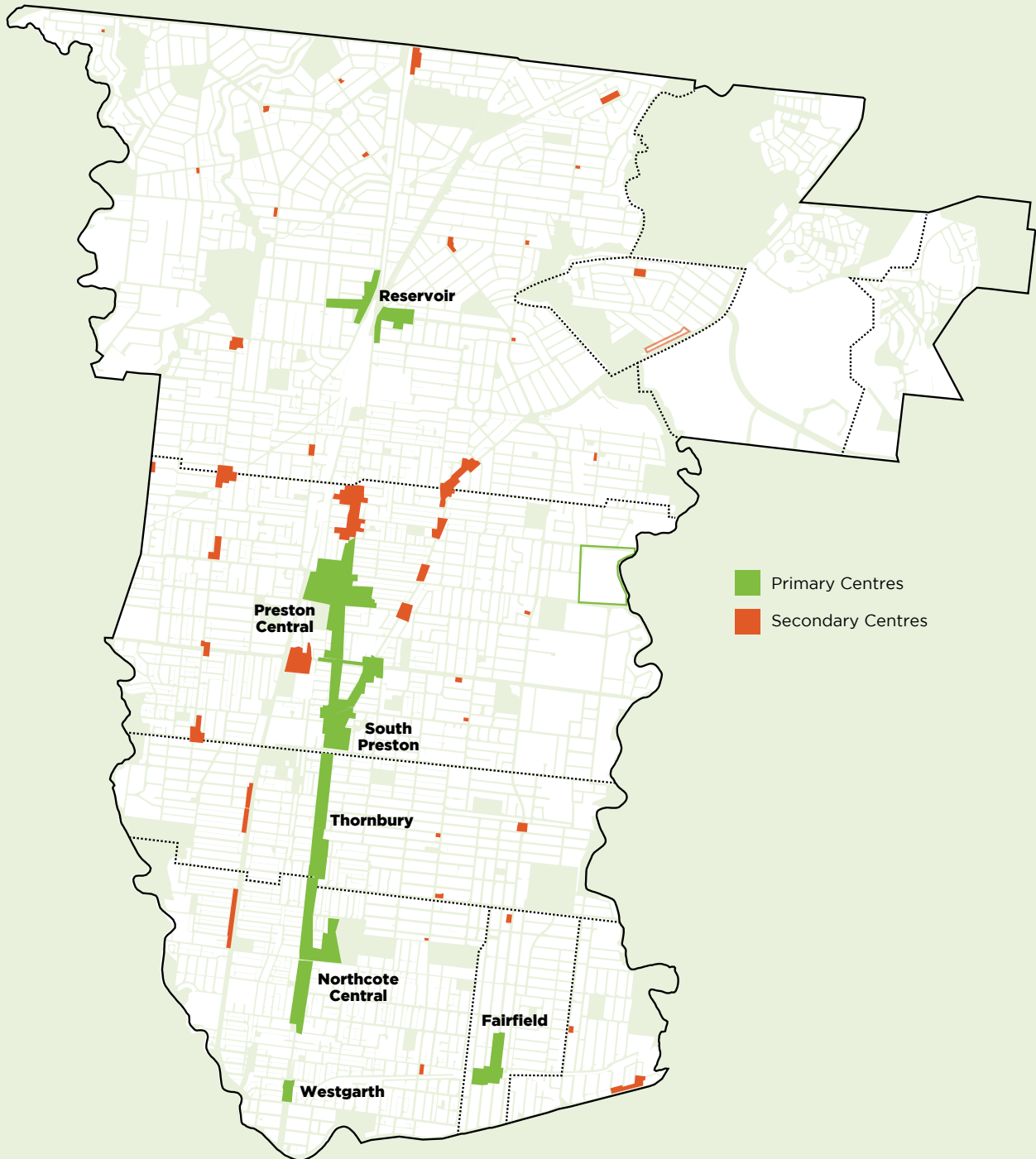
ATTACHMENT 2: OTHER RELEVANT COUNCIL POLICIES

The following City of Darebin documents are relevant to this Policy:

- Darebin Local Law 1
- Transport Strategy 2017-2027
- Walking Strategy 2018-2028
- Draft Parking Permit Policy
- Breathing Space - Darebin's Open Space Strategy
- Towards Equality: Equity, Inclusion and Human Rights Framework 2019-2029
- Access and Inclusion Plan 2021-2026
- Road Management Act 2004
- Darebin Economic Land Use Strategy



ATTACHMENT 3: DAREBIN RETAIL CENTRES



Note: Primary centres include centres classified as Principal, Major or Primary Neighbourhood Retail Centres in Darebin’s Economic Land Uses Strategy 2014.

ATTACHMENT 3 (CONTINUED): DAREBIN RETAIL CENTRES

PRIMARY CENTRES	SECONDARY CENTRES
Preston Central	Plenty Road/Tyler Street
Northcote Central	Gertz Ave
Reservoir – Edwardes Street	Hughes Parade/McFadzean Ave
Reservoir – Broadway	Massey Ave
Westgarth Village	Gellibrand Crescent
Thornbury Village	Banff St/Invermay Street
South Preston	Broadhurst Ave/McFadzean Ave
Fairfield Village	Strathmerton St/Orrong Ave
	Boldrewood Parade/McMahon Road
	Link Street/Dunne Street
	Boldrewood Parade/Yarra Avenue
	Elizabeth Street/McNamara Street
	Carson Street
	Spring Street
	Crevelli Street
	Albert Street/Enfield Avenue
	Bell Street/Gilbert Road
	St Georges Road/Normanby Avenue
	Victoria Road/Gooch Street
	Darebin Road/Victoria Road
	Station Street/Darebin Road
	Victoria Road/Clifton Street
	Victoria Road/South Crescent
	Johnson Street
	Gilbert/Miller
	Regent Village
	Rossmoyne Village
	St Georges Road
	Regent
	Alphington Village

ATTACHMENT 4: DEFINITIONS

COUNCIL	CITY OF DAREBIN
Parklet	Re-purposed on-street parking spaces designed to extend public space to provide an additional place for outdoor dining, congregation, accessible public seating, street greening and additional pedestrian space.
Footpath	Includes a footpath, mall, square, court or other public place specified to be a footpath in a subordinate local law.
Footpath Trading	The use of footpath for commercial activities.
Footpath Width	The distance from the face of the kerb to the outside edge of the property line.
Kerbside Zone	The area between the kerb and the outer edge of the trading zone.
Pedestrian Zone	The area between the property line and the inner edge of the Trading Zone.
Outdoor Dining	Outdoor dining provided on Council owned or managed land.
On-street Parking Zone	Designated parking bays located on public road reserve that may be occupied by a vehicle for a specified period.
Permit	in relation to a use or activity, means a written permit issued under this Local Law which authorises that use or activity.



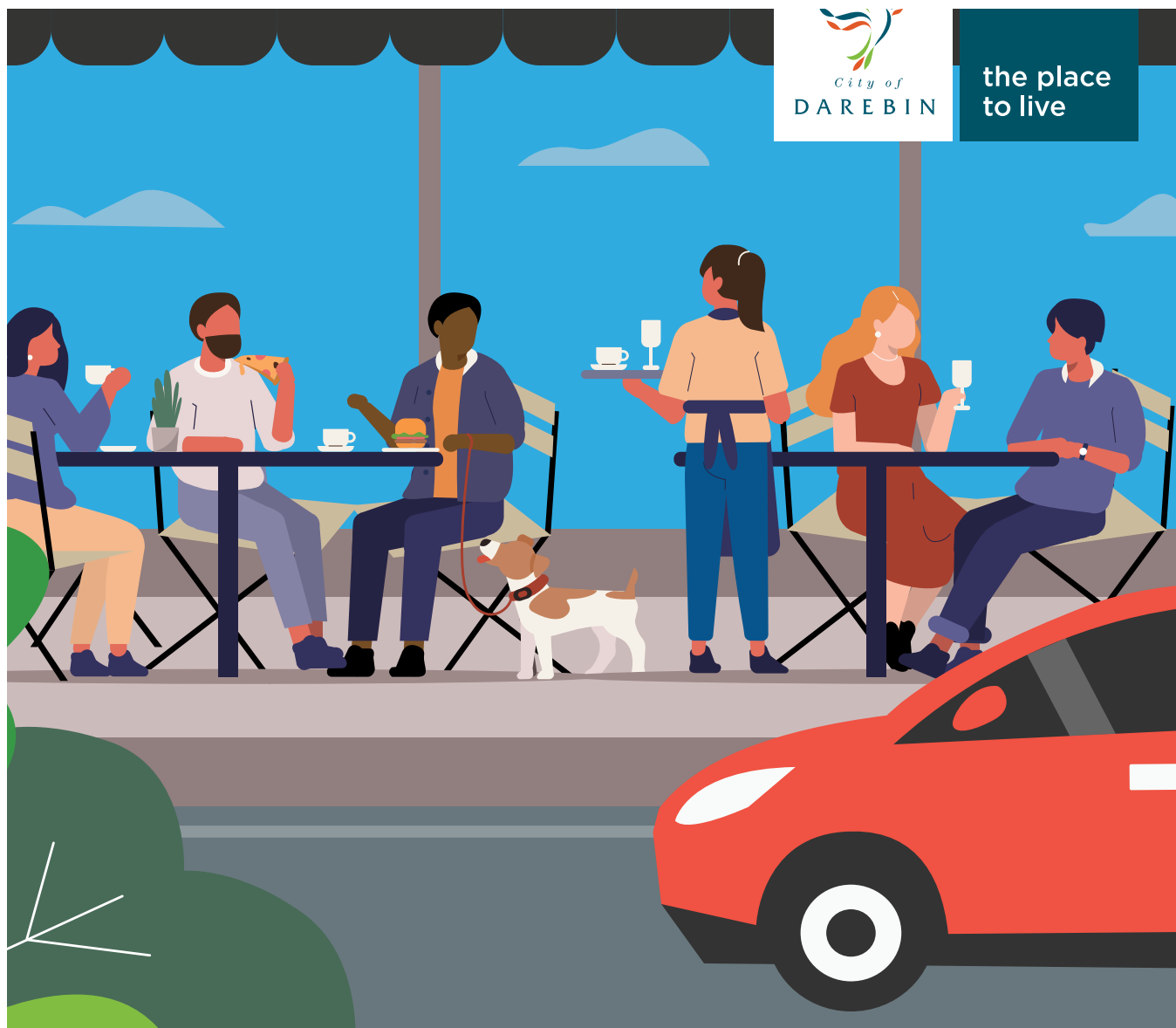


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OUTDOOR DINING AND TRADING DRAFT DESIGN GUIDELINES

2024

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INTRODUCTION

Darebin encourages local businesses to help activate our city with outdoor dining and footpath trading on footpaths, nature-strips and road-spaces, ensuring that it's done in a balanced way, with safety and accessibility at the forefront.

The draft Darebin Outdoor Dining and Trading Design Guidelines (the Guidelines) have been prepared to provide businesses with clear design and siting requirements, helping them plan and design proposals for outdoor dining and/or footpath trade.

Section 1.0 provides design advice for all elements of outdoor dining and footpath trade located on the Footpath.

Section 2.0 provides design advice for Proposals which seek to occupy Road Space, Laneways and On-Street Parking (Parklets).

These Guidelines are to be read in conjunction with its sister document – the draft Darebin Outdoor Dining and Trading Policy.



POLICY PRINCIPLES

The following principles have been developed to provide guidance for successful Outdoor Dining and Footpath Trading applications. All permit applications should respond to the following principles:

Safe and Welcoming

Outdoor dining and trade proposals must be designed with safety in mind. Darebin's streets are to remain welcoming and accessible for users of all abilities, without obstacles or hazards for walkers and wheelers. Safety and perceptions of safety is essential for a successful and enjoyable public realm. Outdoor dining and trading areas must be and feel safe to use to succeed.

Applications must consider the safety of all public realm users and how they will use, perceive, interact with, and be impacted by outdoor dining and footpath trading. This includes the arrangement, design and location of street and business furniture, structural integrity of proposed furniture, services and equipment, opportunities for passive surveillance, access and conflicts between pedestrians, cyclists, and vehicles.

Equitable and Accessible

Outdoor dining and trade proposals facilitate safe, functional, active, and inclusive public streets and spaces.

Applications must consider the access needs of all public space users and modes of transport to ensure their passage is convenient, safe, equitable and efficient. All proposals can be accessed, used, and enjoyed by people of all ages and abilities. They also prioritise access for active modes of transport like walking and cycling over motor vehicles.

Attractive and Enjoyable

The design and appearance of outdoor dining and trade should positively contribute to the public realm experience and entice people to use these spaces.

Proposals should consider and respond appropriately to the surrounding content and preferred character of the area through considered use of material, colour, planting a furniture selection. Outdoor dining should be considered as part of street design and incorporate and enhance existing features such as trees and verandas.

Outdoor dining approaches and furniture should be of high quality and design and make a positive contribution to the street experience. Interesting and innovative approaches which are built for purpose are encouraged. Proposals which are well designed and maintained is essential in providing comfortable spaces for people to enjoy, sit and linger without any obstructions.

Resilient, Sustainable and Well Maintained

Furniture and materials used for outdoor dining and trade should be robust, weather resistant and easy to maintain, aligning with the Design Guidelines. The use of locally sourced materials which aligns with Councils Environmental Sustainable Design (ESD) principles is strongly recommended. Businesses need to ensure outdoor trading spaces are maintained regularly, with furniture to be stored inside building when the business is not operating.



SECTION 1.0: OUTDOOR DINING OR TRADE ON FOOTPATHS

1.1 Outdoor Furniture: General Requirements

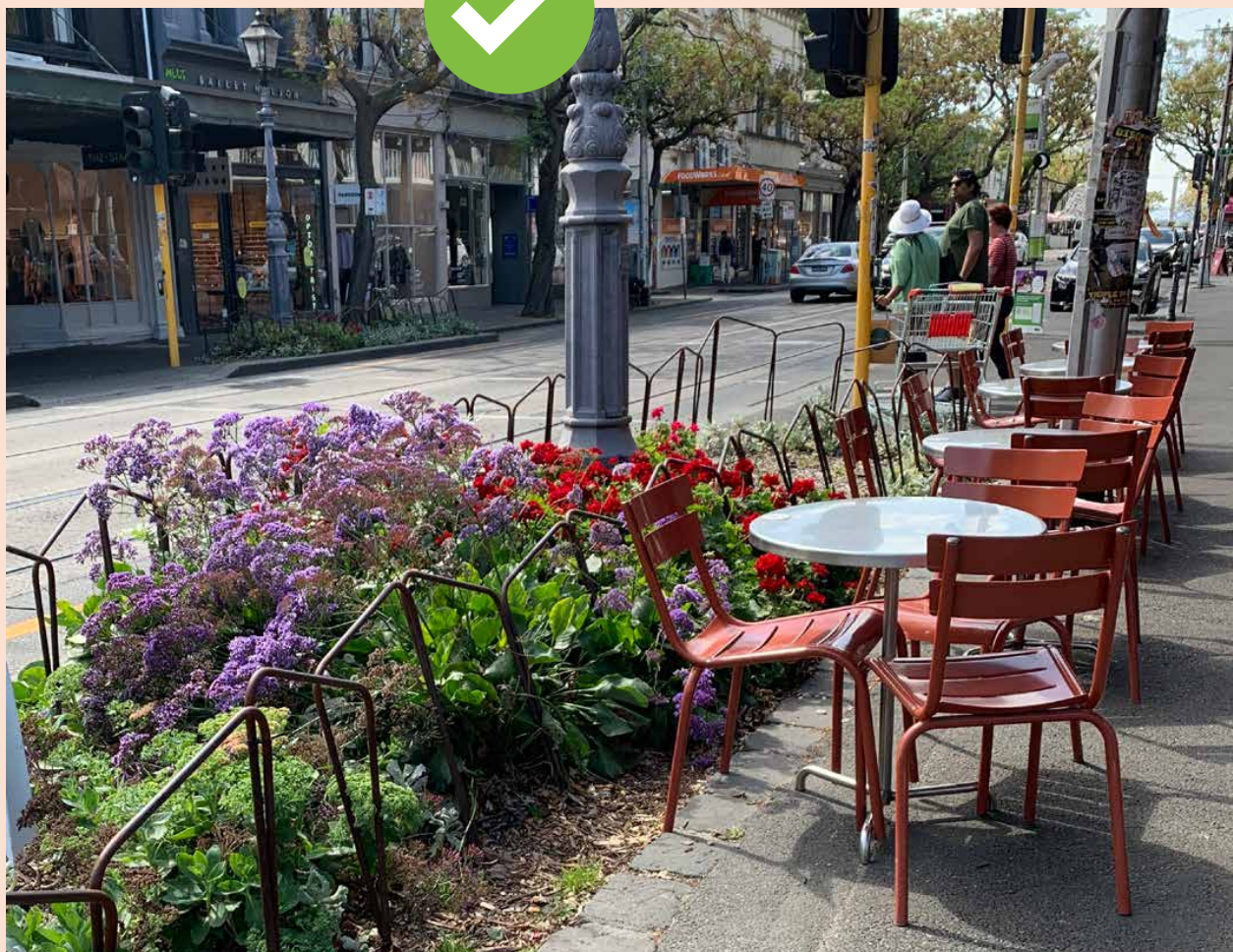
Well-designed outdoor dining areas can make a positive contribution to the character of the local retail centre and its public spaces. An Outdoor dining set-up can contain a variety of items including tables, chairs, umbrellas and heaters.

All Outdoor Furniture must:

- Be approved by Council prior to use.
- Be placed within the approved Trading Zone during trading hours only.
- Only be placed outside premises which are registered under the Food Act 1984 to serve food and/or beverages (for outdoor dining only).
- Not obstruct vehicle or pedestrian sightlines and movement.
- Be kept clean and presentable.
- Be of a high-quality design, construction and finish complementing the local character of the streetscape and contributes to the visual and urban amenity of the area.
- Not be fixed to any Council infrastructure (unless approved by Council ie Fixed Screens).



High quality, movable furniture suitable for outdoor use.



1.2 Outdoor Tables and Chairs

Outdoor Tables and Chairs must be:

- Designed for the outdoors so that it is functional, durable, won't discolour and is wind-proof.
- Good quality and design and where required meets Australian Standards.
- Designed so that it contributes to the streetscape character and local place in a positive way.
- Easy to handle and stackable to allow ease of storage, after trading hours.
- Safe and comfortable with no hazards presented to users.
- Accessible in design and placement for all users, with the inclusion of accessible table and chairs to be provided in the outdoor dining space.
- Positioned so no chairs are placed with their back to the roadway or pedestrian zone.
- Designed meeting the following requirements to prevent damage to the footpath:
 - Have a minimum 30mm, diameter solid leg in areas where the pavement is of asphalt (i.e. Reservoir and Northcote retail centres).
 - Have rubber stoppers on legs in all other locations.

Where a business proposes a bespoke and unique outdoor dining furniture in response to local context, our City Design team will assess applications of this nature on a case-by-case basis. An accessible alternative with appropriate seat height and backrest must also be available.



High Quality Bench Seating, positioned to ensure the safety of its customers.



1.3 Outdoor Umbrellas

- Umbrellas are not permitted where a seating area has shelter from a building awning.
- The use of umbrellas where a partial awning exists gives a cluttered appearance and detracts from the building façade and appearance of the street and is also discouraged.

All proposals for Outdoor Umbrellas:

- Be of good quality and design to achieve a wind rating of up to 120km/h.
- Have a height clearance of 2.4m (from the lowest edge of the umbrella/canopy) from the ground to not obstruct pedestrian movement and safety.
- Have one centre pole and be positioned to ensure that when open the umbrella does not extend outside of the Trading Zone.
- Use quality commercial canvas covers for the umbrellas and must be neat and presentable.
- Ensure that business identification and promotional advertising on umbrellas does not exceed 50% of the total area of umbrella panel surface.
- Ensure that promotional advertising is limited to products or services sold by the business excluding tobacco, alcohol, gambling or any offensive material. Other information and photography is not permitted.



Poorly located umbrellas can create a cluttered appearance in a retail centre.



Temporary umbrellas must:

- Contain bases that are safe, simple and compact to avoid any trip hazards for pedestrians.
- Be securely anchored to the footpath to the satisfaction of Council. Weight bags and other items should be placed to ensure clear accessible paths of travel remain. These items are to be of a contrasting colour to the footpath to reduce the risk of these becoming a trip hazard.

Fixed Umbrellas must:

- Use an in-ground lockable socket and sleeve. Such systems must cause no damage to the footpath and be flush with the footpath to prevent trips and falls.
- Inground sleeve must be no deeper than 350mm. *Dial Before You Dig* must be conducted and submitted as part of permit application.
- Ensure that the installation of the in-ground socket and sleeve is undertaken by a professional to the satisfaction of Council.
- Prior to installation of an in-ground socket, an application must be made to Council to apply for and receive a Council Road Opening permit.
- All proposals will require an upfront 'footpath reinstatement fee' (refer to section 10 of the Policy).
- Apply for a building permit if required.

1.4 Advertising Signage

A-Frames

Where a business is undertaking Footpath Trading activities, the display of moveable advertising signage may be permitted.

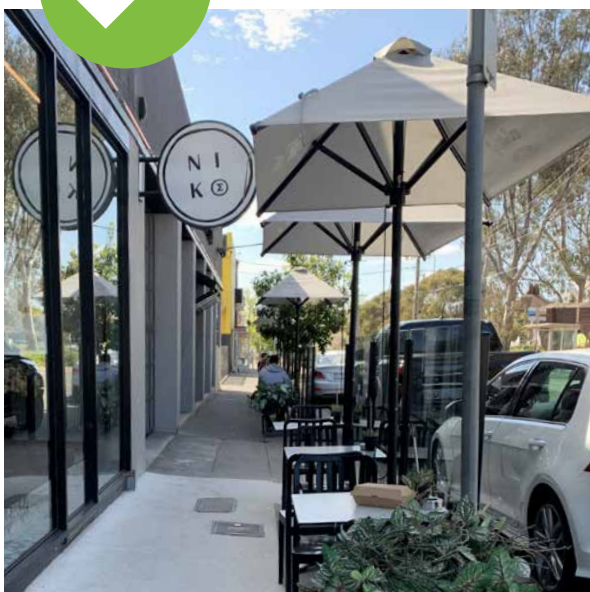
Any moveable A-Frame Sign must:

- Be placed in the Trading Zone and not against the building line or shop front.
- Not interfere with the Pedestrian Zone within the footpath.
- Not be greater than 1.2 metres in height and 0.75 metres in width or have a total advertising area of 1.5m² metres.
- Not comprise of any moveable parts (e.g., balloons, streamers attached brochures etc.) or offensive material.
- Be weighted or secured to prevent being blown over. Any weights must be of a contrasting colour to the footpath to reduce the risk of these becoming a trip hazard.
- Be displayed directly in front of the business it relates to.

For street level businesses with one street frontage, one (1) board is supported. For street level businesses with multiple street frontages, Council will consider (1) one board for each different street frontage. Where multiple tenants share a building, only one (1) additional board sign will be supported for businesses at basement or upper levels.



Appropriately placed, high quality outdoor umbrellas.



Incorrectly placed A-Frame Signage can add to visual clutter and obstruct pedestrian and wheeler movement along the footpath.



Real Estate Pointer Boards

Real Estate Pointer Board signs require an A-Frame permit. All proposals must:

- Be located on the nature strip at or near a property for which the agent is acting.
- Not obstruct pedestrian or vehicle sightlines, when located on a road, on any roundabout, traffic island or nature strip.
- Be placed within two hours of the activity that they are advertising, and removed within two hours after the activity has ceased.
- Not be attached to any Council assets.

1.5 Outdoor Display of Goods (Stands or Racks)

A maximum of one (1) Display of Goods (stands or racks) may be placed on the footpath within the Trading Zone directly in front of the business it relates to. Council will consider applications for two (2) or more on a case-by-case basis.

Applications for the Display of Goods must:

- Be temporary and removable. No permanent displays will be considered by Council.
- Be secured with an approved locking device.

- Each Display of Goods stand shall be a maximum width of 0.75 metre, with a maximum height of 1.2 metres and a length of 1.8 metres.
- Where a single item displayed on the footpath exceeds any one of these dimensions or cannot be displayed on an approved Display of Goods stand, they will be classified as a bulky good and will not be permitted to be placed on the footpath.
- Ensure that display racks are secured or removed so they do not become a risk in adverse weather conditions.
- Not interfere with the Pedestrian Zone within the footpath.
- Be displayed on stands approved by Council.
- Not have any movable parts, be illuminated, easily deteriorate, or discolour.
- Ensure that proposals for display cases and racks are free of all coverings.
- Comply with Council’s Health requirements (for the display of food items).
- Be for sale and not for storage purposes. This includes tables used for displaying goods for sale and not outdoor dining.



Poorly presented, unsecured outdoor display stands and racks creating an unsafe environment for public space users.



Well presented outdoor dining displays can add vibrancy to a local shopping area.



1.6 Outdoor Heating

Outdoor dining areas should be made as all-weather comfortable as practically possible before introducing any active heating. Consider providing blankets, non-metal seating and physical shelter from the cold air. Outdoor heating must be safe, efficient, and non-polluting.

Applications for outdoor heating:

- Must complement outdoor dining applications.
- Which proposed to fixed heating to awnings or verandahs:
 - Must achieve a minimum height clearance of 2.4 metres.
 - May require building and/or planning permit.
 - Will need to comply with the requirements of Energy Safe Victoria.
 - Must comply with the Gas Safety Act, Gas Safety (installation) Regulations and AS5601.1. This standard covers the minimum heights, ventilation requirements and offsets from combustible materials etc.

Electric heating

Electric radiant heating is strongly encouraged as the preferred option for outdoor heating proposals in Darebin.

Applications for electric heating must:

- Be installed by a registered electrician. A certificate of compliance issued by a registered electrician is required to be produced to Council on the completion of works.
- Not have any exposed wiring, ensuring that the risk of tripping or other hazardous events are minimised.



A great environmental and economical option for keeping outdoor dining customers warm is to provide blankets during the cooler season.



Gas Heating

Outdoor gas heaters contribute to greenhouse gas emissions. Local businesses can assist the Darebin to reduce its emissions by minimising the use of gas heaters in open public places. Outdoor gas heaters are at high risk of causing fire and explosion if not properly managed and maintained.

Applications for Gas Heating must:

- Must not be permanently fixed and removed from the Trading Zone outside of business hours.
- Must be at least 2.1m high (for free standing gas heating).
- Comply with relevant Australian and Safety Standards AS 1596 for radiant Gas heaters and installations.
- Ensure that Gas cylinders are contained in lockable housing with cylinder hoses and fittings regularly checked for leaks.
- Ensure that the appropriate guards are provided to prevent public (children) from accessing any fittings or hot surfaces.
- Ensure that LPG bottles are to be stored safely in accordance with the Energy Safety Victoria code of practice.
- Comply with any relevant code of practice for safety, use and storage. No more than 50 kilograms of LPG can be stored on your business premises at any one time.
- Be installed by a licensed and registered practitioner in accordance with the VBA (plumbing division).



Gas heaters are strongly discouraged in Darebin. They contribute to greenhouse gas emissions.



1.7 Outdoor Dining Screens and Barriers

Outdoor dining screens and barriers are often used to provide separation from other businesses. They can only be used for outdoor dining applications.

All applications must:

- First be approved by Council and only be associated with the use of the footpath for an outdoor eating area.
- Be located in the Trading Zone of the Footpath space.
- Ensure that pedestrian safety, permeability, and access is prioritised in our retail centres, all applications for outdoor dining must have a spacing of 1.5 metres minimum if the length of the screens extends longer than 10 metres in a continuous line.
- Have a gap of 150mm from the pavement to the underside of the café screen or barrier , to allow for street cleaning activities.
- Ensure that any business branding/logos on the screen must not take up more than 25% of the total size of each screen. It should be restricted to the lower part of the screen.
- Comply with the Tobacco Act 1987.
- Not impede vehicle and driver sightlines.

Fixed Glass Screens

Fixed Glass screens must:

- Not exceed a height of 1.5m.
- Be secured by a lock in device (inground or bolted down). The device should be inserted no deeper than 350mm into the footpath. Sandbags, bricks and improvised devices are not permitted.
- Be accompanied by a *Dial Before You Dig* search, ensuring that underground services are not impacted by the proposal.
- Use permanent safety glass or equivalent which is fire resistant and does not easily deteriorate or discolour.

- Be designed to withstand wind loads and provide reasonable resistance to vandalism.
- Ensure that if a screen is vandalised or damaged, it must be removed immediately, and all remaining screens must be secure, so they do not pose a public safety risk.
- Include standard glass safety stickers and/or advertising along the glass for visual awareness under the Disability Discrimination Act. The decal strips can be decorative or contain business logos or designs. The minimum height to be 900mm and the max height of 1200mm.
- Ensure that any business branding/logos on the screen must not take up more than 25% of the total size of each screen. It should be restricted to the lower part of the screen.
- Restrict writing of the menu and specials to the 'end' sections of fixed glass café screens. It must not be positioned below 1.2m, be handwritten with a removal marker and be specific to menu items, costs and daily specials only.
- Be always maintained free of damage and cleaned regularly. Any failure to maintain the fixed screen including immediate replacement when scratched, cracked or broken and repair of damage to the frame structure will result in cancellation of the permit and removal of the screen at the applicant's cost.

An upfront Footpath Reinstatement fee is paid to Council at the time of lodging the application. This will cover future costs in repairing damage to the footpath or nearby Council infrastructure as a result of the applicant use of the footpath area.

If a permit lapses, and the fixed glass screen is not removed from the Article Section, Council will remove the screen at the applicant's cost.

Fixed Screens (non-glass)

Applications for fixed screens (non- glass) must:

- Not exceed a height of 0.9m.
- Must be constructed from a durable material and achieve a 30% permeability.

Moveable Screens or Café barriers

Applications for moveable screens or café barriers must:

- Not exceed a total height of 0.9m.
- Be placed on the footpath during business hours only.

- Be secured by a locking mechanism or weighted for stability. Weight bags and other items should be placed to ensure clear accessible paths of travel remain. These items are to be of a contrasting colour to the footpath to reduce the risk of these becoming a trip hazard.
- Not be placed independently to serve the purpose of branding.
- Be constructed from durable material.
- Not be a fluorescent, neon or reflective colour.



Low moveable cafe barriers



Tall frosted fixed cafe screen hinders safe sightlines in the street.



1.8 Blinds and Awnings

Applications for blinds or awnings must comply with the following:

- May only be fitted subject to Council approval.
- Must be removed/retracted outside of trading hours.
- Full length awnings or blinds which enclose public spaces or adversely affect the openness of footpaths or create the effect of an 'outdoor room' (i.e., privatise or discourage use of footpath) are generally discouraged.
- Retractable awnings extending from the building which do not require any support structure must maintain a minimum vertical distance of 2.4 metres between the underside of the awning and the footpath.
- May only be installed under verandahs or balconies as ancillary to the more permanent verandah or balcony.
- Awnings may only be secured or anchored in a way that has the prior approval of an authorised Council officer and cannot be lashed or secured to street furniture or any other public infrastructure.
- Advertising is not permitted on blinds.
- If the blinds form a continuous barrier along the kerb, a 2.0 metre minimum wide Pedestrian Zone must be provided every 10.0 metres to allow access to and from the road.
- Must be fixed firmly in position when down to avoid extensive 'flapping, and so that any sharp exposed plastic edges are protected. Ground level restraints have to be designed and constructed so as to avoid hazardous situations.

- Retractable blind must must be rolled up or removed:
 - Outside trading hours.
 - When the weather does not warrant their use.
 - As frequently as possible to avoid 'closure' and cluttering of the streetscape.
- A Building Permit is required for retractable blind. Permit can be sourced from a private Building Surveyor.
- Weather blind anchors/ eyelets can be installed into the footpath and used to secure weather blinds. The only type of anchors that will be considered must be flush with the pavement and do not present as a trip hazard.
- They must also be located within the Trading Zone.
- An upfront Footpath Reinstatement fee is paid to Council at the time of lodging the application. This will cover future costs in repairing damage to the footpath or nearby Council infrastructure as a result of the applicant use of the footpath area.

Outdoor Structures (i.e., Pergolas, overhead structures)

- Other weatherproof structures will be considered on a case-by case basis.
- Proposals which seek to enclose public spaces or adversely affect the openness of footpaths, nature strips, parklets or laneways or create the effect of an 'outdoor room' (i.e., privatise or discourage use of footpath) will not be supported.

Retractable blinds provide flexibility in how the public space is used.



10

Outdoor structures which privatised public space are not supported.



Well designed, high quality, open outdoor structures which dont enclosed the footpath or parklet are encouraged.



Darebin City Council

1.9 Power, Lighting and Speakers

- Lighting can provide a warm and inviting atmosphere in outdoor dining proposals.
- Solar-powered lighting is strongly preferred. The size and placement of solar panels does not cause visual clutter.
- Applications for lighting and illumination within a Trading Zone will be considered on a case-by-case basis and to Council satisfaction.
- Any approved electrical works must be undertaken by a registered electrician. A certificate of compliance issued by a registered electrician is required to be produced to Council on the completion of works.
- Exposed wiring will not be considered to ensure risk of tripping or other hazardous events can be prevented.
- Speakers and speaker systems are not to be installed outside the shop. They must be located entirely inside the shop and situated not less than three metres from any public entrance.

Should electrical lighting be installed, no electrical cables can extend across or over the footpath. Any proposals to run in wiring would be assessed on a case-by-case basis. If it is deemed acceptable, it would need to be installed by a registered electrician.

1.10 Planter Boxes

Planter boxes can enhance the existing landscape features on public and private land and contribute to the Darebin’s amenity. Maintaining and enhancing the leafy environment of the city through design and effective plant choice ensures outdoor cafés make a positive contribution to the city environment.

Planter boxes will be considered on a case-by-case basis and in accordance with the following principles:

- Non fixed Planters must not fully enclose a Trading Zone on a footpath and may only be provided where they positively contribute to the streetscape and amenity.
- They are securely anchored to the footpath with a lockable castor or by weight.

- they don’t exceed a total of 1.2 metres in height (including plants) and 1.5 metres in length.
- They have a gap of 150mm from the pavement to the underside of the planer box, to allow for street cleaning activities.
- Planters cannot have sharp corners or edges or pose other safety risks.
- The use of only annuals or vegetable in planters is not recommended as their lifespan is short and they need regular watering and replacement. If you want to use these, consider a combination with other hardy and longer-lived plants.
- the business is responsible for the ongoing care, maintenance and replacement of plants and planter boxes. Plants and greenery are required to be kept in good health and present well throughout the year.
- Advertising on planter boxes is not permitted.

Fixed Planter boxes will be considered on a case-by-case basis. Applications which ‘give back to the streetscape’ by integrating seats, benches and/or bike parking for broader community use may be supported.

An upfront Footpath Reinstatement fee is paid to Council at the time of lodging the application. This will cover future costs in repairing damage to the footpath or nearby Council infrastructure as a result of the applicant use of the footpath area.

1.11 Windproof Ashtrays

Under the Tobacco Act 1987, smoking is banned from outdoor dining areas. Where smoking is permitted:

- Windproof ashtrays must be provided for patrons wishing to smoke within the footpath trading zone.
- Business operators must maintain the area clean and free of litter including cigarette butts Failure to provide suitable windproof ashtrays may result in the cancellation of the permit.
- Business operators found sweeping cigarette butts into the gutter, immediately forfeit all rights to trade on the footpath.

SECTION 2.0: DESIGN GUIDELINES FOR TRADING ZONE ON ROAD SPACE (PARKLETS)

2.1 Parklet Siting: Footprint, Buffers and Edges

Parklet Locations

- Parklets on State Arterial Roads such as Broadway, Reservoir and Station Street, Fairfield will require approval from Department of Transport and Planning.

Parklet Footprint

- Parklets cannot occupy more than 2 carparking bays. or be greater than 14m in length. If they are, then a 1.5m wide break must be provided to provide safe pedestrian access to the footpath.
- If your proposed parklet location is adjacent to a kerb outstand and/or no stopping area, we will consider applications which use this public space on a case-by-case basis.

Buffers

Within this footprint, all parklets must have:

- 90-degree parking – An offset of 450mm from all adjacent traffic/bicycle lanes. This aligns with Austroads Guidelines part 3.
- 45 / 60 / 30-degree angled parking – No offsets from the road will be required. Parklets can be built to the edge of the carparking line marking. If linemarking not present, seek guidance from Council's Transport unit.
- An offset of 450mm from all adjacent carparking bays. Wheel stops must be installed within this setback at the cost of the parklet host.

Parklets near tram stops

Parklets located within 30m of a Tram Stop must:

- provide a break of 1.5m, should the parklet occupy 2 car spaces (14m length)
- Have an offset of 450mm from the adjacent traffic lane.

Setbacks from Street Infrastructure

When siting the Parklet, ensure that:

- its setback 1000mm from any street infrastructure (ie rubbish bins, seats, fire hydrants, bike racks), as per Darebin's Footpath trading policy.
- it's setback 500mm from any street tree, to minimise damage to the tree root and/or tree grate.
- Parklet platforms are not installed over drainage grates, pits and outlets.
- Parklet platforms are not installed over kerb ramps or crossovers, unless there is another accessible ramp/crossover in easy distance to ensure access is maintained.
- A 600mm clearance is required from the side of any stormwater pit.
- A parklet can be considered where there is a stormwater pit, provided a lid is placed beneath the platform for inspections and access to that pit.
- Any service pits on footpath need to be identified on application/design/plans.
- Access to services such as sewers, gas, water, telecommunications and electricity conduits should not be obstructed.
- Street furniture including seats, bins and bike hoops may be relocated should an agreed alternative location be found, at at costs to the officers will help in considering the requests. Refer to Policy for guidance (Clearance and Access - all zones).
- We recommend that no footpath dining be approved within 1.5 metres of either side of the zebra crossing – extending all the way back to the building line.

2.2 Siting and Design requirements for Parklets on Tram Corridors

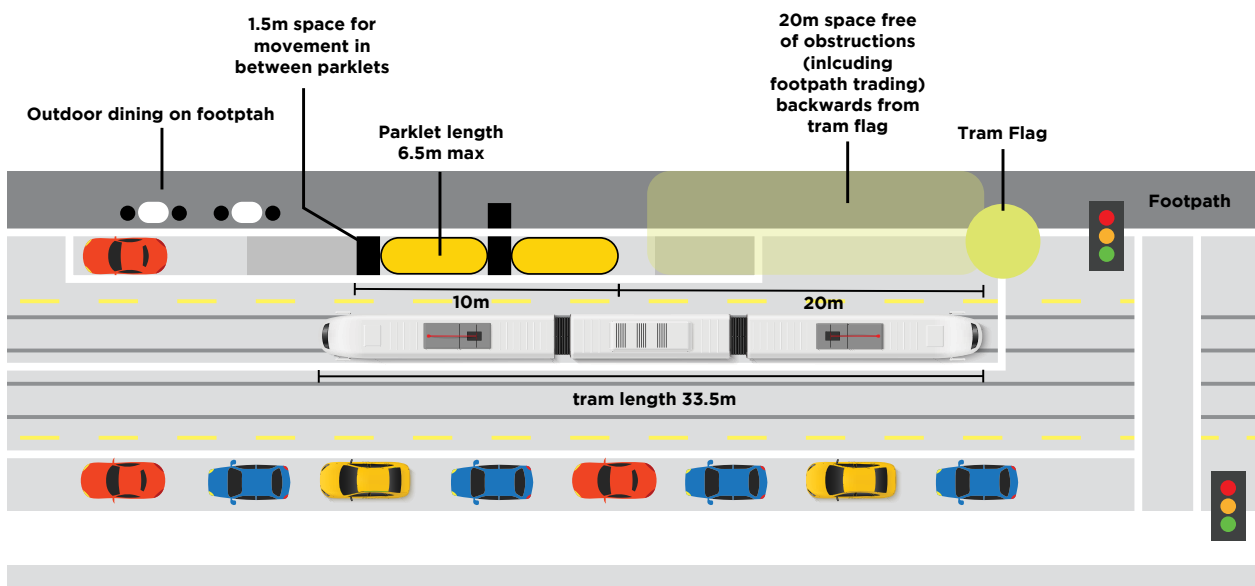
There are two Tram routes which service Darebin – Tram Route 86 (High Street, Plenty Road) and Tram Route 11 (Georges Road, Miller Street and Gilbert Road). As our tram corridors are complex environments, some greater guidance is required for the siting and design of parklets. This section reinforces the Department of Transport and Planning and Yarra Trams requirements.

Parklet Footprint & Siting

Near Tram Stops

- Single parklets (6.5m long) are supported within 30m of a Tram Stop Flag.
- A break of 1.5m must be provided between parklets to facilitate safe pedestrian movement from the tram or road space to the footpath.
- Where possible a minimum space between vehicles or trams and outdoor dining be no less than 2.20m from dining to tram rail running edge near tram stops, to ensure that tram passengers can safely navigate the space.

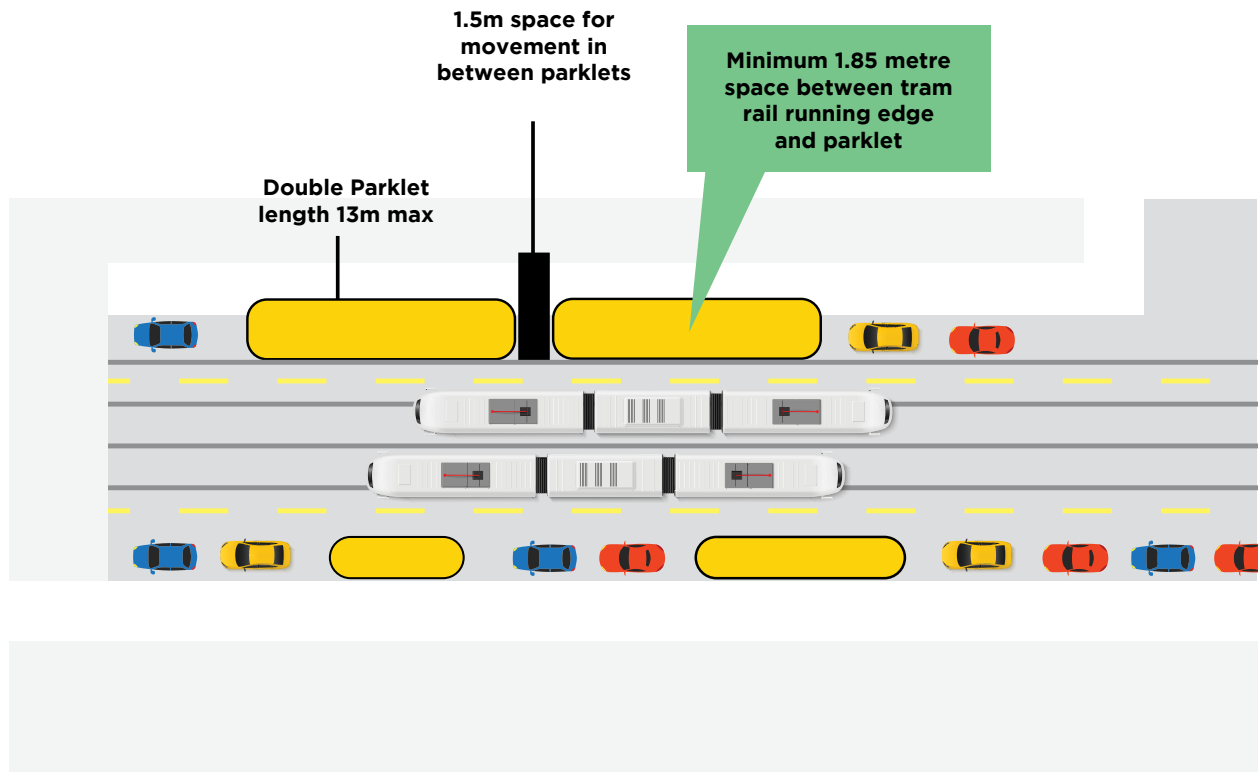
Preferred outdoor dining arrangements near tram stops



Along Tram Corridors

- A break of 1.5m must be provided between parklets to facilitate safe pedestrian movement from the tram or road space to the footpath.
- A minimum space between vehicles or trams and outdoor dining be at least 1.85m from the tram rail running edge to ensure that cyclists can safely navigate the space.

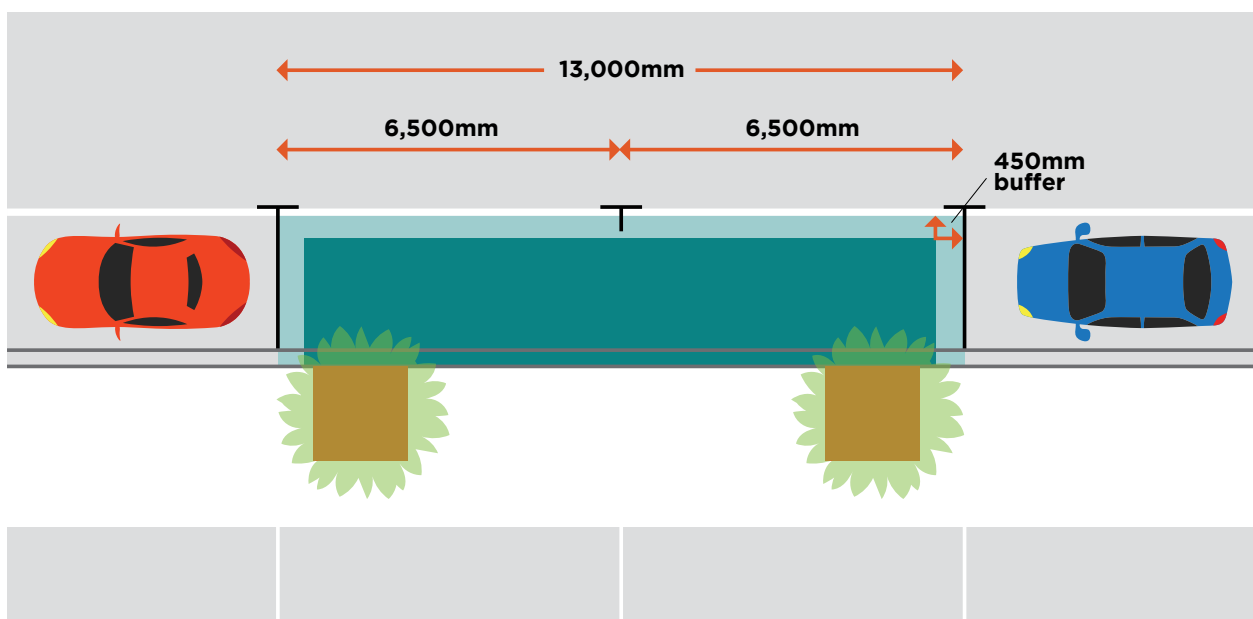
Preferred arrangement at other locations of a tram corridor



Edges

All parklets must provide a visible and continuous physical barrier around the outside edges of the parklet, keeping the setback space clear. This can be in the form of planter boxes and fencing or a combination of both. The following requirements should be met:

- The height of planters/edge fencing above the road surface to be at least 800mm and no higher than 1200mm (including plants to a max height of 500mm).
- Planters to measure at least 800mm long and 400mm wide.
- Planters to be filled completely with soil (or similar) to ensure items are sturdy and have a low centre of gravity.
- Fencing to be up to 2000mm in length and be fixed to other items (e.g. planter boxes, platforms) so that they are secure and remain in place.



Safety Elements - Signage/reflective tape

- A chevron sign (a directional arrow sign) is required on the approach side on the planter box.
- Reflective tape is required along the outside edges of the parklet. Council requires these to be uniform and therefore will provide the sign and reflective tape as part of a parklet approval.
- Wheel-stops are installed between carparking bays and the parklet.
- Consider the back of the parklet:
 - While not visible from the footpath the outside of the parklet enclosure is highly visible from across the street.
 - Large blank walls can be an invitation for graffiti and tagging. This can be mitigated by adding visual interest like pattern, color, surface, texture and planting.
 - Consider a high contrast colour approach for the back of parklets to help visibility for community members with a vision impairment.

2.2 Accessibility

Parklets must be designed so they are accessible for all customers, including those using wheelchairs, prams and walkers. Parklets should be flush to the footpath ensuring that there are no gaps, steps or trip hazards as you enter and exit the parklet.

The design of parklets must comply Australian Standards for designing for access and mobility (AS 1428.1:2021).

Key elements of an accessible parklet must include:

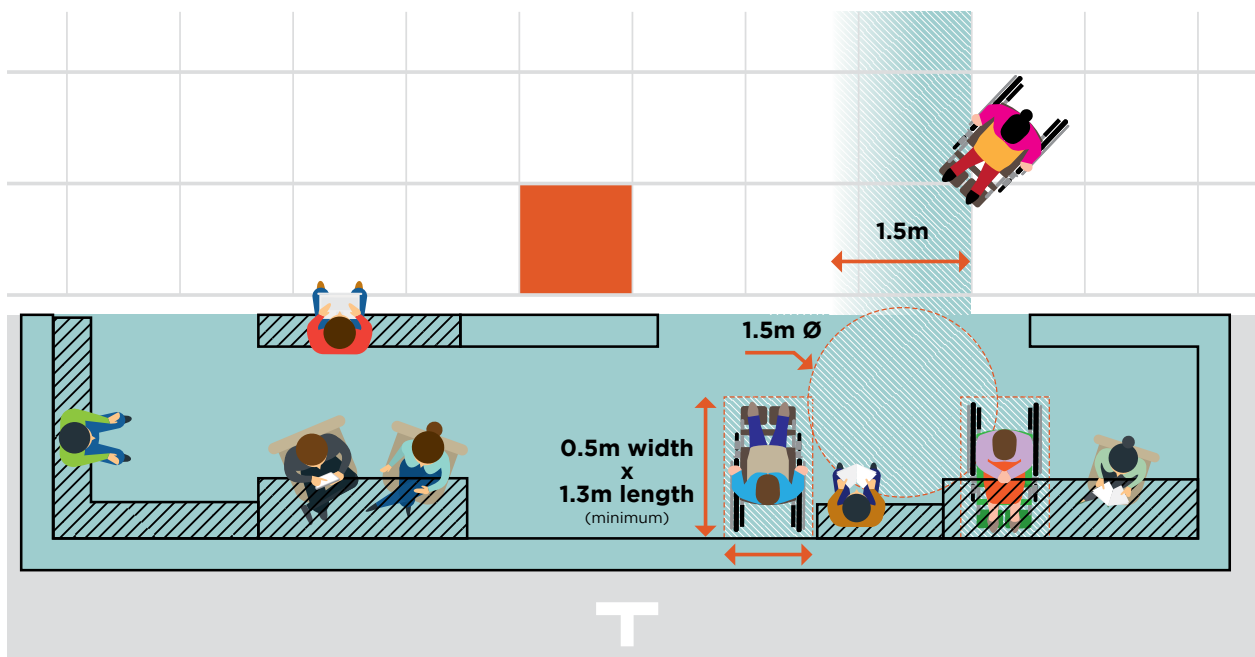
Accessible entries

- Each parklet must provide at least one accessible entry point, with a minimum width of 1.5 metres.

Accessible paths of travel

- Clear, unobstructed paths of travel into the parklet from the footpath must be provided for community members who are visually impaired or use mobility devices such as wheelchairs, walking frames and prams.
- To facilitate this, outdoor dining on the footpath may need to be removed, particularly where a footpath is narrow (or less than 3.5m wide).

Accessible Platform which allows for seamless entry from the footpath. The colourful planting on the edges provides a contrast to the road, improving visibility for all users



Accessible Parklet configuration

Wheelchair turning area and resting space

- A wheelchair turning area must be provided, ensuring a wheelchair can make a 180° turn, with a minimum diameter of 1.5m.
- A wheelchair resting space must be provided and have a 0.8m minimum width and 1.3m minimum length. The wheelchair resting space should incorporate companion seating.

Accessible tables and chairs

- Accessible tables and chairs to be provided within the dining space.

Accessible toilet

- An accessible toilet is provided by the business host or they know where an accessible toilet is located within easy distance of the dining area.

High contrast edges to the parklet

- Ensure that the outer edges which define the from the road (e.g. bright colour and high contrast).
- Planting can also act as a good contrast.

Platform

- Refer to section 2.3 for detailed guidance.



2.3 Platforms

Platforms can enable easy access into a parklet and create a public space that feels like an extension of the footpath. It is important that platforms meet the following requirements to ensure that they are comfortable to use and do not impact the function of the road underneath.

Due to the high levels of pedestrian movement, parklets applications in Major Activity Centres must have a raised platform to create an extension of the footpath

Platform design requirements

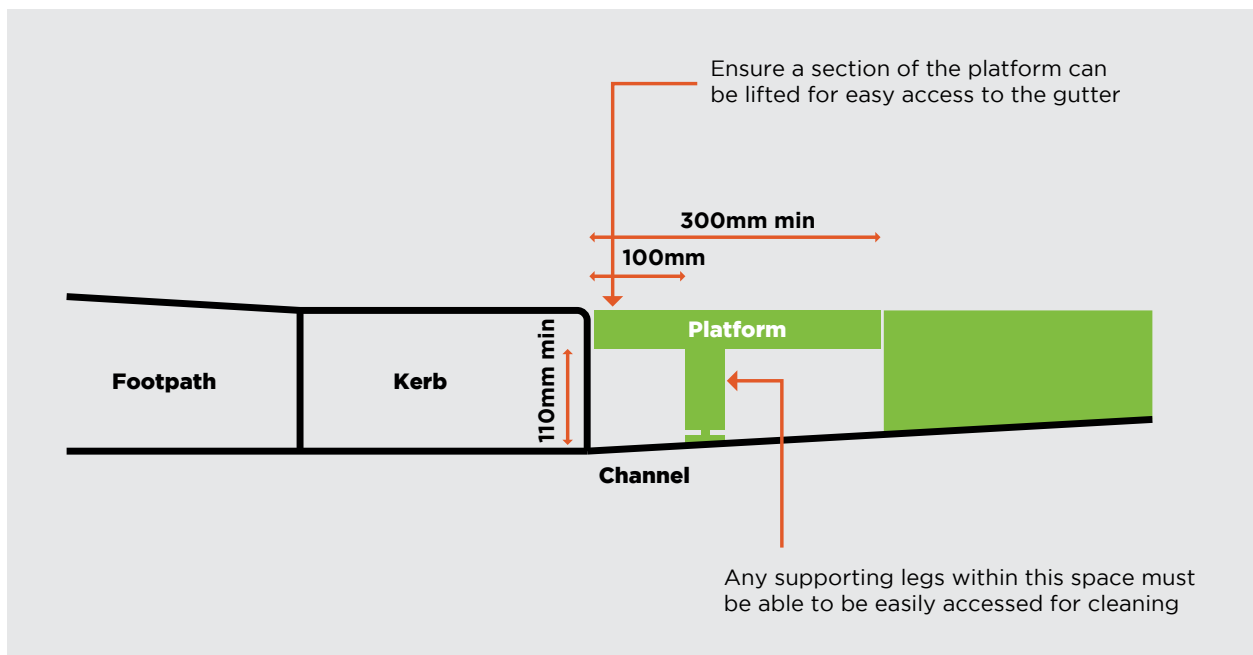
- Platforms must be flush with the footpath to ensure seamless transition between footpath and parklet spaces, preventing any tripping hazards.
- Where there is a gap between the platform and the footpath, a threshold platform can be provided to provide a more seamless transition. Rubber access matting can also be explored as a joining surface.
- To enable level access where there is an incline along the footpath, the parklet should be constructed so that one portion of the parklet is level with the footpath.
- Platforms must not be fixed to the road surface or kerb and channel (including any heritage bluestone kerb and channel). Any damage resulting from use/installation must be reinstated at the expense of the parklet host.
- Platform material to be durable and withstand outdoor weather.
- Platform surface must be non-slip and meet with the relevant Australian Safety standards.

Platform-Kerb Interface

Platforms must provide adequate space to allow drainage and cleaning of channel.

As outlined in the diagram below, the following requirements are to be met:

- 300mm wide x 110mm high clear space underneath the platform next to the kerb and channel, to allow water to drain freely along the channel.
- A liftable threshold platform/gutter (or similar) along the length of the platform over the channel, to allow for the channel to be accessed and cleaned out regularly by the Permit Holder.
- Supporting legs set back from the kerb and easily accessible for cleaning.
- An overflow hole or clear space (away from the channel) to allow for excess water to run through as needed.



Platform configuration

Drainage and Street cleaning

The design of a parklet should not prohibit drainage of stormwater runoff.

- Please check this with Council if you're area is impacted before you apply.
- Generally, Parklet platforms are not supported over drainage grates, pits and outlets. A parklet can be considered where there is a stormwater pit, provided a lid is placed beneath the platform for inspections and access to that pit.
- Design must ensure sufficient water drainage with no pooling in the parklet or footpath.
- Any raised platform must ensure stormwater flow is not obstructed. The removal of leaves and litter is the responsibility of the permit holder/ business.
- Rubbish grates to be placed at either end of the platform. (Parklet Host is responsible for clearing the rubbish grate).
- Parklets are not permitted in areas of significant flooding.

2.4 Materials

When considering a material palette for the you parklet, you should ensure that it is:

- Fit for purpose and suitable for public use.
- A high quality finish that minimises visual clutter.
- Suitable for the local context and streetscape character.
- Long-lasting and weather resistant.
- Easy to maintain.
- Appropriately treated/finished to manage graffiti/vandalism.
- Visible during the day and evening.
- Non-reflective.
- Non-slip for ground/floor surfaces.
- Sustainable and/or locally sourced where possible.
- Able to be reused/recycled where possible to prevent materials going to landfill at the end of its useful life.



Non-compliant platform



Preferred materials

The following materials are generally preferred :

- Concrete (for planter boxes) Consider lightness of concrete to provide visual contrast with road surface.
- Metal (for planter boxes and fencing).
- Consider thickness of metal to avoid denting.
- Recycled or re-purposed materials, including timber and plastic., which are safe and resistant to the outdoors.
- Hardwood timber, Treated Pine or Marine Ply are timber materials are suitable for outdoor uses. Ensure that timber materials are painted and/or sealed.
- Consider appropriate construction methods to avoid timber items buckling/warping over time. For example, timber planters may benefit from using a steel frame with timber slats to provide a more robust structure.

Materials that are discouraged

The following other materials are generally discouraged as they cannot be recycled. If the applicant wishes to use these and can demonstrate exceptional circumstances/public benefit, they must speak to Council and get approval before finalising their design and purchasing any items.

- Astroturf.
- Loose materials.
- Sand or loose stone.
- Hay-bales.

Maintenance and repair

- Materials should be carefully selected to ensure that they are long-lasting and can be easily maintained over time. For all materials used, it is important to have a plan in place for how any items will be maintained, cleaned and repaired.
- Ensure that materials are appropriately sealed/finished so that graffiti can be cleaned off or have spare matching paint on hand to touch up painted items.
- Any damage or graffiti should be swiftly dealt with by the Permit Holder to ensure the parklet maintains a smart presentation and prevent it becoming a graffiti hotspot.

2.5 Parklet Amenities

Furniture

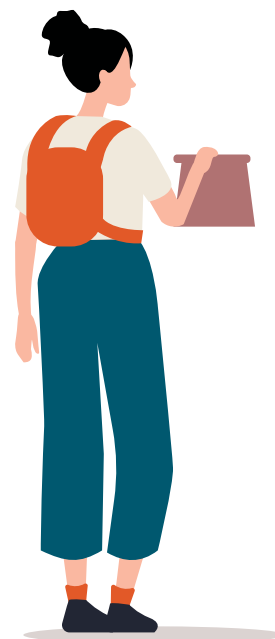
- Furniture and seating must be suitable for outdoor use and be either fixed or removable.
- Council officers will assess all furniture before it is purchased and installed.

Moveable furniture should be:

- For outdoor use only (no indoor furniture).
- Sturdy and able to resist wind gusts.
- Stackable.
- Easy to clean.
- Made from materials that are long lasting and weather resistant.
- Brought in each night after use in the parklet.

Fixed furniture should be:

- Hardy, sturdy and fixed in place.
- Easy to clean.
- Constructed of materials that do not deteriorate quickly.
- Integrated into the design that uses the space efficiently.
- Maintains seating for community use when removeable furniture is removed.
- Free from commercial advertising.



Lighting

Lighting can provide a warm and inviting atmosphere in the parklet:

- Solar-powered lights are strongly preferred.
- All lighting fixtures and infrastructure (e.g. solar panels) must be contained within the parklet.
- Internal lighting of parklet is low level and does not impact approaching/passing motorists. Illuminance should generally not exceed 5 lux. No flashing/ coloured lights that may cause distraction to drivers.
- The size and placement of solar panels does not cause visual clutter.
- Should electrical lighting be installed, no electrical cables can extend across or over the footpath. Any proposals to run in wiring would be assessed on a case-by-case basis. If it is deemed acceptable, it would need to be installed by a registered electrician.

Umbrellas

Umbrellas are encouraged to provide shade and must:

- Comply with the requirements set out in the Darebin Footpath Trading Policy.
- Not extend out beyond the Parklet area.
- Be secured at all times and removed in times of strong winds or storms.
- Be removed at the close of permitted hours of operation.

Shelter and permanent structures

- Permanent structures covering Parklets are will be considered on a case-by-case basis. Refer to section 1.8 (page 10) for guidance..

Outdoor heaters

- Electric heating is the preferred option for outdoor dining in Darebin. Refer to section 1.6 for greater guidance.



Planter Boxes

- Planter boxes are permitted and must be located inside the parklet.
- The construction of the planter box can be a maximum height of 0.75 metre with planted foliage to a maximum height of 0.5 metres or a total combined height of 1 metre.

Standard detail for planter boxes

Typical suggested detail for a planter is as follows:

- 50mm recess below top of planter (prevents mulch and dirt spilling over).
- 50mm mulch (wood chip or pre-washed gravel).
- 500-800mm of soil (sandy loam or high quality organic soil).
- Geotextile layer to prevent soil migration into drainage.
- 50-100mm drainage layer (scoria or similar no fines aggregate).

Drainage at base could either be free drainage with holes in the base, or an agg pipe draining to a point of discharge

This comes up with a height of 650mm to 1000mm, which should work in well with the current specification for planters.

Advertising Signs

- Must align with Footpath policy.

Play Elements

- Interpretive Play elements can be a great way to appeal to young families. ??

Bike Parking

Incorporating bike parking into the design of your parklet is strongly encouraged and can be incorporated the following ways:

- On the parklet platform – custom or off the shelf bike parking can be provided within the parklet platform.
- On-street (adjacent to the parklet). Bike Parking / Bike corral can be installed adjacent to a parklet.

2.6 Planting

- Planting enables greening of the street and must form part of all parklets. They also create a buffer to the road space, for parklet users.
- Plants grow and change over time and require regular and ongoing maintenance and replacement. Council can offer support on selecting plants that are well suited to the local conditions and require less maintenance.

Design requirements:

- Planter boxes are permitted and must be located inside the parklet.
- To maintain clear sightlines for traffic: The height of plantings should generally not exceed 1.2 metres from road level (except for trees), particularly where visibility is needed for vehicles (e.g. corners).
- Trees should be pruned to provide a clear trunk.
- Artificial plants are discouraged.
- Parklet Hosts must ensure plants are watered and maintained.
- Parklets etc should be 1m from street trees.
- Ensure no infrastructure is in conflict with trees – e.g. umbrellas, blinds, awnings etc.
- Tree sizes to be chosen based on surrounding infrastructure – i.e. no conflict with awnings to avoid ongoing pruning for clearance etc.

Plant selection should:

- Consider solar aspect and local conditions.
- Be suited to the soil volume.
- Prioritise larger plant stock to minimise opportunities for plant theft.
- Provide hardy and drought tolerant species.
- Avoid noxious weeds / toxic plant species.

Maintenance requirements

The parklet host is required to:

- Maintain regularly to ensure healthy and attractive appearance.
- Regularly water, prune and fertilise plants.
- Replace/rotate plant stock as needed.
- Bring any small potted plants inside at night to reduce instances of theft.
- Remove any rubbish or cigarette butts on a regular basis.
- Manage water runoff.







Plants suitable for Parklets – Recommended Species List

Shrubs/Grasses:

- Silver Ponysfoot
 - Lavender.
 - Silver Bush.
 - Sage (varieties).
- Rosemary (dwarf or prostrate varieties)
 - *Correa*.
 - *Westringia*.
 - *Salvia*.
 - *Poa*.
 - *Kunzea pomifera* – *Muntries* (bush food)
 - *Carpobrotus rossi/modestus* – *Pig face* (Bush Food).
 - *Cymbopogon ambiguus*– *Native Lemon Grass* (Bush Food).

- *Themada triandra* – *Kangaroo Grass*.
- *Dianella caerulea* – *Blue Flax cultivars* (bush food).
- *Disphyma crassifolium* – *Rounded Noon Flower*.
- *Dichondra repens* – *Kidney Weed*.
- *Viola hederacea/banksii* – *Native Violet*.

Trees in constrained environments:

- *Olea europaea* ‘Swan Hill’.
- *Hakea bucculenta*.
- *Pistachia chinensis*.
- *Ficus microcarpa* var. *hillii*.
- *Magnolia/Michelia* (evergreen).
- *Citrus*.
- *Bay*.
- *Callistemon* ‘Slim’.

Plant species to be added in here



SECTION 3.0: PERMIT APPLICATION REQUIREMENTS

Council is committed to making the application process for Footpath Trading and Parklet Permits as easy as possible for businesses.

An approved permit is required prior to any Footpath Trading or Parklet activity commencing. It is recommended any prospective investor/business operator review these Guidelines prior to committing to any lease or contract.

3.1 Pre-application checklist

- Review the Darebin Outdoor Dining and Footpath Trading Policy & Guidelines.
- For Parklets Only – Submit a ‘Expressions of Interest’ via Council’s Business Concierge, who will liaise with our Transport, City Design and Drainage teams to understand the feasibility of the parklet location and provide any additional requirements. A site visit may be required.
- Determine the proposed design layout, including trading furniture and/or signage.
- Obtain written neighbouring property consent, if applicable.
Refer *Outdoor Dining and Footpath Trading Policy*.
- Council will require a copy of a current ‘certificate of currency’ as part of each permit application and must be sighted prior to the issuance of a permit. Additionally, when the certificate expires, the new certificate of currency must be supplied.

Other financial considerations for businesses

Depending on the type of outdoor dining or footpath trading proposed, there may be other costs that apply including:

- Registered builder.
- Structural Engineer.
- Building surveyor.
- Architect.
- Road Safety Audit.
- Traffic Management.



3.2 Application Requirements: Footpath Trading

Submit an application with the prescribed application fee and include the following documentation:

1. Application form: including Business details and location, Applicant contact details.
2. Existing conditions site plan:
 - Prepared to scale 1:100 and full dimensions to show:
 - o Building frontage, and footpath.
 - o Abutting properties with business names.
 - o Infrastructure - trees, light poles, litter bins, public seats, bicycle stands, fire hydrants, stormwater pits, utility or telecommunication assets.
 - o Maybe provide a *Dial Before you Dig* enquiry and response.
 - o Parking bays and parking restrictions.
 - o Any adjacent footpath outdoor dining or advertising boards.
 - o Any other relevant features.

3. Proposed Site Plan: of footpath trading/dining
 - Prepared to scale 1:100 and full dimensions to show:
 - o Host business and adjacent buildings including their entrances and street address.
 - o Roadway with road name shown.
 - o Footpath and its width.
 - o Kerb line and driveway locations.
 - o Traffic and bike lanes.
 - o Existing street furniture such as bicycle parking, streetlights, street signs, fire hydrants, utility.
 - o Location of access points (pits).
 - o Street trees, tree grates and landscaped areas.
 - o Layout and type of furniture you intend to put in the footpath trading area (e.g., tables, chairs, umbrellas, heaters, screens).
4. Proposed furniture and Plant Palette: including photographs, design specifications and materials to show compliance with the guidelines.
5. Details of any advertising: a colour photograph or detailed design drawings of any proposed advertising logo, and clear indication of its size and all locations within the trading zone.
6. Public Liability Insurance: Covered by Council and included in the Permit fee.
7. Written neighbouring property consent: if applicable.



3.3 Application Requirements: Parklets/Trading in Road Space

1. Aerial Photograph (eg. Google maps satellite view): with the carparks/roadspace that you wish to occupy marked up.
2. Photographs: of the site, immediate surrounds and proposed Parklet location.
3. Existing Conditions Site Plan:
 - Prepared to scale 1:100 and full dimensions to show:
 - Building frontage, and footpath.
 - Abutting properties with business names.
 - Infrastructure - trees, light poles, litter bins, public seats, bicycle stands, fire hydrants, stormwater pits, utility or telecommunication assets.
 - Parking bays and parking restrictions.
 - Any adjacent footpath outdoor dining or advertising boards.
 - Any other relevant features.

4. Proposed Site Plan of Parklet:

- Prepared to scale 1:100 and full dimensions to show:
 - Host business and adjacent buildings including their entrances and street address.
 - Roadway with road name shown.
 - Footpath and its width.
 - Kerb line and driveway locations.
 - Traffic and bike lanes.
 - Existing parking spaces including their width and length.
 - Parking restriction details.
 - Existing street furniture such as bicycle parking, streetlights, street signs, fire hydrants, utility.
 - Access points (pits).
 - Street trees, tree grates and landscaped areas.
 - Existing footpath trading area of your business.
 - Proposed Parklet footprint and the buffer zones including all dimensions.
 - Location of barriers around the Parklet including their dimensions any proposed landscaping.
 - Safety measures in accordance with the Guidelines.
 - Location of DDA compliant access into your Parklet.
 - Layout and type of furniture you intend to put in the Parklet (e.g. tables, chairs, umbrellas).



5. Proposed elevation of the parklet:

- Prepared to scale 1:100 and full dimensions to show:
 - Details of the continuous barriers including their height and length.
 - Materials used, labelled on the plan and images if possible.
 - Clearances from the stormwater drain and rubbish grates for any platform proposals.
 - Details of the treatments at the edges of the buffer zones (eg. soft hit posts, wheel stops, traffic cones).
 - Other vertical elements such as canopy structures, lighting, umbrellas.
 - Details of reflective materials on each side.
 - Location of signage (safety chevron signage and advertising).

6. Proposed furniture and Plant Palette: including photographs, design specifications and materials to show compliance with the Guidelines.7. Detailed Construction Drawing Designs:

- Details of how infrastructure (eg. barriers, umbrellas) will be safely secured to address wind loading, safety of occupiers.
- Detailed construction drawings/shop drawings, including site plan, floor plan and elevations (as relevant).
- Platforms will require Certificate of Compliance Inspection and Structural design Certification in accordance with Regulation 126 of the Building Regulations 2018 from a Registered Structural engineer.

8. Other Information: Any additional evidence or statement in support of your application.

- This can include a discussion of how your Parklet would meet the program and design objectives?

9. Valid Public Liability Certificate for \$20 Million.10. Any other relevant details: where applicable including:

- Current registration to serve food and/or beverages under the Food Act (Vic.) 1984.
- Liquor license that includes the footpath as part of the 'licensed area' when alcohol is to be consumed or served in this area.





CITY OF DAREBIN

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National Relay Service
relayservice.gov.au

If you are deaf, or have a hearing or speech impairment, contact us through the National Relay Service.



Speak Your Language
T 8470 8470

العربية	Italiano	Soomalii
繁體中文	Македонски	Español
Ελληνικά	नेपाली	اردو
हिन्दी	ភាសាខ្មែរ	Tiếng Việt

Proposed changes to the Fee Structure for outdoor dining and trade

	Current	Proposed	Justification for change
Administration Fees			
Application fee (Standard application)	\$52 per annum	\$52 per annum	No change
Application Fee (Parklets, nature strips, road closures)	Parklets – N/A Nature strip - \$52	\$250 once off and then for renewal (4yrs ?)	To cover costs of administration, site inspection, internal referral and assessment
Public Notification Fee	Left to individual business to undertake notification and obtain letter of support.	In line with the Planning notification fees: 0-20 letters = \$176	To cover administration costs, printing and postage.
Transfer of permit	\$52	\$52	No change. To cover costs of administration.
Annual permit fees			
Temporary signage (A-frames)	\$120 per sign	\$120 per sign	No change
Temporary signage (Pointer boards)	\$615 per business.	\$615 per business.	No change
Display racks	\$280 per rack	\$280 per rack	No change
Café Screen (Fixed + Temporary)	\$180	Fixed – \$52 per linear metre + (Upfront & one-off) 25% of Footpath reinstatement cost & inspection fee. Temporary – covered in new blanket sqm rate	Covers upfront reinstatement cost to footpath, so Council is not at a financial loss. Includes a \$140 inspection cost.

<p>Umbrella (Fixed + Temporary)</p>	<p>\$ 52</p>	<p>Fixed – Annual \$52 per umbrella + (Upfront & one-off) 100% of Footpath reinstatement cost & inspection fee. Temporary – covered in new blanket sqm rate</p>	<p>Covers upfront reinstatement cost to footpath, so council is not at a financial loss. Includes a \$140 inspection cost.</p>
<p>Seat</p>	<p>\$33</p>	<p>An annual square metre rate for outdoor dining in standard footpaths Variable rate depending on hierarchy of centre - 30% of the annual average retail rents for the centre.</p>	<p>Creates an equitable fee structure. Proposed fee structure reflects the true value of public land for that local area.</p>
<p>Bench</p>	<p>\$117</p>		
<p>Table</p>	<p>\$33</p>		
<p>Heater</p>	<p>\$52</p>		
<p>Planter box</p>	<p>\$52</p>		
<p>Parklet</p>	<p>Then \$2.50 per day, per car bay paid annually as resolved by Council. \$1,500 per annum per parklet area as specified in Fees and Charges.</p>	<p>Outdoor dining in road spaces (Parklets) will be calculated on a square metre rate at the following percentages for different business precincts: - a rate of 50% of the annual average retail rents in Major retail areas - a rate of 40% of the annual average retail rents in Neighbourhood centres - a rate of 20% of the annual average retail rents in Revitalisation areas (or a standard applicable rate as calculated by Council).</p>	<p>Creates an equitable fee structure. Proposed fee structure reflects the true value of public land for that local area.</p>
<p>Outdoor dining (In expanded nature strip / back of kerb area e.g., Kerb build out)</p>	<p>Individual items as above</p>		

**9.4 RESERVOIR LEISURE CENTRE - HIGH LEVEL COSTS,
FUNDING STRATEGY OPTIONS AND NEXT STEPS
(A LATE REPORT WILL BE CIRCULATED SEPARATELY)**

Author: Manager Recreation & Libraries

Reviewed By: General Manager Community

A late report on this matter will be published separately.

**9.5 EXTENDED E-SCOOTER TRIAL PARTICIPATION -
CITY OF DAREBIN'S OPTIONS**

Author: Team Leader Transport Planning
Transport Planner

Reviewed By: General Manager City Sustainability and Strategy

EXECUTIVE SUMMARY

The purpose of this report is to provide an overview of the current e-scooter trial that is occurring in the municipalities of Melbourne, Yarra, Port Philip and Ballarat. The report will cover the benefits, challenges and strategies of managing e-scooters, and options for Council to consider.

Shared micromobility is where e-scooters and/or e-bikes, which are owned by private operating companies, are generally stored on public land and are hired out for short trips. These trips are managed and tracked using mobile apps for each of the shared micromobility operators.

Victoria's e-scooter trial was expanded in April 2023 to allow e-scooters across the state, including private use, and to enable other local councils to engage with commercially operated share schemes via an agreement. This trial is currently scheduled to end on 5 April 2024, with no announcement yet made by the Victorian Government on the use of e-scooters after this date.

Since February 2022 there have been over 7.5 million shared micromobility trips taken in Victoria, with over 6.5 million of those trips being taken by e-scooters covering over 12 million kilometres. The remaining trips were on shared e-bikes.

The popularity of the e-scooter service has been increasing, with 45% more trips being taken in 2023 compared with the previous year.

Surveys from e-scooter operators state that 46% of trips were demonstrated to replace a car trip, either by private car, taxi or Uber. Using this data, e-scooters have replaced approximately 3 million car trips and 5.53 million kilometres of car travel. There is no available data on the trips taken by privately owned e-scooters.

As part of the Victorian e-scooter trial, both shared and private e-scooter usage is legal on Victorian roads. The following rules apply to riders of e-scooters, who must:

- Be aged 16 years or over,
- Wear a helmet,
- Ride at a maximum of 20km/h,
- Ride on bicycle paths, shared paths, or roads with a speed limit up to 60 km/h.

If Darebin joined a shared micromobility trial:

- Shared mobility operators would be responsible for all community complaints handling that relate to shared e-scooter/bike parking, behaviour, and operation.
- Council would be responsible for any complaints relating to Council infrastructure, such as signage, bike lanes or parking areas that need to be constructed.

Officers have engaged with Councils participating in the current trial, micromobility operators, and have reviewed research on shared micromobility and e-scooters to prepare this report.

Officer Recommendation

That Council:

- (1) Notes the contents of this report, including the implementation costs of joining a micromobility scheme.
- (2) In the event that it resolves to participate in a shared micromobility scheme through its future planning and budget processes:
 - a. endorses the operating model where Council:
 - i. joins with a consortium of other M9 Councils to form the agreement for shared micromobility providers to operate in the City of Darebin
 - ii. implements systems and infrastructure in accordance with an M9 agreement.
 - b. notes that Council could exit an agreement at anytime.
 - c. authorises the CEO to negotiate and enter into an agreement with M9 and shared mobility operators to provide services, including e-scooters and e-bikes, within the City of Darebin.

BACKGROUND / KEY INFORMATION

Victoria's e-scooter trial was originally implemented in February 2022, with only commercially operated e-scooters permitted to operate in the City of Melbourne, City of Yarra, City of Port Phillip and the regional City of Ballarat.

Victoria's e-scooter trial was expanded in April 2023 to allow e-scooters across the state, including private use, and to enable other Councils to engage with commercially operated share schemes via an agreement. This trial is currently scheduled to end on 5 April 2024, with no announcement yet made by the Victorian Government on the use of e-scooters after this date.

Since February 2022 there have been over 7.5 million shared micromobility trips taken in Victoria, with over 6.5 million of those trips being taken by e-scooters. The remaining trips were on shared e-bikes.

There is no available data on the trips taken by privately owned e-scooters.

Data from the e-scooter trial indicates shared micromobility can reduce the number of private car trips.

Previous Council Resolution

At its meeting held on 28 August 2023, Council resolved that it:

- 1) *Notes the successful E-scooter and safety trial where the Victorian Government partnered with the City of Melbourne, City of Yarra, City of Port Phillip and City of Ballarat to run e-Scooter trial in 2021 and 2022, with nearly four million rides recorded.*
- 2) *Notes that benefits of e-scooter use include:*
 - a. *reduced emissions and congestion*

- b. increased transport connectivity*
 - c. and enabling economic activity.*
- 3) *Notes that during the extended trial period, other councils across Victoria are now able to enter into their own hire schemes (hire e-scooters).*
- 4) *Receives a report in March 2024 on how Darebin can participate in this extended trial and partner with companies that provide e-scooters to make e-scooters available to hire in the Darebin municipality, including, but not limited to:*
 - a. safety and waterway pollution considerations*
 - b. potential revenue with comprehensive direct and indirect costs to be included to council and enabling economic activity in the city, and*
 - c. impacts on reducing emissions and congestion.*

ALIGNMENT TO 2041 DAREBIN COMMUNITY VISION

Strategic Direction 2: Prosperous, Liveable and Flourishing

Strategic Direction 3: Climate, Green and Sustainable

ALIGNMENT TO 2021-25 COUNCIL PLAN

Strategic Direction 2: Prosperous, Liveable and Flourishing

Strategic Direction 3: Climate, Green and Sustainable

ALIGNMENT TO COUNCIL PLAN STRATEGIC OBJECTIVES

2.7 We will work in partnership to address place-based socio-economic disadvantage and health inequity in East Preston and East Reservoir

2.10 We will leverage investment, partnerships and advocacy to drive Darebin's growth and sustainability

3.4 We will reduce carbon emissions by switching to renewable energy on a large scale for Council buildings and through community focused initiatives

DISCUSSION

Potential benefits of a shared micromobility scheme in Darebin

The benefits of a shared micromobility scheme is dependent on participation rates.

Based upon statistics from the Victorian trial, should Darebin allow 500 shared e-scooters and e-bikes to operate within the municipality (this is comparable with current numbers in Yarra and Port Philip) this would equate to approximately 4,360 km of travel per day (1.6 million km per annum) being undertaken by shared scooters and e-bikes.

Given surveys show 46% of trips replace a private vehicle trip, 2,006 km of the total e-scooter travel each day would replace private car trips (733,000 km per annum).

This would be expected to have the following effects:

- Reduced road congestion:
 - Reducing the number of private car trips will reduce congestion, particularly around activity centres and public transport. E-scooter and e-bikes are space efficient modes of transport, particularly in comparison to private cars. This could help Darebin community members access places more quickly and more often. Most e-scooter trips are less than 5km, replacing car-based travel during the 'last mile' – the distance between one's home and public transport for example.
- Decreased parking demand for private vehicles:
 - Reducing the number of private car trips, particularly around activity centres, will reduce the demand for Council's limited on-street parking spaces in locations where parking demand is high.
- Reduction in greenhouse gas emissions:
 - The existing shared mobility scheme has resulted in the elimination of private car trips that would have produced 991 tonnes of CO₂. If 500 shared micromobility devices were permitted and used in Darebin, it is anticipated that greenhouse gas emissions from road transport would be reduced by 131 tonnes per annum.
- Improvements to road safety
 - A foundation of Darebin's Safe Travel Strategy is to increase the number of active and sustainable transport users, reducing the negative effect of high impact road users (Trucks and freight, and car drivers and passengers). Removing private car trips from the network has a positive impact on road safety for vulnerable road users as well as encouraging more active travel, particularly around activity centres.
- Increased economic activity for local businesses
 - As part of the Neuron Mobility Rider Survey in 2022, 65% of trips taken on their shared mobility devices resulted in a purchase. Of these, 38% made a purchase at a local hospitality venue, 30% made a purchase in retail or supermarkets, and 16% visited a gym, movie or other event. The average spend for each rider trip was \$65.97. More can be found here: (<https://www.rideneuron.com/wp-content/uploads/2022/10/AU-Prosperity-Report-Oct-14.pdf>)
- Social and community benefits
 - Increased transport choice and connectivity: Shared micromobility would provide a new transport option for residents, particularly those who may be making multipurpose trips, trips to public transport or trips to activity centres. Shared micromobility can increase the distance considered to be 'local' from the 'walkable' 800m distance to the average micromobility trip length of 1.9km.
 - Improved transport equity: Areas poorly served by public transport, such as East Preston and East Reservoir, require long walks or waiting time to connect with activity centres and major public transport. Shared micromobility could increase the distance that could be more comfortably travelled by many residents in these areas, allowing for greater equity of transport across the municipality.
 - Improved personal safety: Improved transport options for first and last mile trips increases perceptions of personal safety when returning home at night on public transport by reducing the time and increasing the mobility for those community members.

- Revenue for Council
 - Shared micromobility operators pay a licensing fee to the municipality for operating within the area. The current rate (August 2023) is \$1 per device per day. If Council chooses to participate, the revenue will be dependent on the number of shared devices permitted and the current price when entering an agreement. The revenue could be used to off-set the cost of Council staff time to manage the scheme as well as the infrastructure improvements required to make the scheme successful.
 - The likely update of e-scooters in Darebin could be lower than Councils participating in the trial, which would reduce revenue.

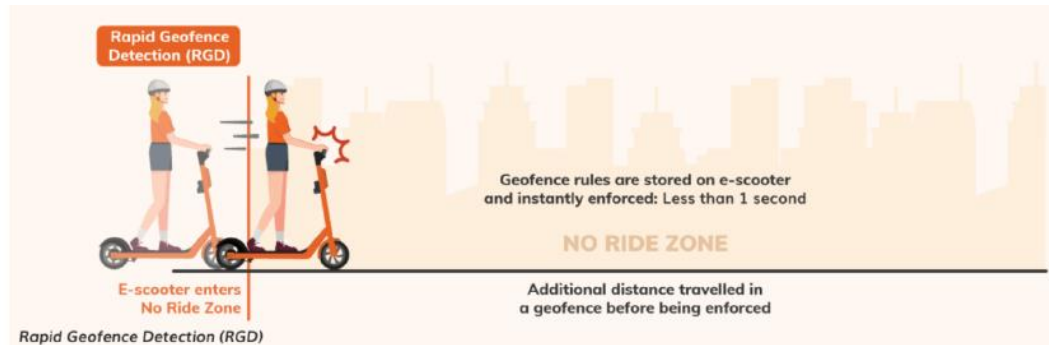
Potential challenges of a shared micromobility scheme in Darebin

Parking

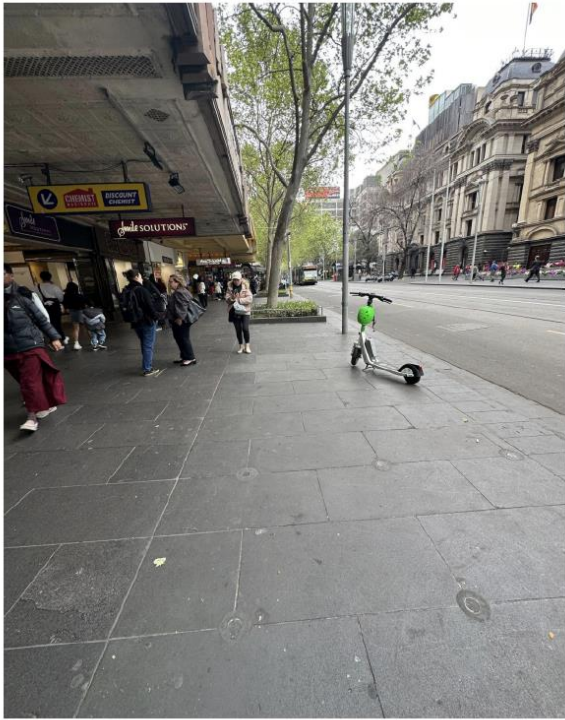
The storage of shared mobility devices (where those devices are both convenient for users by being near major activity generators whilst being separated from pedestrians using public space) is a challenge for councils and operators.

Without good planning and management, poor parking behaviour from riders can result in footpath clutter, making it difficult for pedestrians (particularly for those with mobility impairments) to pass through comfortably.

Councils and e-scooter operators have managed this issue by using *geofencing* to mark out dedicated parking areas for shared micromobility and specific 'no-ride' and 'no-parking' areas that will not allow the e-scooter to operate or finish the trip whilst it is in the area.



Operators also require photos to be taken of e-scooters parked on completion of a trip to demonstrate that it is done appropriately. One operator also checks 100% of these photos to ensure compliance whilst another uses augmented reality (AI) to enhance device location accuracy at trip end.

<p><i>Photo Example</i></p>	
	<p>Accuracy - ✓ Tidiness - ✓ Stability - ✓</p>

As part of a potential Council agreement, the primary responsibility to manage poorly parked devices would rest with operators to remove and relocate e-scooters within agreed timeframes.

Councils participating in the trial are implementing designated parking areas in high density areas. Designating parking helps to minimise cases of non-compliant parking and works best in areas where there is a high density of devices and a high density of parking stations. These designated parking spaces are both on street and off street, with off street parking preferred where safe to do so. The on-street parking used by shared mobility devices is anticipated to be offset by the reduction in parking demand.

Operators would prefer free standing parking for reasons due to convenience and allows for parking of e-scooters closer to preferred trip beginning and end points. This would include locations near to shops, public transport and entertainment in activity centres.

However, in higher demand areas Council would need to create designated parking areas. Options include:

- Converting on-street parking spaces. This could include nearby side streets.
- Designated e-scooter/e-bike parking in appropriate off-street locations.



By restricting shared micromobility parking to only pre-approved locations the accessibility of public space for other path users such as persons with disability, including wheelchair users, people with poor or no vision, pedestrians, and cyclists is improved.

As there are no Australian Standards for parking of e-scooters, officers from the participating Councils are leading discussions with Department of Transport and Planning (DTP) on parking guidelines which could identify appropriate parking locations and their design.

To manage malicious parking, such as in local waterways, operators use 'no-ride' and 'no-parking' geofences near waterways selected in conjunction with Council officers. Should a device be thrown into a waterway, devices shown to go offline or experiencing high vibration near waterways are flagged with the operator who will immediately retrieve (if safe to do so) or use specialist marine retrieval services (at operator cost).

Safety

Current statistics from micromobility operators in Melbourne indicate that there are 0.35 serious (hospital inpatient) or critical (life threatening injury) crashes per 100,000 km for shared mobility riders.

Given the short period during which e-scooters have been legally operating in Melbourne, it is unclear whether e-scooters are statistically more or less safe than cycling. A report by the European Commission in 2021¹ indicated that there is no difference in the risk of rider fatality per trip between e-scooters and cyclists, and the risk of hospitalisation is roughly equivalent between e-scooter riders and cyclists.

Crash rates are currently very difficult to assess in Melbourne and Australia, as e-scooters are not reported separately through official road safety statistics. Under an agreement with Council, operators would be required to report moderate, serious or critical incidents to Council. Operators currently report that there are fewer than 2 hospitalisations per 100,000 km travelled.

¹https://road-safety.transport.ec.europa.eu/system/files/2021-07/road_safety_thematic_report_personal_mobility_devices_tc_final.pdf

Shared micromobility operators have insurance covering Public Liability Insurance, Personal Accident Insurance (covering shared mobility users), and 3rd Party Liability Insurance (covering damage and injury for third parties). 3rd Party Liability Insurance will cover parties even if the scooter was being used in contravention to road rules or under rider impairment.

Safe infrastructure

A study of European cities in 2023² showed that the major barriers to using shared micromobility schemes is the lack of cycling infrastructure, poor road conditions and convenience of alternative transport options.

Without connected and comfortable cycling infrastructure that e-scooters could use in Darebin, potential users may perceive their safety more negatively, reducing the take up and diluting many of the scheme's benefits whilst encouraging more footpath riding.

Enforcement of user behaviour

Footpath riding can be an issue for shared micromobility, particularly in locations where riding on the street feels unsafe, resulting in pedestrians feeling unsafe. Both operators have improved their management of footpath riding using a combination of GPS, geofencing (where scooters stop working or slowdown in chosen geographic locations, such as parks and footpaths) and on-board cameras, known as Camera Position System, where Artificial Intelligence is being trialled to determine potential footpath riding in real time. Where footpath riding is detected, the e-scooter will only travel at a maximum speed of 4km/h.



Poor rider behaviour is managed through 'progressive discipline' that can include pre-ride education, in trip guidance and warnings (such as audio messages telling riders to leave the footpath), and post-trip warnings, fines and possible rider suspension or expulsion. The below is an example of progressive discipline from an e-scooter operator.

² <https://www.sciencedirect.com/science/article/pii/S2213624X23000998>



Progressive Discipline Policy

OFFENCE 1	OFFENCE 2	OFFENCE 3	OFFENCE 4	OFFENCE 5
WARNING	\$10 FINE	\$25 FINE	1 WEEK SUSPENSION	PERMANENT SUSPENSION
<p>Email Message</p> <ul style="list-style-type: none"> • Informs riders of the infraction. • Notifies riders of a fine upon the next infraction. • Provides safety tips. <p>In-App Message:</p> <ul style="list-style-type: none"> • Informs riders of the infraction and provides safety tips to avoid fines. 	<p>Email Message</p> <ul style="list-style-type: none"> • Informs riders of the infraction and \$10 fine. • Notifies riders of a fine higher (\$25) fine upon the next infraction. • Provides safety tips to avoid fines. <p>In-App Message:</p> <ul style="list-style-type: none"> • Informs riders of the infraction and fine. • Provides safety tips to avoid fines to avoid fines. 	<p>Email Message</p> <ul style="list-style-type: none"> • Informs riders of the infraction and \$25 fine. • Notifies riders of a temporary account suspension upon the next infraction. • Provides safety tips to avoid fines. <p>In-App Message:</p> <ul style="list-style-type: none"> • Informs riders of the infraction and fine. • Provides safety tips to avoid fines to avoid fines. 	<p>Email Message</p> <ul style="list-style-type: none"> • Informs riders of the infraction and a one week suspension. • Notifies riders of a permanent account deactivation upon the next infraction. • Provides safety tips to avoid fines. 	<p>Email Message</p> <ul style="list-style-type: none"> • Informs riders of repeated violations. • Notifies riders of account deactivation. • Emphasizes the need for courteous and compliant parking practices.

Operators have also implemented pre-ride screening to determine a rider’s reaction to deter riding under the influence of drugs or alcohol.

Breaches of the Road Safety Road Rules 2017 are traffic offences, enforceable by Victoria Police only. This includes failure to wear a helmet, riding an e-scooter on a footpath, tandem riding and other breaches.

Privately-owned e-scooters

Privately-owned e-scooters which meet Victorian Government rules became legal to use in March 2023 in all municipalities of Victoria.

Encouraging compliant user behaviour will be more challenging than with commercially operated schemes because private e-scooters do not have geofencing, on-board cameras or audio queue technologies or progressive discipline protocols. Private e-scooters do not have any parking restrictions either.

The implications of this are still being determined. It is expected that some owners will prefer to park private e-scooters off-street for security reasons and that bike racks may be useful for those parking on-street.

Interstate and international experiences with shared micromobility schemes

Shared micromobility has become very popular across Australasia, with providers servicing over 50 locations across Australia and New Zealand. This includes both city mobility, commuter and tourist focussed shared micromobility. Melbourne is the most popular location for shared micromobility in Australasia, with 6,900 trips per day, despite only having 3 municipalities currently participating in the trial.

Internationally the growth of shared e-scooter programs has been very strong with experiences varying upon local factors. The benefits and challenges of shared micromobility schemes is very dependent on the city in which it is operating, particularly in terms of existing public transportation networks, urban planning, walkability, modal share and road design. These impact the number of private vehicle trips that are replaced by shared micromobility, which affects the benefit/risk trade-off. Melbourne’s experience of private car trip replacement compares very favourably with international examples.

Alignment with Darebin Strategies

Darebin Transport Strategy (2007-2027)

Micromobility aligns with the Darebin Transport Strategy (DTS) vision:

In 2027 Darebin is a community where transport plays a positive role in connecting residents, visitors and employers so that its social networks are strong, local and metropolitan opportunities are accessed easily and the local economy prospers. This is achieved while the people and businesses of Darebin increasingly live within their means, using natural and human resources wisely to reduce the negative environmental and social impacts of travel.

Shared micromobility provides improvements to connections to local destinations, and connects residents with local services, businesses and employers. This is done in a sustainable way that helps improve transport choice for residents and improves transport sustainability.

Many of the Policies and Actions within the DTS support promoting an increase in more sustainable transport modes and prioritise alternatives to transport modes that have a high negative impact on vulnerable road users (i.e. passenger vehicles).

With specific reference to micromobility, Action 30-4 is to *Monitor long term changes in commuting and transport behaviours and incorporate this into Council's transport improvements planning via its Local Area Placemaking programs. Manage emerging transport technologies, such as micromobility, on a case-by-case basis.*

Darebin Safe Travel Strategy 2018-2028

Participation in the Victorian e-scooter trial would align with Goal 3 of the Darebin Safe Travel Strategy: *Encourage more people to adopt active and sustainable transport.* This relates to reducing the proportion of high impact road users that have been demonstrated to have the most detrimental effect on road safety, i.e. passenger vehicles.

Darebin Walking Strategy 2018-2028

Participation in the Victorian e-scooter trial would align with Goal 1 of the Darebin Walking Strategy: *Upgrade the walking network and enhance connectivity across the municipality.* This relates to improving connections to important destinations, to connect with public transport, and to support local businesses and services.

Operating model options

The operating model options available to Council for Darebin regarding an e-scooter trial and/or ongoing program include:

1. Joining with a consortium of other M9 Councils – Recommended if Council wishes to proceed.
2. Creating an individual agreement with operators for servicing Darebin.

The costs and revenue of these options are covered below.

Option 1

Participating through the M9 group would have the advantages of shared knowledge, economies of scale, shared tendering and procurement, shared standards and greater ability to influence operators to implement changes that benefit councils and communities.

This would likely require Darebin to conform with agreed upon standards of infrastructure (eg, standardised signage for parking bays across M9 Councils) to create a connected network of shared micromobility across participating Councils.

E-scooter operators are only permitted to operate if the operator has an explicit agreement with the local council to operate in their municipality. There is an existing 'Commercially Operated Share Scheme' (COSS) agreement between existing operators and the currently participating councils. Should Darebin look to participate in the scheme one of the options is to join this agreement by Darebin adding itself as a party to this COSS.

If Council wishes to proceed with an operating project to join an e-scooter service, this is officer's recommended approach.

Option 2

The second option is to consider an operating project for Darebin Council to create its own direct agreement with operators and tender for their services in Darebin directly. This would have the advantage of greater flexibility of terms within the COSS agreement with the operator/s, and allow Darebin to select their preferred operators independently from the M9 Councils.

This would require significantly more resources to undertake due to the additional procurement required, risk leaving Darebin disconnected with neighbouring municipalities depending on the successful tenderers, and to create the partnerships without the depth of knowledge of the existing M9 Council trial participants who have been managing shared micromobility for several years already.

CONSIDERATION OF LOCAL GOVERNMENT ACT (2020) PRINCIPLES

Financial Management

Both operating and capital budget will be needed to implement a shared micro-mobility scheme (detailed below).

Should Council wish to proceed, it could consider funding through the budget process and, through future Council Plan development.

Micro-mobility is not included in the 2021-25 Council Plan.

Operational Implementation Costs

An additional, full-time officer would be needed to implement the scheme for 12 months, at an expected cost of \$100,000.

In the following years, program staff resourcing is expected to drop to 0.5 ETF.

Revenue

The cost of implementing and running the scheme could be off-set in-part by revenue.

The current revenue provided to Councils for licensing the shared micromobility scheme in the trial area is based upon the *maximum* number of devices permitted in the Local Government Area.

This is currently set at \$1 per scooter per day. Based the experience of other Councils, officers anticipate being able to deploy 500 e-scooters/bikes within Darebin. Based upon these figures, officers anticipate additional revenue of \$182,500 per year paid from shared mobility operators should Darebin choose to participate in the scheme.

That said, uptake may be significantly lower, and this would reduce revenue.

Capital costs

The management of shared mobility will require minor capital expenditure through the creation of shared micromobility parking in dedicated parking zones near major activity centres and destinations. This would include signage, line-marking, kerbing and decals to create safe places for e-scooters and bikes, to work in concert with local venues and operator geofencing.

It is considered that the required capital investment would be between \$40,000 in the first year and only minor costs in following years that could be supported by the on-going 'signs and lines' program.

By committing to engaging with the scheme through the M9 group of Councils, Darebin would be committing to standardising its shared micromobility infrastructure to ensure consistency across participating inner-Melbourne LGAs. This would include line-marking and signage where required.

Community Engagement

Should Council choose to take part in the shared mobility trial scheme, officers would undertake a targeted consultation of specific groups and advisory committees within Darebin. This consultation would ask for issues that officers would want to work with operators on to improve the service being provided to the community.

Officers would inform the community about the shared mobility service, its benefits to the community, receive and respond to community service requests (which may include referring to the operator for resolution). The Customer Service team would be provided information on this.

This approach is consistent with the processes of other participating councils where schemes have commenced from a council resolution permitting the CEO to engage into an agreement with shared mobility operators. Participating councils are able to opt out of the scheme at any time, so feedback and engagement would be ongoing.

Other Principles for consideration

Overarching Governance Principles and Supporting Principles

- (a) Council decisions are to be made and actions taken in accordance with the relevant law;
- (b) priority is to be given to achieving the best outcomes for the municipal community, including future generations;
- (c) the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted;
- (e) innovation and continuous improvement is to be pursued;
- (f) collaboration with other Councils and Governments and statutory bodies is to be sought;

Public Transparency Principles

- (c) Council information must be understandable and accessible to members of the municipal community;
- (d) Public awareness of the availability of Council information must be facilitated

Strategic Planning Principles

- (b) strategic planning must address the Community Vision;
- (c) Strategic planning must take into account the resources needed for effective implementation;
- (d) strategic planning must identify and address the risks to effective implementation;
- (e) strategic planning must provide for ongoing monitoring of progress and regular reviews to identify and address changing circumstances;

Service Performance Principles

- (a) services should be provided in an equitable manner and be responsive to the diverse needs of the municipal community;
- (d) a Council should seek to continuously improve service delivery to the municipal community in response to performance monitoring;

COUNCIL POLICY CONSIDERATIONS**Environmental Sustainability Considerations (including Climate Emergency)**

Data has shown that 46% of all shared electric scooter and bike trips are replacing private vehicle trips, which is expected to reduce Darebin's greenhouse gas emissions. So far, the shared mobility scheme in Melbourne is estimated to have saved 991 tonnes of CO₂ from private vehicle usage. Should 500 shared mobility devices be provided in Darebin, it is anticipated that 730,000km of car trips would be saved each year, reducing greenhouse gas emissions by 131 tonnes per annum.

Equity, Inclusion, Wellbeing and Human Rights Considerations

Operator surveys have indicated that approximately 5% of shared mobility scheme users live with a disability or mobility impairment. These users demonstrate a higher likelihood to use the scheme for running errands and essential trips, commuting, going to appointments, and connecting to public transport.

E-scooters provide community members living with mobility impairments with an ability to extend their walkable area, which provides them with greater connectivity with the community and services, particularly in areas not well served by public transport.

Both e-scooter operators participating in the companies in the Victorian trial run concession programs for healthcare card holders and those receiving benefits, providing discounted fares of up to 50%.

Economic Development and Cultural Considerations

Shared micromobility encourages additional trips to be made within the local area. With an average trip length less than 5km, local trips are prioritised over longer trips to neighbouring municipalities or larger shopping centres far from home.

Shared micromobility is a strong driver of economic activity, with 65% of trips taken resulting in a purchase. Of these, 38% made a purchase at a local hospitality venue, 30% made a purchase in retail or supermarkets, and 16% visited a gym, movie or other event. The average spend for each rider trip was \$65.97. Shared micromobility provides an option for residents to easily travel further than their typical walking distance without requiring a car trip, necessitating parking and often a longer trip away from Darebin's local shopping centres.

Operational Impacts

Shared micromobility scheme status

The extended trial of Victorian shared e-scooter scheme is scheduled to end on 5 April 2024. No announcement has been made on the future of the scheme after this date. Moving beyond 5 April 2024 may include a further extension of the trial, making changes permanent, the cessation of the trial, and/or changes being made to the way that shared micromobility can operate in Victoria.

Whilst Council can decide whether it participates in a shared micromobility scheme, either as part of the M9 group of Council or by itself, this would be contingent on a future announcement by the Victorian government about the future of e-scooters and shared micromobility.

Local operations and events

Operators have shown a willingness in currently participating municipalities to work with councils during major events to relocate and temporarily increase the number of shared micromobility devices to cater for increased demands. Temporary geofencing, no-ride, no-parking and go-slow zones have been implemented during events to manage shared device usage during events and major road disruptions.

Shared micromobility management would need to be included in event management processes to ensure that the transport system works as intended. Some examples include, the Australian Open, Melbourne Grand Prix and the St Kilda festival. Similar event management strategies could be employed in Darebin.

Parks and Open Space

Planning work would need to occur to ensure that areas of importance are geofenced correctly and parking of shared micromobility devices does not detract from park safety, biodiversity and operations.

Legal and Risk Implications

As part of the Victorian e-scooter trial, both shared and private e-scooter usage is legal on Victorian roads (see Background section).

E-scooter operators are only permitted if the operator has an explicit agreement with the local council to operate in their municipality. By working with the M9 councils, these agreements can be standardised and operators can be bargained with collectively to ensure consistency of service across the service area. There is an existing 'Commercially Operated Share Scheme' (COSS) between existing operators and the currently participating councils and, should Darebin look to participate in the scheme. One of the options is to join this agreement by Darebin adding itself as a party to this COSS.

The benefits of a larger scheme include allowing users to make more and longer trips; economies of scale; and greater value for operators leading to increased investment, improved technology, greater employment, better service and higher performance standards.

It should be noted that, if circumstances necessitate a change, Darebin Council would be able to opt-out from the COSS at any stage.

IMPLEMENTATION ACTIONS

Participating in the shared mobility scheme

If Council chooses to participate in the shared micromobility scheme the recommended operating model is through the M9 group of Councils.

Participating through the M9 group would have the advantages of shared knowledge, economies of scale, shared tendering and procurement, shared standards and greater ability to influence operators to implement changes that benefit councils and communities. It is expected that standards relating to parking would bring about consistency. Interactions with the M9 scheme would be undertaken at CEO level. A Council resolution would give the CEO authority to join the scheme through the M9 group on behalf of Council.

This would lead to approximately 6 months of procurement and a further 6 months of implementation by Council officers. The expected date of implementation would not be expected to be before 2025.

RELATED DOCUMENTS

- Darebin Transport Strategy 2007-2027
- Darebin Walking Strategy 2018-2028
- Darebin Safe Travel Strategy 2018-2028
- E-scooter in Victoria: Summary of trial findings March 2023

Attachments

Nil

DISCLOSURE OF INTEREST

Section 130 of the *Local Government Act 2020* requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any conflicts of 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.

9.6 FACILITATION OF MAJOR DEVELOPMENTS BY THE VICTORIAN GOVERNMENT AND PROPOSED INTRODUCTION OF PRE-APPLICATION FEES

Author: Manager City Futures
Acting Manager City Development

Reviewed By: General Manager City Sustainability and Strategy

EXECUTIVE SUMMARY

This report concerns recent reforms to the planning system which will see major developments approved by the Minister for Planning and seeks to formalise Council's response to these applications when notified by the Victorian Government.

Major developments within the municipality shape our neighbourhoods, can affect a large number of residents and will accommodate existing and new members of our residential and business community.

Through a series of reforms over past years the Victorian Government has progressively removed a range of major development categories from the decision-making powers of councils. Most recently, this trend was accelerated through the series of reforms associated with the Victorian Housing Statement, when two state-wide amendments to planning schemes shifted decision-making powers from councils to the Minister for Planning:

- New Clause 53.22 (Significant economic development) and
- New Clause 53.23 (Significant residential development with affordable housing).

These reforms will significantly reduce Council's ability to influence development outcomes for major developments and achieve its policy objectives, as well impacting people's ability to participate in planning for their local neighbourhoods.

Additionally, by creating alternative Victorian Government assessment pathways that avoid Council, there is a significant impact on fees that Council will receive from statutory planning applications.

The details and impacts of these issues have been discussed amongst different councils, with a view to developing a coordinated advocacy campaign and developing solutions to the issues that are being created.

To respond to these reforms and to seek to ameliorate the impact on Council's revenue and maintain a level of influence in major development applications, a modification to providing advice and assessment for applicable major development applications is required. To enable this new approach, it is recommended that Council introduce new pre-application advice fees for major developments and modify the applicable instrument of delegation to enable senior council officers the ability to provide advice to the Victorian Government within the expected timeframes.

Officer Recommendation**That Council:**

- (1) Notes that the State Government's *Housing Statement* targets 800,000 new dwellings, and that recent amendments to all Victorian planning schemes to support the *Housing Statement* shifts decision-making powers to the Minister for Planning for major developments via the development facilitation program.
- (2) Notes the impact of these reforms on Council's ability to sufficiently fund the statutory planning assessment process.
- (3) Notes the reduction in transparency for decision making, and the diminution of resident's ability to participate in and influence major planning decisions through the Victorian Government's development facilitation program.
- (4) Advocates both as a single organisation and through its networks for a statutory fee sharing approach with the Victorian Government for major development applications, to enable some costs recovery for local, technical advice and assessment.
- (5) Resolves to continue providing a full advice and assessment service for major development applications if a) the Victorian Government agrees to a statutory fee sharing approach and/or b) if the applicant pays the specified pre-application advice fee.
- (6) Seeks to introduce new pre-application fee(s) for major developments as part of the 2024/25 budget process, generally as follows:
 - a. Pre-application Stage 1 – 25% percent of the normal planning application fee.
 - b. Pre-application Stage 2 – 25% percent of the normal planning application fee.
 - c. Pre-application Stage 3 – 25% percent of the normal application fee (if deemed necessary by the Manager of City Development due to the scale of the project and required assessment).
- (7) Resolves to adopt the following approach when notified of a major development application if a) no fee sharing model has been agreed with the Victorian Government and/or b) the applicant has not paid the pre-application fee:
 - a. Advise prospective applicants that Council will not engage in pre-application meetings where they intend to lodge with the Victorian Government.
 - b. Provide high-level advice and response to the Victorian Government, indicating potential issues and key matters to be addressed.
 - c. Due to the limited timeframe, Council's response to be provided by Council officers in accordance with the instrument of delegation.
 - d. Dedicate resources to providing the best service possible to applicants who choose to apply through Council and not the Victorian Government.
- (8) Resolves to modify the '*S6 – Instrument of Delegation to Members of Council Staff*' to delegate to senior executives and managers the power to respond to the Minister / Victorian Government when they give notice to Council of a planning application that they are assessing under either Clause 53.22 or Clause 53.23 of the Darebin Planning Scheme.

BACKGROUND / KEY INFORMATION

Over the past 5 years, the Victorian Government has changed the Victoria Planning Provisions (VPPs) to reduce the decision-making powers of councils, and/or input for a range of projects and planning permit applications:

- Level Crossing Removals (CI 52.03)
- Victorias Big Housing Build (CI 52.20)
- State Projects (CI 52.30)
- Major Road Projects (CI 52.35)
- Rail Projects (CI 52.36)
- Renewable Energy Facility (Other than Wind Energy Facility) (CI 53.13)
- Non-Government Schools (CI 53.19)
- Homes by or on Behalf of Homes Victoria (CI 53.20)
- State Transport Projects (CI 53.21)
- Minister is the responsible authority (CI 72.01).

In the past, the Victorian Government informally incorporated feedback from councils into these applications on an ad-hoc basis, usually through attendance at pre-application meetings, informal referrals requesting advice and public notice of applications to councils as an interested party.

Darebin Council has dedicated the same resources and attention to these projects as if they were lodged directly with Council, resulting in significant officer and management oversight, internal technical referrals, Councillor briefings and consultation and preparation of detailed responses with technical advice to the Victorian Government.

Delegation

[S6 – Instrument of Delegation to Members of Council Staff](#) delegates to officers (Management) the power to respond to the Minister / State Government for all the above scenarios. It also provides more general delegation for the following scenarios:

- *Power to respond to the Minister / State Government when a planning matter has been informally referred to Council.*

Recent reforms

On 20 September 2023, the Victorian Government released the Housing Statement which sets a target to build 800,000 new homes across the State by 2034 and commenced implementation with amendments to all Victorian planning schemes. Two recent amendments in particular shift decision-making powers to the Minister for Planning for some major developments:

- New Clause 53.22 (Significant economic development) and
- New Clause 53.23 (Significant residential development with affordable housing).

Under these new provisions, where criteria are met, applicants can choose to apply to the Victorian Government for planning permits. Criteria include the cost of the development, for example residential development being at least \$50 million and certain economic development proposals ranging from \$10 million to \$100 million.

The planning scheme changes do not provide any formal referral mechanism for councils to be involved in these projects. Instead, obligatory notice will be provided as required under Section 52 of the *Planning and Environment Act 1987* (advertising of an application).

One of the primary benefits for applicants and proponents of pursuing the development facilitation process through the Victorian Government is that the community and councils cannot appeal a decision to VCAT.

Council Statutory Planning Priorities

Council's decision making in recent years has resulted in a very low number of planning permit applications being refused, with over 95% of applications approved.

In the current financial year (23/24), the majority (85%) of Council's decisions appealed have been upheld by VCAT (including all mediated decisions), reflecting positively on Council's robust decision making.

It is a priority of the Statutory Planning Unit to continue to improve decision timeframes of planning permit applications lodged with Council, whilst maintaining high quality decision outcomes that achieve the communities aspirations for their neighbourhoods.

Revenue

A small number of high value, major project development applications contribute between 10 and 20 percent of Council's Statutory Planning Department's annual revenue, depending on the nature of applications received in any given year. For example, a major project application that has a development value of \$50 million+ can generate initial application fees of \$62,500.

This revenue is vital to ensure Council can resource its statutory planning services at the levels needed to meet statutory time requirements and development outcomes. It also upholds the principle of commensurate cost-recovery; with major applications with significant consequences for the Darebin community requiring a greater level of informed and detailed assessment and negotiation. Once pre-application discussions are considered, Statutory Planning (and other Council teams) may be involved for a year or more providing advice and support for major development applications.

It is reasonable that the costs of assessing these major developments – which generate significant private benefit and profit – should be offset in part by statutory fees.

In this financial year (23/24), it is anticipated that at least two major projects will choose the Victorian Government pathway, meaning a loss in revenue of at least \$125,000, which is a significant contribution to recover the cost of assessment of these applications. The number of major developments pursuing the Victorian Government pathway is anticipated to be greater than five per annum.

Council does not currently have an adopted fee schedule to allow it to charge for pre-application planning meetings or any advice provided to the Victorian Government in response to receiving notice of a major development.

Council Asset & Community Consequences

The Victorian Government reforms to planning schemes create a range of concerns for Council in providing a consistent approach to community consultation and assessment, ensuring that detailed scrutiny and local knowledge is applied in decision-making.

In addition to Statutory Planning expertise, major development projects generally require technical input the following Council internal departments:

- Transport
- Environmentally Sustainable Development
- Contaminated Land
- Integrated Water Management
- Urban Design
- Landscaping
- Arborist
- Bushland
- Heritage.

The Victorian Government does not have these technical professions on hand and generally rely on the advice of private consultants engaged and paid for by developers and permit applicants, which form part of the materials submitted for approval.

If Council chooses not to engage with the Victorian Government on these projects, there is a concern that there could be a vacuum of input and scrutiny, particularly the provision of technical and local expertise for critical matters which could impact Council assets (drainage, roads, transport, trees), policy alignment and overall design quality. This could result in poor outcomes for the communities in proximity to these proposed developments.

Cross-council meetings with the Department of Transport and Planning

The Victorian Government did not consult with Council or the community before implementing the new planning provisions. The Municipal Association of Victoria (MAV) has generally been opposed to the Victorian Government approach but as of yet has not formally identified the specific consequences for councils.

Since October 2023, M9 has been discussing the impacts of these changes. This has included presentations from the Department for Transport and Planning (DTP) on the reforms and discussion about the consequences.

The policy changes primarily affect inner metro Councils, primarily the M9 Council's, as that is where major developments of this scale occurs. Some councils with experience in dealing with development facilitation by the Victorian Government have shared their experiences and processes.

Previous Council Resolution

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

ALIGNMENT TO 2041 DAREBIN COMMUNITY VISION

Strategic Direction 2: Prosperous, Liveable and Flourishing

ALIGNMENT TO 2021-25 COUNCIL PLAN

Strategic Direction 4 Responsible, Transparent and Responsive

ALIGNMENT TO COUNCIL PLAN STRATEGIC OBJECTIVES

4.4 We will ensure major changes in our city achieve significant improvements in our City

DISCUSSION

As the reforms have already been implemented, the decisions before Council now concern:

- a) the degree of involvement and assessment that Council will provide at pre-application stage and when notified of major development applications by the Victorian Government development facilitation program; and
- b) the ability to recover a portion of likely permit application fees to cover the costs of any assessment provided.

Broadly, without any pre-application fee schedule in place to recover some assessment fees, there are three approaches currently available to Council that could be adopted in response to applicants that intend to lodge with the Victorian Government or where they already lodged, in responding to notification of major development application (including Homes Victoria and private school applications).

1. Council does not engage with the process as it currently stands (i.e., no revenue / formal role), including turning down pre-application requests that come direct from applicants.

OR

2. Council officers provide a “light” and high-level response to projects, once and only when formally notified, including turning down pre-application requests that come direct from applicants.

OR

3. Council continues to provide full input and service to the Victorian Government (and applicants) for these applications without any fee recovery, including facilitating free pre-application requests that come direct from applicants.

Option 1: Do not engage / No provision of advicePositive:

- The Victorian Government is solely accountable for the decisions it makes, both in terms of technical assessments and community feedback.
- Minimises to the greatest degree possible the demand on Council resources and allows Council to focus on improved customer service for applications that are lodged with it.

Negative:

- Developments are assessed and approved by the Victorian Government without local technical input and knowledge, usually with substandard scrutiny and associated risk of poor-quality outcomes for the community and Council assets.
- Loss of significant fee revenue with Statutory Planning over the long-term (a structural loss/subsidy of the Victorian Government has effectively been created).
- Reduce professional development opportunities and exposure to major developments for Council staff (which supports service and customer experience improvements).
- Councillor and community may expect Council to participate and advocate for quality outcomes and community interest.
- Lack of community awareness of the difference between Council and Victorian Government approved projects.
- Council more likely to receive majority of complaints for a Victorian Government approved development.
- Council retains responsibility for enforcement of the projects, without having influence on the outcome and conditions on the planning permit.

Option 2: 'Light touch', high-level responsePositive:

- Council wields some influence (minimal) through advice and professional relationships. Advocates for some critical matters.
- It provides professional development opportunities for Council staff who may otherwise not be exposed to such major projects.
- Council can advocate for (but can't guarantee) inclusion of 'secondary consent' conditions on permits that require an applicant to submit information and/or undertake tasks/works to Council's satisfaction.
- Minimises the demand on Council resources, but doesn't eliminate all effort.

Negative:

- It can be difficult to undertake a "light" assessment. While such an approach may be less resource intensive, it still requires due consideration.
- Blurs the sole accountability of the Victorian Government for the decisions it makes.
- Continues to be a significant loss of fee revenue with Council over the long-term.
- Additionally, by only providing input when formally notified by the Victorian Government – and not at the informal pre-application stages – Council risks the design having advanced beyond a level where significant change is possible and/or acceptable to the applicant.

Option 3: Continued 'full service' without fee recoveryPositive:

- Council wields some influence (minimal) through advice and professional relationships. Advocates for some critical matters.
- Provides professional development opportunities for Council staff who may otherwise not be exposed to such major projects.
- Council continues to advocate for quality outcomes in the areas of Council assets, policy alignment and community interest.

Negative:

- Resource intensive without any revenue gain to offset the cost of assessment. In essence, a cost subsidy of the Victorian Government.
- There is no reason that the Victorian Government will consent and participate in a revenue share agreement.
- There is no formal arrangement in place that ensures that Council's position is upheld / integrated into decision making, potentially making this approach a fruitless activity on occasions and/or in part.

Recommended long-term approach

Council's technical input for major developments is vital in advocating/providing for appropriate outcomes on critical matters such as impacts to Council assets (drainage, roads, transport, trees), policy alignment and overall design quality. It is thus suggested that a complete 'opt out' (Option 1) is not an ideal approach, as it removes any opportunity for Council to influence the form of major developments and leaves the organisation beholden to implementing the decision of the Victorian Government and resolving major faults/failings.

Consequently, it is suggested that the next most favourable approach is a continued 'full service' model (Option 3), in conjunction with charging fees, as this maximises Council's potential influence on the development outcome. To implement this, a new pre-application fee category needs to be established and endorsed.

Accordingly, it is recommended in the first instance Council seeks to offset the impact of the loss of statutory fees by a) advocating for a fee sharing approach with the Victorian Government, and b) creating a new discretionary fee for pre-application meeting for major developments that could qualify to lodge with the Victorian Government / intend to be lodged with the State Government. The broad mechanics of this approach are:

1. In an example where an applicant has gone directly to the Victorian Government (without a pre-application phase), create a new discretionary fee schedule and formalised approach to issuing invoices to the Victorian Government (or directly to the applicant) when approached for planning advice. The fee being 50% percent of the normal application fee.
2. For all applicable major development applications, seeking pre-application advice from Council, Council will create a new discretionary fee schedule and formalised approach to issuing invoices, charged as follows:
 - Pre-application Stage 1 – 25% percent of the normal application fee.

- Pre-application Stage 2 – 25% percent of the normal application fee.
- Pre-application Stage 3 – 25% percent of the normal application fee (if deemed necessary by the Manager of City Development due to the scale of the project and input from Council).

After scenario 2, depending on the whether the applicant chooses to pursue the Victorian Government development facilitation approach, or continues with Council, either of the following would then occur:

- (a) Council assessment: If after receiving pre-application advice from Council the applicant chooses to lodge with Council, the pre-application fees would be reimbursed, minus the cost of any normal pre-application fee that may be in place.
- (b) Victorian Government assessment: If after receiving pre-application advice from Council the applicant chooses to lodge with the Victorian Government, no fees charged when notified by the Victorian Government where the fees for two pre-application stages have already been paid to Council or where a cost sharing arrangement is in place between the Victorian Government and councils. (If no arrangement is agreed/fees paid, then only a “light touch” assessment will be provided).

Where the new fees are paid as above, Council will provide a full service (Option 3) to the applicant. However, while Council has the ability to set and charge the pre-application fee, the *likelihood of successfully charging the Victorian Government/applicant a fee (as outlined above) is low* or at least low to achieve in all cases.

With this in mind, and given the approach adopted by other municipalities, particularly Melbourne City Council which has experience in this area, it is recommended that Council adopt the following approach for all planning permit applications that the Minister for Planning is the Responsible Authority, (including Homes Victoria and private school applications) should the Victorian Government decline to enter into a fee sharing arrangement or should the applicant not pay the pre-application fee:

- “Light” Officer assessment through an executive summary that includes primary matters to be addressed.
- Applications are not brought to Councillors for review and consideration, but Councillors are periodically briefed at a high level on such applications.
- Dedicate resources to providing the best service possible to applicants who choose to apply through Council and not the State Government.

Next steps

To respond to these reforms and to seek to ameliorate the impact on Council’s revenue and maintain a level of influence in major development applications, a modification to providing advice and assessment for applicable major development applications is required.

To enable this new approach, it is recommended that Council:

- seeks to introduce new pre-application advice fees for major developments through the 2024-25 budget process, and
- modify the applicable instrument of delegation to enable senior council officers the ability to provide advice to the Victorian Government within the expected timeframes.

CONSIDERATION OF LOCAL GOVERNMENT ACT (2020) PRINCIPLES**Financial Management**

As outlined above, a small number of high value, major project development applications contributes between 10 and 20 percent of Council's Statutory Planning Department's annual revenue, depending on the nature of applications received in any given year. For example, a major project application that has a development value of \$50 million and over can generate initial application fees of \$62,500.

This revenue is vital to ensure we can resource our statutory planning services at the levels needed to meet statutory time requirements and development outcomes.

This financial year it is anticipated that at least two major projects will choose the State Government pathway, meaning a loss in revenue of at least \$125,000.

Community Engagement

As this item concerns a reform by the State Government, no community engagement by Council is proposed.

It should be noted that the Victorian Government reform reduces the public's ability to appeal decision making on major developments to VCAT.

The proposed pre-application fees would be tested with the community through the budget process consultation.

Other Principles for consideration**Overarching Governance Principles and Supporting Principles**

- (d) the municipal community is to be engaged in strategic planning and strategic decision making;
- (f) collaboration with other Councils and Governments and statutory bodies is to be sought;
- (i) the transparency of Council decisions, actions and information is to be ensured.

Public Transparency Principles

- (a) Council decision making processes must be transparent except when the Council is dealing with information that is confidential by virtue of this Act or any other Act;

Strategic Planning Principles

- (c) Strategic planning must take into account the resources needed for effective implementation;

Service Performance Principles

- (c) quality and costs standards for services set by the Council should provide good value to the municipal community;

COUNCIL POLICY CONSIDERATIONS

Environmental Sustainability Considerations (including Climate Emergency)

The reform from the State Government reduces the ability of Council to impose higher environmental sustainable design (ESD) standards on major developments, inline with Council's adopted positions.

Equity, Inclusion, Wellbeing and Human Rights Considerations:

As this is State Government reform, no Equity impact assessment (EIA) / Gender impact assessment (GIA) has been completed for this project by council staff. As the agent-of-change, the obligation to undertake such assessments rests with the State Government.

Economic Development and Cultural Considerations

The reforms from the State Government are anticipated to be neutral in relation to economic development and cultural activities, given that Council would likely have approved most major developments. The loss of influence on the form of the development approved by the State Government will reduce Council's ability to influence these outcomes at the local level.

Operational Impacts

This has been addressed in the body of this report above.

Legal and Risk Implications

A key risk to Council arising from these reforms concerns the financial impact resulting from a loss of planning application fee revenue.

Associated with this risk/consequence is the loss of influence on the form of development for major, transformative developments within the municipality, and reduction of Council's ability to minimise negative amenity impacts from major developments on local communities.

Council will need to manage the practical implications of decisions made by DTP/VicGov; for instance post-permit construction management, and implications for Council's infrastructure (such as roads and drainage).

IMPLEMENTATION ACTIONS

A range of implementation actions are specified in the recommendations contained in this report.

RELATED DOCUMENTS

Attachments

Nil

DISCLOSURE OF INTEREST

Section 130 of the *Local Government Act 2020* requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any conflicts of 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.

9.7 CONTRACT AWARD - CT202366 PROVISION OF HARD WASTE COLLECTION SERVICES

Author: Coordinator Climate Emergency and Environment Strategy

Reviewed By: General Manager Infrastructure, Operations & Finance

EXECUTIVE SUMMARY

The hard waste service provides households with a Council kerbside waste service the opportunity to dispose of items not normally accepted or possible to fit into a garbage, recycle or garden organics bin.

Following community consultation in late 2023, Council at its February 2024 meeting endorsed its preferred hard waste collection service model for the community on the basis of an initial 2 year booked hard waste collection service trial period. The adopted hard waste service to be offered is outlined below:

- A blanket collection service to occur in June and July 2024
- One booked collection service available to all households receiving the kerbside waste service of 2m3 per year (with an additional booked collection for people experiencing financial hardship) - set to commence in 2025
- Additional customer pays booked collection options for all residents - set to commence at the same time as the booked collection service.

This report recommends a preferred contractor to deliver these services to community. It provides information about the hard waste tenders received and compares the tender submissions in regard to their ability to deliver Council’s preferred hard waste service model.

It is proposed that Council endorses the preferred contractor to provide a blanket hard waste collection service for the community in 2024. It also proposes that Council endorse the introduction in 2025 of an initial 2 year booked hard waste collection service for residents that receive Council’s kerbside waste service. The 2 year booked hard waste collection term will allow Council to assess the community’s satisfaction with the new booked hard waste collection service model, and make any adjustments or changes if deemed necessary. Hence, the initial term of the contract when including both the blanket collection and the booked hard waste collection services will be 2 years 8 months. Furthermore, it is proposed that Council endorse the introduction of the customer pays hard waste service model for all residents. The customer pays service will commence in line with the introduction of the booked hard waste collection service.

Officer Recommendation

That Council:

- (1) Awards contract CT202366 for the delivery in June / July 2024 of a blanket hard waste collection service based on lump sum and schedule of rates fees outlined in confidential attachment **Appendix B** to
- (2) Awards contract CT202366 for the delivery of a booked hard waste collection service and customer pays booked hard waste collection service based on schedule

of rates fees outlined in confidential attachment **Appendix B** for an initial 2 year term to

- (3) Authorises the Chief Executive Officer to finalise and execute the contract documents on behalf of Council.
- (4) Authorises the Chief Executive Officer (or their delegate) to implement Council's preferred hard waste service type model and exercise the 3 x 2 year contract extension options (with CPI increase) subject to:
 - a. Council's endorsement of the findings of the initial 2 year booked hard waste collection service trial, and the adoption of a preferred hard waste service type model (subject to a future report for Council consideration).
 - b. the contractor achieving satisfactory performance reviews.
- (5) Notes the estimated contract cost over first 2 years 8 months of the contract is \$..... (incl. GST) and cap the total contract costs (inclusive of the option to exercise of all contract extensions) at \$..... (incl. GST).
- (6) Authorises the Chief Executive Officer (or their delegate) to review and approve variations up to a maximum of an additional% of the contract value for the contract term.

BACKGROUND / KEY INFORMATION

For approximately 12 years Council has offered residents with a Council kerbside waste service both a blanket hard waste collection service as well as a limited seasonal booked hard waste collection service. Both services are well used by the community.

One of the main reasons for providing a hard waste collection service is to minimise the incidence of illegal dumping across the municipality. Dumped rubbish can take many forms including household garbage, tyres, mattresses, furniture and electronics being dumped in parks, bushland and laneways.

In late 2023 Council undertook community consultation on the waste services it provides the community. This consultation also included consideration of the current hard waste collection service.

Council at its February 2024 meeting considered the outcomes of the community consultation and endorsed a preferred hard waste collection service model on the basis of an initial 2 year booked hard waste collection service trial period. The hard waste service to be offered is as follows:

- blanket hard waste collection service in 2024
- one booked hard waste collection service of 2m³ per year (with an additional booked collection for people experiencing financial hardship) - set to commence in 2025
- customer pays booked hard waste collection service option for all residents - set to commence in 2025 in line with the booked hard waste collection service.

Darebin City Council market tested the provision of the hard waste collection service. Subsequently, this report considers the hard waste tenders received, compares the tender submissions with Council's preferred hard waste service model and recommends a preferred contractor to deliver these services to the community.

The contract commencement date is 1 June 2024. This commencement date will accommodate the delivery of the blanket hard waste collection service scheduled for June / July of this year.

The initial term of the contract will be for 2 years 8 months as the contract end date will be aligned with the commencement date of the booked hard waste collection service; currently anticipated for February 2025. However, as the booked collection commencement date is yet to be formalised an indicative end date for the initial contract term is February 2027. Council at its discretion will have the ability to nominate the preferred hard waste service type model and extend the contract with up to 3, 2 year extension options at the end of the initial term subject to the contractor achieving satisfactory performance reviews.

The initial 2 year term will allow Council to assess the community's satisfaction with the new booked hard waste collection service model and make any adjustments or changes if deemed necessary. It will also ensure that all households have appropriate access to the service and it does not lead to unintended user behaviour such as a full year's worth of bookings being made in the first 6 months of the contract term.

Previous Council Resolution

In May 2011 Council resolved:

Consider as part of the 2011/2012 budget, the transition of the current booked hard waste service to an area based hard waste collection in 2012.

In March 2013 Council resolved:

A seasonal booked hard waste collection between October and December every year be introduced starting from October 2013.

In March 2014 Council resolved:

Continue to provide an annual seasonal booked hard waste collection between October and December every year.

In February 2024 Council resolved:

That Council endorses a 2 year trial booked hard waste collection for residents that receive Council's kerbside waste service, which will comprise of 1 blanket collection service in 2024, 1 booked collection of 2m³ per year, with 1 additional booked collection of 2m³ for people experiencing financial hardship, and extra collections available for all other residents at cost.

ALIGNMENT TO 2041 DAREBIN COMMUNITY VISION

Strategic Direction 3: Climate, Green and Sustainable

ALIGNMENT TO 2021-25 COUNCIL PLAN

Strategic Direction 3: Climate, Green and Sustainable

ALIGNMENT TO COUNCIL PLAN STRATEGIC OBJECTIVES

3.5 We will reduce waste and stimulate a local circular economy, where waste resources are re-used rather than discarded

4.1 We will ensure balanced and responsible financial decision making that meets the needs of our community now and into the future

4.3 We will transform our services and service delivery models to ensure they meet the current, emerging and future needs of our community

DISCUSSION

Procurement method

In accordance with Council's Social and Sustainable Procurement Policy, a public tender methodology was adopted. Tenders were advertised on Council's online portal website and in The Age newspaper. Tender conditions were based on Council's standard request for tender documentation and contract conditions were based on agreement for the supply of services.

Request for Tender

The request for tender was issued on 18 November 2023 and closed on 4 January 2024.

Details of the contractor(s) that submitted a proposal by the closing date and time and the tender evaluation process are outlined in the confidential attachment **Appendix A** issued under separate cover.

Tender Evaluation

All submissions were assessed for conformance and adherence to the tender compliance criteria, including requirements for insurances, OH&S policy and conflict of interest.

Details of the tender evaluation panel and the methodology for assessing the tenders received, reference checks and financial checks on tenderers are detailed in the confidential attachments **Appendix A** and **Appendix C** circulated to councillors under separate cover.

All tenders received were evaluated against the following pre-established criteria:

- Tender price
- Past performance & current work
- Availability and responsiveness
- Resources
- Quality
- Sustainability initiatives
- Local Young People - Employment pathways for young people
- Aboriginal People - Opportunities for Indigenous staff
- Empowerment of People with Disability
- Disadvantaged People - Opportunities for people experiencing disadvantage
- Gender Equity - Practices to Achieve Gender Equality
- Local Business content
- Conflict of interest declaration, OH&S plan
- Certificates of currency for insurances and WorkCover
- Compliance to specifications

CONSIDERATION OF LOCAL GOVERNMENT ACT (2020) PRINCIPLES

Financial Management

This service is to be funded via the waste service charge. Provision will be made within the annual waste operational budget for this service.

It is anticipated that over the entire life of the contract, the overall booked hard waste collection service costs (incorporating both the collection costs as well as disposal/recycling costs) will be similar in cost to the current hard waste collection service. Cost savings will be dependant on the community uptake of the new service.

Community Engagement

Community engagement on preferred hard waste collection models was undertaken in August – September 2023. The consultation was designed to be inclusive and collected information primarily via a combination of the Darebin Your Say page and workshops.

The outcomes of the community consultation were considered by Council at its February 2024 meeting. Council resolved to adopt a blanket hard waste collection service for 2024 and implement a booked collection service of 2m³ per year (with an additional booked collection for people experiencing financial hardship) as well as customer pays option for all residents.

The blanket collection will be carried out over June and July of this year with the booked (and customer pays) service set to commence in February 2025.

Other Principles for consideration

Overarching Governance Principles and Supporting Principles

- (a) Council decisions are to be made and actions taken in accordance with the relevant law;
- (c) the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted;
- (i) the transparency of Council decisions, actions and information is to be ensured.

Public Transparency Principles

- (a) Council decision making processes must be transparent except when the Council is dealing with information that is confidential by virtue of this Act or any other Act;

Strategic Planning Principles

- (c) Strategic planning must take into account the resources needed for effective implementation;

Service Performance Principles

- (b) services should be accessible to the members of the municipal community for whom the services are intended;
- (e) service delivery must include a fair and effective process for considering and responding to complaints about service provision.

COUNCIL POLICY CONSIDERATIONS

Environmental Sustainability Considerations (including Climate Emergency)

The Waste and Recycling Strategy in 2020 approved by Council maps a direction towards sustainable waste management in the Darebin community. The hard waste collection service is one of the delivery mechanisms in this strategy.

The Darebin Climate Emergency Plan 2017-2022 includes an action to continue providing the community with options for hard waste collections that separate recyclable material. The preferred tenderer demonstrated a strong commitment to environmental sustainability. The contractor has a greenhouse gas reduction policy and implemented it by purchasing carbon-neutral energy and operating a number of fully electrical hard waste collection trucks.

Equity, Inclusion, Wellbeing and Human Rights Considerations:

The preferred tenderer demonstrated a strong commitment to social initiatives and practices. It has a workplace diversity policy and works with different community groups.

The hard waste services have been designed to allow access for all that want the service.

Economic Development and Cultural Considerations

The public tender did not identify a local provider who was able to deliver this service as per the specifications. The waste and recycled product collected throughout the service is disposed of by the contractor.

The service is open to all residents and translators are available to assist residents from a culturally and linguistically diverse communities are aware of how to access the service.

Operational Impacts

Hard waste collection is an ongoing program for the collection, recycling and disposal of hard waste from residences across Darebin.

This contract is to replace the previous contract CT2021160 which has expired. This contract gives Council the flexibility to review its new hard waste collection service model throughout the life of the contract and implement any changes that better meets the community's needs.

Legal and Probity

Council's Procurement Policy mandates that a probity advisor be engaged for all projects valued over \$1,000,000. A probity advisor was engaged to provide an overview of the probity tasks and findings in relation to the tender evaluation process. A report was received from the probity advisor dated 12 March 2024 that concluded all probity requirements had been met – Refer to confidential attachment **Appendix D** issued under separate cover.

Risk and Environmental Implications

A risk management plan has been developed for this service. It has identified hazards associated with the delivery of hard waste collection services and proposed actions to manage those risks. To ensure risks are managed in line with the processes and practices set out in the Council guidelines, officers will monitor the risk management plan and take appropriate action.

Key environmental risks have been identified by the preferred tenderer and included in the submission. An environmental management policy and emergency procedures are contained in the submission.

IMPLEMENTATION ACTIONS

Subject to Council's decision, the contract will be executed in April 2024.

Communication

Once a contract has been established, residents will be informed of the new hard waste service via a communication plan.

Timeline - Tentative dates

Milestone / Tasks	Date / Timeframe
Council resolution to appoint the preferred Tenderer	25 March 2024
Contractor notification and letter of intent formalisation of contract documentation	April 2024
Formalisation and execution of contract documentation	April 2024
Contract commencement	1 June 2024
Contract end date	February 2027 (indicative)
Option to extend	February 2033 (indicative)

Note – The contract end date will be aligned with the commencement date of the booked hard waste collection service. However, as the booked collection commencement date is yet to be finalised an indicative end date has been listed above.

RELATED DOCUMENTS

NA

Attachments

- Contract Award - CT202366 Provision of Hard Waste Collection Services (**Appendix A**) Confidential - enclosed under separate cover
- Pricing Schedule (**Appendix B**) Confidential - enclosed under separate cover
- Financial Check (**Appendix C**) Confidential - enclosed under separate cover
- Probity Report (**Appendix D**) Confidential - enclosed under separate cover

DISCLOSURE OF INTEREST

Section 130 of the *Local Government Act 2020* requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any conflicts of 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.

9.8 CT202373 - SUPPLY AND DELIVERY OF MOBILE BINS

Author: Infrastructure Maintenance and Fleet Capital Project Officer

Reviewed By: General Manager Infrastructure, Operations & Finance

EXECUTIVE SUMMARY

To seek Council's approval to access the Procurement Australia (PA) contract 2510/0513, which offers supply of mobile garbage bins at discounted rates.

Local councils have the option of appointing Procurement Australia (PA) as their tendering agent to participate in various aggregated tendering and contracting opportunities. This allows councils to aggregate their expenditure and achieve greater economies of scale, leading to improved efficiencies and cost savings across the sector.

The recommendation in this report will replace the previous PA contract 2110/0503 which expired in October 2023. Council use of this PA contract also satisfies and complies with Darebin's procurement processes and the *Local Government Act 2020*. The expected aggregated cost is likely to fall somewhere between \$1M - \$4m, exceeding operational delegations and, therefore, requiring council endorsement.

Council officers have evaluated the tenderers recommended by Procurement Australia (PA) based on Council's specific requirements, such as the use of recycled content, compatibility of parts with existing bins and their technical capabilities.

This report seeks approval to access Procurement Australia (PA) contract 2510/0513 and appoint _____ to supply bins and parts as needed. Key reasons for this recommendation are their technical capability and interchangeability of parts.

The advantages of accessing this contract include:

1. Compliance with the *Local Government 2020 Act*.
2. Fixed discounted pricing, which would not be available if solely tendered by Darebin Council.
3. Ongoing support and assistance from PA for the duration of the contract.
4. Consistent supply of bins over the long term to service Council's operational needs on a day-to-day basis.

Officer Recommendation

That Council:

- (1) Endorses use of PA Contract 2510/0513 (Darebin reference No. CT202373) supply and delivery of garbage bins from _____ for two years plus two by 1 year extensions (**Appendix A**).
- (2) Authorises the Chief Executive Officer (or their Delegate) to notify PA and the supplier, of Council's formal endorsement to utilise PA contract 2510/0513 as required, to fulfil its operational requirements.

- (3) Authorises the Chief Executive Officer (or their Delegate), to review and approve options for two by one-year extensions, subject to satisfactory performance and operational requirements.

BACKGROUND / KEY INFORMATION

Bin repair and replacement is an ongoing program to address resident's requests for new bins or repairs of damaged bins. This service is delivered through the capital works program - renewal of mobile garbage bins.

Waste and recycling collection services are essential services and in order to deliver this, Council has an obligation to maintain an effective, appropriate, and well-maintained bin asset. Due to the nature of the side loader collection process and the handling of bins, they tend to split or break at critical lid hinge points and axles. Residents can report missing or damaged bins, and the Council responds by repairing or replacing them as necessary.

Currently, over 200,000 bins are being used by the Darebin community for kerbside and public place litter, residential garbage, recycling, and green waste collection. In the 2022/2023 financial year, Council spent approximately \$297,000 (ex. GST) responding to bin requests as follows:

- Just over 3000 lost or stolen bin requests (an average of 250/month).
- 5288 damaged bin requests (an average of 441/month).
- 569 new bin requests (an average of 47/month).
- 2046 requests for additional bins (an average of 171/month).

The waste operations team is committed to ensure that residents have access to properly functioning bins and will continue to work towards meeting the needs of the community and providing the best possible service.

Previous Council Resolution

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

ALIGNMENT TO 2041 DAREBIN COMMUNITY VISION

Strategic Direction 3: Climate, Green and Sustainable

ALIGNMENT TO 2021-25 COUNCIL PLAN

Strategic Direction 3: Climate, Green and Sustainable

Strategic Direction 4 Responsible, Transparent and Responsive

ALIGNMENT TO COUNCIL PLAN STRATEGIC OBJECTIVES

3.5 We will reduce waste and stimulate a local circular economy, where waste resources are re-used rather than discarded

4.1 We will ensure balanced and responsible financial decision making that meets the needs of our community now and into the future

4.3 We will transform our services and service delivery models to ensure they meet the current, emerging and future needs of our community

DISCUSSION

Procurement Review

A review of the procurement of mobile bins established that the best method is to utilise the existing contract offered by the suppliers under the PA panel arrangement. Accordingly, Council signed as a party to the PA Contract 2510/0513 (Mobile Bins) that has market tested a panel of suppliers with the knowledge and capacity to deliver service.

Procurement Australia (PA) Tender, Evaluation and Awarding

Request for Tender (RFT)

Procurement Australia, on behalf of its participating Members located nationally, invited tenders from qualified parties to be part of a panel of providers for the supply and delivery of Mobile Bins commencing November 2023 and ending October 2025 with the potential for 2 x 12 months options to extend (refer to PA members report in **Appendix B**).

The categories that were included in this tender are (some might not be taken up by Council):

Category 1 – Two and four wheeled bins, in a range of sizes, multi-sort bins, RFID technology and bin spare parts.

Category 2 – Compostable bags including caddy liners and dog waste bags.

A Request for Tender was published in the Herald Sun on 28 June 2023 and the Adelaide Advertiser on 27 June 2023. The tender closed at 3:00 pm AEST on 19 July 2023.

Tender Participation

Details of the contractors that submitted response by the closing date, the evaluation criteria and weightings, and the evaluation process is included at confidential **Appendix A** and **B** circulated to councillors under separate cover.

Tender Evaluation by PA

All submissions were assessed to be conforming and passed the tender compliance criteria, including requirements for insurances, financial viability, OH&S policy and conflict of interest.

The tender evaluation panel and process is outlined in confidential **Appendix B** issued under separate cover.

Table 1: PA Evaluation criteria

Criteria	Sub-Criteria
Compliance (unweighted)	<ul style="list-style-type: none"> • Compliance with insurance • Compliance with the terms and conditions of the tender • Compliance with terms and conditions of the contract • Compliance with Australian Modern Slavery legislation
Professional competence	<ul style="list-style-type: none"> • Relevant experience • Satisfaction of range

Criteria	Sub-Criteria
	<ul style="list-style-type: none"> • On-shore manufacturing capability • Quality Practices • Performance capability • Customer focus
Corporate Governance & Social Responsibility	<ul style="list-style-type: none"> • Corporate governance • Social Impact • Environmental Impact • Workplace practices
Price	<ul style="list-style-type: none"> • Price element • Price hold • Payment terms

Tender Evaluation by Council

Council’s tender evaluation panel met on 22 February 2024, to evaluate the submissions based on their pricing for recycled content, technical capabilities, and other specific requirements. The evaluation details and rankings from tender evaluation panel is provided in confidential **Appendix A** and **Appendix E** issued under separate cover.

CONSIDERATION OF LOCAL GOVERNMENT ACT (2020) PRINCIPLES

Financial Management

In its four year capital program adopted in June 2023, Council allocated a capital budget of \$250,000 (excl. GST) annually for mobile bins, which covers the cost of new bins and parts.

With the rollout of additional FOGO bins in 2021/2022, as well as the gradual aging of the current bins in use within the community, we anticipate growth in demand for mobile bin services. Furthermore, if Council decides to introduce a 4th bin for glass before the contract expiry date, additional funding for bins would be required.

Community Engagement

Not required for this contract.

Other Principles for consideration

Overarching Governance Principles and Supporting Principles

- (a) Council decisions are to be made and actions taken in accordance with the relevant law;
- (c) the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted;
- (f) collaboration with other Councils and Governments and statutory bodies is to be sought;
- (g) the ongoing financial viability of the Council is to be ensured;
- (i) the transparency of Council decisions, actions and information is to be ensured.

Public Transparency Principles

- (a) Council decision making processes must be transparent except when the Council is dealing with information that is confidential by virtue of this Act or any other Act;
- (c) Council information must be understandable and accessible to members of the municipal community;

Strategic Planning Principles

- (b) strategic planning must address the Community Vision;
- (e) strategic planning must provide for ongoing monitoring of progress and regular reviews to identify and address changing circumstances;

Service Performance Principles

- (c) quality and costs standards for services set by the Council should provide good value to the municipal community;
- (e) service delivery must include a fair and effective process for considering and responding to complaints about service provision.

COUNCIL POLICY CONSIDERATIONS**Environmental Sustainability Considerations (including Climate Emergency)**

The specifications and evaluation criteria included use of recycled material as an alternative to virgin material for the manufacturing of bins and parts.

Equity, Inclusion, Wellbeing and Human Rights Considerations:

In line with Darebin's Social and Sustainable Procurement Policy, the tender evaluation criteria gave weight to social initiatives and practices. Tenderers were asked to consider how their business activities demonstrated a commitment to address disadvantage and improve equity to deliver social value and positive social outcomes, including a commitment to employment of youth, disadvantaged and Aboriginal people.

Economic Development and Cultural Considerations

Not required for this contract

Operational Impacts

This contract will provide a reliable and steady supply of mobile bins at discounted rates. Additionally, the ongoing availability of parts guarantees that any damaged bins can be promptly repaired, ensuring a seamless waste management service for the community.

Legal and Risk Implications

Legal and Probity issues were considered and managed by PA.

IMPLEMENTATION ACTIONS**Details**

The contract documentation will be executed in the second week of April 2024.

Communication

The following communications will be implemented:

- Provide an opt-in letter to the successful supplier via Procurement Gateway.

Timeline



Table 3: Tentative dates

Milestone / Tasks	Date / Timeframe
Council resolution to appoint the preferred tenderer	25 March 2024
Contractor notification to the preferred supplier and PA	10 April 2024
Contract commencement	10 April 2024
Contract end date	31 October 2025
Option to extend	2 X 1 year

RELATED DOCUMENTS

N/A.

Attachments

- Confidential report - contract award CT202373 Supply & Delivery of Mobile Bins (**Appendix A**) Confidential - enclosed under separate cover
- PA Members Report (**Appendix B**) Confidential - enclosed under separate cover
- Weighted Aggregate Scoring 2510-0513 (**Appendix C**) [↓](#) 
- Tender Submission Summary (**Appendix D**) Confidential - enclosed under separate cover
- DCC Internal Evaluation Matrix (**Appendix E**) [↓](#) 

DISCLOSURE OF INTEREST

Section 130 of the *Local Government Act 2020* requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any conflicts of 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.

Procurement Australia 2510/0513 Mobile Bins

Category 1 – Two and four wheeled bins, in a range of sizes, multi-sort bins, RFID technology and bin spare parts



Weighted Aggregate scores

Criteria	Weighting	1		2		3	
		SULO MGB Australia Pty Ltd	MASTEC Australia Pty Ltd	Trident Plastics (SA) Pty Ltd	Score	W/S	Score
a) Compliance (unweighted)							
Compliance with insurance	Yes/No	Y	Y	Y		Y	
Compliance with T&C of the tender	Yes/No	Y	Y	Y		Y	
Compliance with T&C of the contract	Yes/No	Y	Y	Y		Y	
Applicability with Australian Modern Slavery legislation	Yes/No	Y	Y	Y		Y	
b) Professional competence							
Relevant experience	15	4.0	60	4.0	60	4.0	60
Satisfaction of range	20	4.0	80	4.0	80	4.0	80
On-shore manufacturing capability	10	5.0	50	4.0	40	4.0	40
Quality practices	10	4.0	40	3.0	30	4.0	40
Performance capability	15	4.0	60	4.0	60	4.0	60
Customer focus	20	2.0	40	3.0	60	2.0	40
c) Corporate governance & Social responsibility							
Corporate governance	2.5	4.0	10	2.0	5	2.0	5
Social impact	2.5	2.0	5	1.0	2.5	1.0	2.5
Environmental impact	2.5	3.0	7.5	4.0	10	4.0	10
Workplace practices	2.5	2.0	5	1.0	2.5	2.0	5
Technical Total (Out of 500)	100		358		350		343
d) Price							
Price element	80	3.5	280	4.4	352	5.0	400
Price hold period	10	5.0	50	2.0	20	4.0	40
Payment terms	10	4.0	40	4.0	40	4.0	40
Price Total (Out of 500)	100		370		412		480
Combined Criteria Percentage							
Technical 80%	80		286		280		274
Price 20%	20		74		82		96
Overall Total	500		360		362		370

Score	Score Description
0	Nil response or unacceptable - fails to satisfy the requirement.
1	Poor response; well short of requirements or unsubstantiated.
2	Mostly adequate but will not meet all requirements or is poorly substantiated.
3	Satisfactory response; adequate to requirements, and adequately substantiated.
4	Satisfactory response; more than adequate to requirements, and well substantiated.
5	Excellent response; surpasses all requirements, and fully substantiated.

Contract number: CT202373
Contract name: Mobile Garbage Bins

Tender Evaluation Matrix

		Trident Plastics (SA) Pty Ltd						SULO MGB Australia Pty Ltd						MASTEC Australia Pty Ltd					
Expected annual cost based on the 2022/23 financial year data. Only recycled products were considered for evaluation		\$248,798.45						\$249,442.75						\$295,431.25					
	DCC Weighting	Raw Score				Score (out of 10)	Weighted Score	Raw Score				Score (out of 10)	Weighted Score	Raw Score				Score (out of 10)	Weighted Score
		GS	JS	DL	Ave			GS	JS	DL	Ave			GS	JS	DL	Ave		
Compatibility with existing bins	10%	4	4	4	4.0	4.0	0.40	9	10	9	9.3	9.3	0.93	5	5	5	5.0	5.0	0.50
Technical Ranking (as per PA)	20%	274/400				6.85	1.37	286/400				7.15	1.43	280/400				7.0	1.40
Price	70%					10.0	7.00					10.0	6.98					8.4	5.90
Total Score	100%						8.77						9.35						7.80
Note		Lids are not interchangeable with current bin brand.						Incumbent. All the spare parts are interchangeable						Lids are not interchangeable with current bin brand.					
Other issues		Recently they were under voluntary administration to enable the company to restructure its financial position.						No issues						No issues					

AGREED EVALUATION SCORING

Panel Member: James Stanfield (JS)

Signed: 

Date:.....22/2/24.....

Panel Member: Garry Singh (GS)

Signed: 

Date:.....23/2/24.....

Panel Member: Drago Lijovic (DL)

Signed: 

Date:.....4/3/24.....

9.9 NORTHCOTE TOWN HALL COMPLIANCE AND RECTIFICATION PROJECT**Author:** Manager Capital & Major Projects**Reviewed By:** General Manager Infrastructure, Operations & Finance

EXECUTIVE SUMMARY

The purpose of this report is to seek Council's endorsement to adjust four project budgets within Council's 2023-24 capital works program. It is recommended that the budget be increased for the Northcote Town Hall compliance works project, and that this be offset by reducing budgets for three projects where opportunities for savings have been identified. This would overall have a neutral effect on the financial performance of Council's 2023-24 capital works program. Full details of costs are in confidential appendix A.

The Northcote Town Hall site is a complex, heritage site and following design and a tendering, the full cost of compliance works are now understood. Given the essential nature of the compliance works at the Northcote Town Hall and the important role of the venue in the community and local economy, officers recommend proceeding with the works as soon as possible.

In late 2022, Council identified the need to rectify building non-compliance matters at the Northcote Town Hall Arts Centre and the need to cease functions and events until resolved. Northcote Town Hall Arts Centre is an important venue with a valuable role within the local economy and immediate corrective works were completed by Council to address some of the critical matters identified. This enabled some administrative functions and elements of the presentation program to continue to operate from the facility, albeit with severe restrictions.

Council has been working towards completing the more substantial works required. An initial budget of \$200,000 for further works was committed as part of its 2023-24 Capital Works budget, however at the time this was established there was little information available to inform the cost estimate.

A full scope of works was identified and documented with the assistance of expert consultants. The updated costs have been reviewed through an independent analysis by a Quantity Surveyor which has confirmed the need for an additional funds to complete project.

Details of the three projects identified with offsetting savings are listed in this report. All will still be delivered, with savings identified through scope revision and/or lower costs.

Officer Recommendation

That Council:

- (1) Notes that the detailed construction costs estimates associated with Northcote Town Hall compliance works are greater than what was initially budgeted in the 2023-24 Capital Works Budget.
 - (2) Endorses funding the works by reassigning savings from three other projects in the 2023/2024 Capital works program, as outlined in **Appendix A**.
-

BACKGROUND / KEY INFORMATION

In late 2022, Council identified the need to rectify building non-compliance matters at the Northcote Town Hall Arts Centre and the need to cease functions and events until resolved.

Immediate corrective works were completed by Council to address some of the critical matters identified. This has enabled some administrative functions and elements of the presentation program to continue to operate from the facility, albeit with severe restrictions. However, all other activity, functions and events were ceased, and the Multicultural Arts Victoria (MAV) office was closed.

Council's specialist construction management staff have managed the project design process with several specialised consultants to address all non-compliance issues.

As an immediate response, an initial project budget of \$200,000 was established in the 2023/2024 Capital Works Program, which was to be reviewed once the works were fully scoped.

The investigation work needed to scope the works fully is now complete and this has identified the full cost of works required, which is the matter covered in this report.

In parallel to the compliance works, Officers have also been progressing the *Flooring Replacement Works* Project at Northcote Town Hall. A preferred contractor has been established, but not yet appointed. Officers are investigating whether both construction projects can be undertaken simultaneously, to reduce operational impacts and condense construction programs.

Previous Council Resolution

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

ALIGNMENT TO 2041 DAREBIN COMMUNITY VISION

Strategic Direction 2: Prosperous, Liveable and Flourishing

ALIGNMENT TO 2021-2025 COUNCIL PLAN

Strategic Direction 4 Responsible, Transparent and Responsive

ALIGNMENT TO COUNCIL PLAN STRATEGIC OBJECTIVES

4.2 We will ensure our assets are optimised for the benefit of our community

DISCUSSION

Higher cost of necessary works

An initial project budget of \$200,000 was established in the 2023/2024 Capital Works Program, with the intention of revisiting it once the works were fully scoped.

To scope this, Council engaged a private building surveyor to provide a regulatory report to identify non-compliances associated with the building holistically. As a result of this report Council needed to engage several specialist consultants, including;

- a consultant building surveyor to assist with performance solutions and advice
- a relevant building surveyor to issue the permits

- a fire safety engineer
- fire services engineers

Once the full scope was identified and documented by the consultants in November 2023, officers tendered the package of drawings to establish the required budget. The tender exercise illustrated that the project requires a substantially larger budget than the budget allocated in 2023/2024. This has been reviewed to ensure it is reasonable and appropriate through an independent analysis by a Quantity Surveyor.

Adding to the complexities of this project, the compliance history of Northcote Town Hall has been multifaceted. Some of the contributing factors include:

- the age of the building and consequently;
 - difficulty to achieve compliance with regulations
 - building fabric type (wall build up etc)
 - layout of building (in terms of paths of exit, widths of corridors & stairs)
- varying advice from several consultants over the years
- historical document retrieval/storage

Identified savings in 2023/2024 Capital Works Program

There are some projects that are not expected to require the fully budgets included in the 2023-2024 Capital works program. In total these savings cover the required funding for the Northcote Town Hall compliance works. The three projects are shown below.

Project	Comment
CW-405008: Drainage - Purinuan Rd Reservoir - easement upgrade	Council officers were able to source competitive pricing early in the financial year and delivered this drainage project under budget.
CW-116127: Contaminated Land Remediation	This program will not be fully spent in 2024/2025 and there is not a practical impact of reallocating this budget.
CW-405007: Drainage - Massey Avenue drainage upgrade, Reservoir Stage 1	This project is now planned to be delivered in 2 stages over two years after the construction programme was identified to require a lengthy period. Stage 1 is planned for in 2023/2024 and Stage 2 has been proposed within the 2024/2025 Capital Works draft budget.
TOTAL	

CONSIDERATION OF LOCAL GOVERNMENT ACT (2020) PRINCIPLES

Financial Management

Overall this decision will have a neutral effect on the financial performance of Council's capital works budget. This is because the recommended project budget increase is offset by three recommended project budget decreases.

The 2023/2024 budget allocation for Northcote Town Hall rectification works is \$200,000 ex GST. Works have now been fully scoped and the required budget is higher. The table found in *Confidential Appendix A* illustrates the results of the tender process and the likely total project cost.

Community Engagement

No community consultation is required for this project.

Overarching Governance Principles and Supporting Principles

- (i) the transparency of Council decisions, actions and information is to be ensured.

Public Transparency Principles

- (a) Council decision making processes must be transparent except when the Council is dealing with information that is confidential by virtue of this Act or any other Act;

Strategic Planning Principles

- (c) Strategic planning must take into account the resources needed for effective implementation;

Service Performance Principles

- (b) services should be accessible to the members of the municipal community for whom the services are intended;

COUNCIL POLICY CONSIDERATIONS

Environmental Sustainability Considerations (including Climate Emergency)

Officers used the Minor Building Trades & Maintenance Works Panel for tendering. Contractors on this panel have demonstrated their commitment to Environmental Sustainability Considerations including the use of recycled materials, responsible waste disposal, and implementing organisational environmental policies.

Equity, Inclusion, Wellbeing and Human Rights Considerations:

The Northcote Town Hall has a documented evacuation procedure in place and this project did not trigger a reconsideration of access and egress for persons with a disability. As part of the fire engineering design brief, all door hardware was assessed and review for compliance with the BCA.

Economic Development and Cultural Considerations

Understandably the closure of Northcote Town Hall Arts Centre has had a significant impact on the delivery of our Arts Precinct and performing arts program. Currently Council are still delivering all aspects of the program by directing activity to alternative venues and some continued limited use of the Main Hall space.

Operational impacts on the venue indicates disruption and/or temporary cessation of the following programs at Northcote Town Hall:

1. Speakeasy 2023 Season - season reduced to 7 performance seasons with restricted audience capacity.

2. Fuse Autumn closing event – relocated to alternative venues
3. 6 Artist Developments – relocated to alternative venues
4. MAV/Darebin Performance Collaborations - on hold
5. General Hires – on hold
6. 86 Festival – venue open during super Saturday for WC only

Operational Impacts

The current closure of Northcote Town Hall Arts Centre has had a significant impact on the delivery of our Arts Precinct and performing arts program. Bookings are unable to be taken for the Northcote Town Hall site until rectification works are complete which is putting significant pressure to find alternative locations.

Legal and Risk Implications

The town hall is legally unable to return to operation without this project proceeding.

Council is being asked to consider the budget reassignment and not being asked to award the Tender. Award of the tender would be done following confirmation of available budget but under existing delegation by the CEO.

IMPLEMENTATION ACTIONS

Officers recommend proceeding with the works to ensure that Northcote Town Hall can be reopened as soon as possible.

The works are scheduled to commence in April 2024. It is expected to reach practical completion within 16 weeks, in August 2024, subject to extensions of time granted or latent conditions. This contract has a defects liability period of 52 weeks from the date the practical completion certificate is issued by Council’s superintendent to the contractor.

Stage	Indicative Dates
Council Decision regarding budget	March 25 2024
Award Construction Contract	April 2024
Commence Construction	April 2024
Complete Construction	August 2024
Town Hall Arts Centre Re-opening	September 2024
End of Defects Liability Period	August 2025

RELATED DOCUMENTS

Attachments

- Confidential - Northcote Town Hall (**Appendix A**) Confidential - enclosed under separate cover

DISCLOSURE OF INTEREST

Section 130 of the *Local Government Act 2020* requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any conflicts of 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.

10. ITEMS TO BE TABLED

Nil

11. NOTICES OF MOTION

Nil

12. URGENT BUSINESS

13. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL

In accordance with Section 66(2) of the *Local Government Act 2020*, Council may resolve to close the meeting to members of the public to consider the following items, deemed to be confidential in accordance with Section 3(1) of the Act for the reasons indicated:

13.1 Response to proposed development of an mRNA facility at Latrobe University (44 Crissane Road, Bundoora) (a late report will be circulated separately)

This item is designated confidential because it is land use planning information, being information that if prematurely released is likely to encourage speculation in land values and private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage, pursuant to Section 3(1) (c) and (g(ii)) of the Act.

CLOSE OF MEETING

Recommendation

That in accordance with section 66(2) of the *Local Government Act 2020*, Council resolves to close the meeting to members of the public to consider the items designated confidential in accordance with Section 3(1) of the Act.

RE-OPENING OF MEETING

Recommendation

That the meeting be re-opened to the members of the public.


14. CLOSE OF MEETING

**CITY OF
DAREBIN**

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