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AGENDA OF THE COUNCIL MEETING

Held on Monday 18 March 2019

Public question time will
commence shortly after 6.00pm.




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

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

Council pays respect to 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 - Agenda

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

Arabic

هذا هو جدول أعمال اجتماع المجلس. للحصول على المساعدة في أي من بنود جدول الأعمال، يرجى الاتصال بالرقم 8470 8888.

Chinese

这是市议会会议议程。如需协助了解其中的任何议项，请致电8470 8888。

Greek

Αυτή είναι η Ημερήσια Διάταξη (Agenda) της συνεδρίασης του Δημοτικού Συμβουλίου. Για βοήθεια σε οποιοδήποτε θέμα της ημερήσιας διάταξης, παρακαλούμε τηλεφωνήστε στο 8470 8888.

Hindi

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

Italian

Questo è l'ordine del giorno per la riunione municipale. Per assistenza su uno dei punti dell'agenda chiamate il numero 8470 8888

Macedonian

Ова е дневен ред за состанокот на Советот на Општината. За помош за било која точка од дневниот ред, ве молиме телефонирајте на 8470 8888.

Somali

Kani waa ajandaha kulanka Golaha Degmada. Wixii caawima ah oo ku saabsan qodob kasta oo ka mid ah ajandaha fadlan la xiriir tel: 8470 8888.

Vietnamese

Đây là chương trình buổi họp của Hội đồng Thành Phố. Muốn biết thêm các thông tin về chương trình buổi họp, xin hãy gọi số 8470 8888.

Table of Contents

Item Number	Page Number
1. MEMBERSHIP	1
2. APOLOGIES.....	1
3. DISCLOSURES OF CONFLICTS OF INTEREST	1
4. CONFIRMATION OF THE MINUTES OF COUNCIL MEETINGS	1
5. QUESTION AND SUBMISSION TIME	2
6. PETITIONS	3
7. URGENT BUSINESS.....	3
8. CONSIDERATION OF REPORTS	4
8.1 INTENTION TO DECLARE A SPECIAL CHARGE SCHEME FOR THE HIGH STREET NORTHCOTE BUSINESS PRECINCT.....	4
8.2 PRESTON BUSINESS ADVISORY COMMITTEE	22
8.3 INTENTION TO DECLARE A SPECIAL RATE SCHEME FOR THE FAIRFIELD VILLAGE BUSINESS PRECINCT	28
8.4 REVIEW OF PLANNING CONTROLS PRESTON MARKET.....	44
8.5 INTENTION TO DECLARE A SPECIAL CHARGE: DAREBIN SOLAR SAVER .	45
8.6 CT2017187 - CONTRACT AWARD FOR OPEN SPACE RELATED SERVICES.....	71
8.7 2019 ALGA NATIONAL GENERAL ASSEMBLY AND MAV STATE COUNCIL MEETING MOTIONS	78
9. CONSIDERATION OF RESPONSES TO PETITIONS, NOTICES OF MOTION AND GENERAL BUSINESS	111
NIL	
10. NOTICES OF MOTION	112
10.1 DAREBIN COMMUNITY SUSTAINABLE TRANSPORT RESERVE	112
10.2 DAREBIN COMMUNITY LANGUAGES	113
10.3 DONATH AND DOLE RESERVE MASTER MASTERPLAN	114
10.4 ATHLETIC TRACK SEATING AND SHELTER.....	115
10.5 RUTHVEN PARK.....	116
10.6 STOREY ROAD, NORTHERNHAY ROAD LINK PARK SOLAR LIGHTING.....	117
10.7 HOMELESSNESS CRISIS LOCAL ACTION PLAN.....	118
10.8 JOHN HALL LIGHTING.....	119
10.9 PROPOSED INCREASE IN THE PENSIONER RATE REBATE	120
10.10PROPOSED INCREASE IN THE APPRENTICESHIPS AND TRAINEES	121

Table of Contents

Item Number	Page Number
10.11 PROPOSED FEASIBILITY STUDY ON ESTABLISHING A NEW BRANCH OF THE DAREBIN LIBRARY NETWORK IN THE NORTH EAST OF RESERVOIR	122
10.12 RESTORATION OF ABORIGINAL MURAL	123
11. REPORTS OF STANDING COMMITTEES	124
NIL	
12. RECORDS OF ASSEMBLIES OF COUNCILLORS.....	125
12.1 ASSEMBLIES OF COUNCILLORS HELD.....	125
13. REPORTS BY MAYOR AND COUNCILLORS	136
14. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL	136
15. CLOSE OF MEETING.....	136

Agenda

1. MEMBERSHIP

Cr. Susan Rennie (Mayor) (Chairperson)

Cr. Steph Amir

Cr. Gaetano Greco

Cr. Tim Laurence

Cr. Kim Le Cerf

Cr. Trent McCarthy

Cr. Lina Messina

2. APOLOGIES

Cr. Julie Williams and Cr. Susanne Newton are on approved leave of absence.

3. DISCLOSURES OF CONFLICTS OF INTEREST

4. CONFIRMATION OF THE MINUTES OF COUNCIL MEETINGS

Recommendation

That the Minutes of the Ordinary Meeting of Council held on 25 February 2019 be confirmed as a correct record of business transacted.

5. QUESTION AND SUBMISSION TIME

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

QUESTIONS

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

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

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

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

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

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

SUBMISSIONS OR COMMENTS

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

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

HOW TO SUBMIT YOUR QUESTION OR MAKE A COMMENT OR SUBMISSION

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

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

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

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

6. PETITIONS

7. URGENT BUSINESS

8. CONSIDERATION OF REPORTS

8.1 INTENTION TO DECLARE A SPECIAL CHARGE SCHEME FOR THE HIGH STREET NORTHCOTE BUSINESS PRECINCT

Author: Coordinator Economic Development

Reviewed By: General Manager City Sustainability and Strategy

PURPOSE

To seek Council's declaration of intent to declare a special charge for the High Street Northcote Business Precinct 2019-2024 for the purposes of marketing, promotion and development of High Street Northcote.

EXECUTIVE SUMMARY

A special charge for the purposes of marketing, promotion and development of the Northcote Business Precinct has been in place for 20 years. The current special charge scheme expires on 30 June 2019.

The funds collected from a special charge scheme assist precincts to market and promote the businesses within the precinct, and are also used to market the precinct as a whole to attract new visitors and shoppers. Over the past five years the High Street Northcote special charge has contributed to improving centre branding and social media presence and raised customer awareness.

This report proposes commencing the formal process for the renewal of the High Street Northcote Business Precinct Special Charge Scheme.

The next steps would be advertising of Council's intention to declare a special charge and seek submissions from property owners and businesses liable to pay the proposed special charge.

Recommendation

That Council:

- (1) Having otherwise considered all relevant matters, commences the statutory process under the *Local Government Act 1989* to reintroduce a Special Charge to and for the properties defined in the High Street Northcote Business Precinct for the encouragement of business and commerce (**Appendix A – Map**). This Special Charge will commence on 1 July 2019 and end on 30 June 2024, and raise an amount of \$88,745 per annum, multiplied by the Consumer Price Index provided by the Australian Bureau of Statistics for the previous financial year for years two, three, four and five of the Scheme.

- (2) Apply the criteria to be used as the basis for levying the special charge is:
- i. For the period of the scheme, it is proposed that the special charge will be assessed as follows:

Properties allocated to the “primary” special benefit (as shown below) are charged \$480.00 per annum (plus any CPI increase annually in the second, third, fourth and fifth years of the scheme) including:
 - 203 to 385; 200 to 360, 360A High Street (inclusive)Properties allocated to the “secondary” special benefit (as shown below) are charged \$235.00 per annum (plus any CPI increase in the second, third, fourth and fifth years of the scheme) including:
 - 176 to 198; 387 to 409; 372 to 392 High Street (inclusive)
 - 2A and 4A Mitchell Street (inclusive)
 - The property known as Northcote Central Shopping Centre Secondary (corner of High and Separation Streets Northcote)
- (3) Give public notice to be given in the Preston and Northcote Leader newspapers, of Council’s intention to declare a Special Charge at its ordinary meeting to be held on 11 June 2019, in accordance with the Proposed Declaration of the Special Charge **(Appendix B)**.
- (4) Send separate letters enclosing a copy of the public notice to the owners and the occupiers referred to and set out in the listing of rateable properties in Appendix A to the Proposed Declaration of the Special Charge advising:
- a) Of Council’s intention to declare the Special Charge at its ordinary meeting to be held on 11 June 2019;
 - b) The amount for which the property owner or the occupier (being a person who as a condition of a lease under which the person who occupies the property is required to pay the Special Charge) will be liable; and
 - c) The basis of the calculation and distribution of the Special Charge and notifying such persons that submissions and/or objections in writing in relation to the Proposed Declaration of Special Charge will be considered and/or taken into account by Council in accordance with the Act.
- (5) Advises the Northcote Business Association of this resolution.
- (6) Authorises the appropriate members of Council’s staff:
- a) To carry out any and all other administrative procedures necessary to enable Council to carry out its functions under the Act; and
 - b) To prepare a funding agreement between Council and the Northcote Business Association to formalise the administrative operations of the Special Charge.
- (7) Approve the agreement specified in paragraph 6(b) of this resolution and it be subsequently submitted to Council for approval and sealing before the proceeds of the Special Charge, or any part of them, are paid to the Northcote Business Association for the purposes for which the Special Charge has been made.
-

BACKGROUND / KEY INFORMATION

The Northcote Business Association has written to Council asking that Council consider renewing the special charge scheme for the High Street Northcote Business Precinct. This will in effect continue on from the current scheme which ceases on 30 June 2019.

The new scheme is proposed to run for five years from 1 July 2019 to 30 June 2024 and is proposed to raise \$88,745 in the first year. The funds raised by the scheme would deliver precinct specific business marketing events, promotion, advertising and marketing material including social media, and centre management.

The previous scheme allowed for Northcote Business Association to undertake significant social media campaigns to raise the profile of the precinct as well as other promotional activities and place making activities such as side walk sales.

Previous Council Resolution

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

COMMUNICATIONS AND ENGAGEMENT

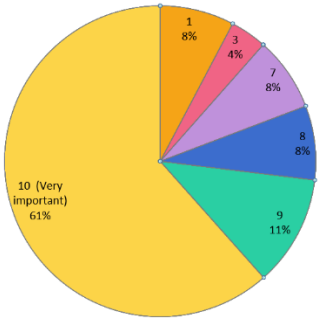
Consultation

Survey of businesses

Prior to the commencement of any formal process, a survey has been conducted with the 206 business operators in the High Street Northcote Business District. The survey evaluated the effectiveness of the current marketing levy and assesses the level of support within the business community for the charge to be renewed. A total of 27 responses (13.1%) were received with the majority (61%) indicating that they were favourable towards the renewal of the scheme. This majority enables Council to consider the formal process of proposing the intention to declare a further levy.

While the number of surveys received was low, this is comparable to previous renewal responses and is indicative of the level of engagement before a formal process commences. Some concerns were raised regarding the amount of money and the effectiveness of the marketing. Copies of the survey results will be forwarded to the Business Association to assist in the preparation of their five year business plans.

The key results can be found below:

<p>On a scale of 0 to 10 how important is it to have Northcote promoted as a precinct?</p>	<p>On a scale of 0 to 10 how do you rate the effectiveness of the current promotion of High Street Northcote?</p>																																				
 <table border="1" data-bbox="260 1491 579 1809"> <caption>Importance of Promoting Northcote</caption> <thead> <tr> <th>Rating</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>8%</td> </tr> <tr> <td>2</td> <td>0%</td> </tr> <tr> <td>3</td> <td>4%</td> </tr> <tr> <td>4</td> <td>8%</td> </tr> <tr> <td>5</td> <td>3%</td> </tr> <tr> <td>6</td> <td>4%</td> </tr> <tr> <td>7</td> <td>8%</td> </tr> <tr> <td>8</td> <td>8%</td> </tr> <tr> <td>9</td> <td>11%</td> </tr> <tr> <td>10 (Very important)</td> <td>61%</td> </tr> </tbody> </table>	Rating	Percentage	1	8%	2	0%	3	4%	4	8%	5	3%	6	4%	7	8%	8	8%	9	11%	10 (Very important)	61%	<table border="1" data-bbox="790 1491 1377 1659"> <thead> <tr> <th>Not effective</th> <th>Moderately effective</th> <th>Very effective</th> </tr> <tr> <th>0-3</th> <th>4-6</th> <th>7-10</th> </tr> </thead> <tbody> <tr> <td>Responses</td> <td>Responses</td> <td>Responses</td> </tr> <tr> <td>6</td> <td>8</td> <td>12</td> </tr> </tbody> </table>			Not effective	Moderately effective	Very effective	0-3	4-6	7-10	Responses	Responses	Responses	6	8	12
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<p>Would you support the renewal of the special charge scheme for a further five year period?</p>	<p>Yes: 16 No: 10</p>																																				

Communications

In addition to the survey the Association distributed a brochure outlining the benefits provided to businesses via the special charge over the past five years.

ANALYSIS

Alignment to Council Plan / Council policy

Goal 4 - A strong economy

The overall goal is to support and attract a diversity of local businesses and industries by fostering an environment in which they can thrive. The current and proposed scheme raise funds to achieve marketing, promotions and business development outcomes in line with the Council Plan.

Council's Tourism Strategy – *A destination plan for Darebin 2016 – 2021* seeks to increase awareness of the diversity of experiences on offer in our City.

Environmental Sustainability Considerations

Supporting vibrant local shopping centres can help encourage local shopping and more pedestrian and active transport trips compared to vehicle trips. This can have a small impact on reducing emissions.

Equity, Inclusion and Wellbeing Considerations

Associations have always struggled to get representation from the diverse background of business owners. Supporting vibrant local shopping centres can help encourage local shopping and community inclusion.

Cultural Considerations

Events delivered through the special charge levy are often unique to the businesses and community.

Economic Development Considerations

The events, marketing and promotional activities held in these precincts attract people from neighbouring suburbs and provide a boost to the local economy, which is the key to maintaining a strong and vibrant retail centres.

Financial and Resource Implications

The proposed 19/20 amount to be raised is \$88,745. The total amount proposed to be raised over 5 years is \$443,725 plus an annual increase of CPI from year two onwards. The amount raised would be paid in full to the Business Association each year.

Council's contribution in providing resources for the set up and administration of a new special charge is estimated to be \$10,000 over five years. This amount will not be recovered from the business association and will be absorbed in Council's Economic Development operational budget.

Legal and Risk Implications

The Act requires Council to give public notice of a proposed declaration of the special charge and write to all people who will be liable to contribute. The proposed declaration for this special charge has been prepared in accordance with the Act.

Owners (or occupiers who would pay the charge as a condition of their lease) may object to the proposal within 28 days. If objections are received from more than fifty per cent of persons liable, Council will be prevented from making the declaration and the scheme cannot proceed.

DISCUSSION

Special charges are commonly raised by councils to support the marketing and promotion of local shopping precincts. The success of local shopping precincts such as High Street Northcote is extremely important to the local community. A vibrant, active and successful shopping centre can provide the following benefits to the community:

- Local employment
- Diversity of businesses
- Space for community to socialise and shop
- Expressions of various cultures
- Social inclusion
- Strengthen the unique characteristics of High Street Northcote

For the past 20 years, High Street Northcote has had a special charge scheme in place for the properties used for retail and commercial purposes within the precinct. The area to be included within the special charge is attached in the map as **Appendix A**. In the final year of the current scheme (2018/2019) the levy has raised \$88,660.

The funds raised by the special charge have been used by the Northcote Business Association over the last five years for:

- Digital marketing
- Promotional and marketing events
- Promotional advertising, marketing and public relations material
- Improvement of the branding of the centre
- Centre management, including employment of a Centre Coordinator
- Installation of centre décor and displays
- Works to enhance the appearance and amenity of the centre in addition to those provided generally by Council
- Incidental costs related to the above including expenses related to the declaration and levying of the charge.

The Business Association is seeking a special charge for marketing and promotion

The Northcote Business Association believes the fixed amount will provide the necessary funding to sustain a proactive marketing approach and promotional campaign to assist High Street Northcote Business Precinct to remain competitive.

The viability of the precinct is dependent on its ability to represent as a cohesive management group of businesses, allowing them to unite in effectively responding to external threats or opportunities so to protect their investment in the Darebin community; and provide a holistic approach to marketing and promotion of the precinct.

It has been practice with all Council's special charge schemes for 100% of the money raised by the scheme to be paid directly to the business association's elected account, over instalments throughout the year. The relevant association spends the funds as specified in the special charge declaration and in accordance with an agreement between them and Council which requires annual budgets, regular financial reporting and audited annual financial statements.

Proposed Special Charge declaration

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

In this case, the purposes of marketing, promotion and development of High Street Northcote arises out of Council's functions of advocating and promoting proposals which are in the best interests of the community and ensuring the peace, order and good government of Council's municipal district and promotes the social, economic and environmental viability and sustainability of the municipal district. Each proposed property outlined to pay the levy has been part of the previous Scheme 2014 – 2019.

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

- A. Purpose of the works
- B. Ensure coherence
- C. Calculate total cost
- D. Identify special beneficiaries
- E. Determine the properties to include
- F. Estimate total special benefits
- G. Estimate community benefits
- H. Calculate the benefit ratio
- I. Calculate the maximum total levy

A. Purpose of the Works

The levy will be used for the purposes of contracted support, promotional, advertising, marketing, business development and other incidental expenses which are associated with the encouragement of commerce, retail and professional activity and employment in the High Street Northcote Business Precinct.

B. Ensure Coherence

The levy have a natural coherence with the proposed properties are classified as receiving a "primary" or a "secondary" special benefit having regard to the nature and characteristics of the properties and businesses included in each of the two areas.

C. Calculate the Total Cost

For the purposes of section 163(1) of the Act, the total cost of the scheme to be raised over five years is \$443,725 (\$88,745 in year one) plus an annual increase of CPI from year two for the life of the scheme (five years).

The total cost of implementing this charge would include:

- The annual amount which the Association has budgeted to spend on various marketing, promotional and other activities; and
- Council's own administrative costs in relation to the scheme.

It has however been practice in previous schemes for Council to not recover its administrative costs from liable properties, and to only levy those costs incurred by the Association. It is proposed that this practice continue for the new scheme. Council's contribution is \$10,000 over the life of the scheme; by providing its own resources towards the benefit of the Centre is not inconsiderable and is highlighted for the record.

D. Identify the Special Beneficiaries

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

The Ministerial Guideline notes that a special benefit is considered to exist if it could reasonably be expected to benefit the owners or occupiers of the property. It is not necessary for the benefit to be actually used by the particular owners or occupiers of a specified property at a particular time in order for a special benefit to be attributed to the property. The High Street Northcote Special Charge Scheme are considered to receive special benefit from the proposed precinct and individual business promotions including:

- Digital marketing
- Promotional and marketing events
- Promotional advertising, marketing and public relations material
- Improvement of the branding of the centre
- Centre management, including employment of a Centre Coordinator
- Installation of centre décor and displays

E. Determine Properties to Include

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

It is accepted that only those properties at which are included in the Business Precinct receive a special benefit from the scheme. Accordingly, it is proposed to include only commercial properties in the scheme. Council will not, then, be required to pay a share of costs related to special benefits for any property that is not included in the scheme.

F. Estimate Total Special Benefits

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

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

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

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

- **TSB_(in)** – The estimated total special benefit is based on the request from the Business Association required for their annual budget.
- **TSB_(out)** – This is not applicable as all participating properties are included.

G. Estimate Community Benefits

The community benefit which is calculated in circumstances where Council considers that the services and activities to be provided from the proceeds of the special charge, all being for the purpose of marketing, management and development of the Centre, will only benefit the commercial properties (all of which are rateable land) included in the Scheme area.

The community benefit has been assessed and equates to zero.

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

H. Calculate the Benefit Ratio

The benefit ratio is calculated as:

$$R = \frac{TSB_{(in)}}{TSB_{(in)} + TSB_{(out)} + TCB}$$

Where:

- TSB_(in)** = \$443,725 plus CPI increase for every subsequent year until 2024.
- TSB_(out)** = 0
- TCB** = 0
- R** = 1

I. Calculate the Maximum Total Levy

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

$$S = R \times C$$

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

R is the ‘benefit ratio’ which is the percentage of the total cost that Council determines is able to be levied. It takes into account whether there are properties Council believes will derive a ‘special benefit’ and are to be levied, and others which also receive such a benefit but which aren’t to be levied (such as non-commercial community facilities).

It is considered that all the properties within the area of the on the map attached **Appendix A** to the report will derive a special benefit. Council must also determine if there is a clear, direct and tangible ‘community benefit’ provided by the scheme that cannot be rated to the shops. This must be attributed to, and paid for, by Council.

S is the maximum amount that can be levied. With regard to the 'benefit ratio', it is considered that all the commercially zoned properties (ground floor only) shown on the map and detailed in the list annexed to the attached proposed declaration, will receive a special benefit through increased economic activity. There are no rateable properties identified within this area which should not be levied.

Also, it is considered that there are no separate 'community benefits' that can be measured which might accrue from the existence of the scheme. Any benefits to people visiting the businesses in the Centre will accrue to the businesses themselves.

Therefore, the total maximum amount that can be levied on liable property owners would be 100% of the total cost of the Scheme

Therefore $S = 1 * \$443,725 = \$443,725$ plus CPI increase for every subsequent year until 2024.

Note there is no community benefit amount payable by Council.

Apportionment of Costs

Once the maximum levy amount has been calculated, Council needs to specify the methodology it will use in determining how the payment of the charge is to be apportioned amongst the benefiting properties. For the period of the scheme, it is proposed that the special charge will be assessed as follows (**Appendix C**):

- Properties allocated to the "primary" special benefit (as shown below) are charged \$480.00 per annum (plus any CPI increase annually in the second, third, fourth and fifth years of the scheme);

Property	Property Classification
203 to 385 High Street (inclusive)	Primary
200 to 360, 360A High Street (inclusive)	Primary

- Properties allocated to the "secondary" special benefit (as shown below) are charged \$235.00 per annum (plus any CPI increase in the second, third, fourth and fifth years of the scheme).

Property	Property Classification
387 to 409 High Street (inclusive)	Secondary
372 to 392 High Street (inclusive)	Secondary
176 to 198 High Street (inclusive)	Secondary
2A and 4A Mitchell Street (inclusive)	Secondary
The property known as Northcote Central Shopping Centre Secondary (corner of High and Separation Streets Northcote)	Secondary

Statutory Process

The Act requires Council to give public notice of its proposed declaration of the Special Charge and write to all people who will be liable to contribute. The proposed declaration of the Special Charge has been prepared in accordance with the Act.

Owners (or occupiers who would pay the charge as a condition of their lease) may object to the proposal within 28 days. If objections are received from more than fifty per cent of persons liable, Council will be prevented from making the declaration and the scheme cannot proceed.

If the special charge is implemented, it is intended that the Business Association would continue to partly utilise the fund to employ a part-time centre coordinator to organise marketing, management and business development activities funded by the proceeds of the special charge as well as liaise with Council on behalf of the Association.

Funding Agreement

If the special charge is implemented, a formal agreement will be entered into between Council and the Business Association. This will confirm the role of the Association in expending the monies raised by the special charge is on the behalf of the Council, and is of an administrative nature only and at all times under the direction of and for Council. Payment of the special charge is conditional on the entering into such an agreement.

It is intended that the funds will also be utilised to ensure that the rolling five year business plan and annual budget be prepared for the Precinct. A copy of the business plan, a calendar of annual activities and budget will need to be provided to Council's Economic Development team. The agreement will encompass these.

Following the approval of the business plan, annual budget and compliance with those other conditions specified in the agreement, Council would provide the Association with the special charge proceeds in instalments. A key aspect of this arrangement is that the Association is an incorporated entity and acts in accordance with the Associations Incorporation Reform Act 2012.

OPTIONS FOR CONSIDERATION

- That Council endorse the intention to make a declaration of a special charge for the encouragement of business and commerce in the High Street Northcote Business Precinct.
- That Council do not endorse the intention to make a declaration of a special charge.

IMPLEMENTATION STRATEGY

Should Council resolve to proceed with the intent to declare the special charge, the following would occur:

- Public Notice of Council's 'Intention to Declare' the special charge will be advertised in The Northcote and Preston Leader newspapers and individual letters, including a copy of the public notice, will be sent to all property owners and occupiers (businesses).
- A person affected by the special charge may make a written submission or objection to Council, within 28 days of the publication of the public notice. This will be considered in accordance with sections 163 and 223 of the Act 1989.
- Questions, submissions and objections will be directed to the Economic Development Coordinator.
- Council's Hearing of Submissions Committee will be convened to hear persons who wish to be heard in support of their submission or objection.
- Following this, a further report will be made to Council outlining all submissions and objections. Council will then resolve to either adopt or abandon the scheme.

- If the scheme is adopted, affected persons then have a period of 30 days to lodge an objection with the Victorian Civil and Administrative Tribunal.
- Should the Special Charge be renewed, Council will enter into a formal agreement with the Northcote Business Association prior to the special charge or any part being paid to the Association which, amongst other matters, acknowledges and confirms that the role of the Association is in expending the monies raised by the special charge on behalf of Council is of an administrative nature only and at all times under the direction of and for Council.

Communication

- A communications plan with particular focus on individual business and property owners will include an information session and FAQs on Council and the Association websites.
- All businesses will have access to translator service if needed.
- Copies of the Council report and attachments will be made publically available at the Northcote Library.

Timeline

- In accordance with Section 163 of the *Act*, give public notice in the Northcote and Preston Leader newspapers.
- Notify Council's intent to make a declaration of a special charge from the 1 July 2019 for the encouragement of business and commerce in the High Street Northcote Business Precinct and that a copy of the public notice be sent to each person who will be liable to pay the special charge (business operators and landlords).
- That Council gives 29 days to receive submissions, which is longer than the prescribed 28 days. Submissions will close on 29 April at 9am.
- Any persons who wish to be heard in support of their submissions will be heard at a Special Hearing Committee of Council at Darebin Council Chambers, Preston at on 13 May 2019 if required.
- Following this, a further report will be made to Council outlining all submissions or objections. Council will then resolve to either declare or abandon the Special Charge.
- If adopted, affected persons then have a period of 30 days to lodge an objection with the Victorian Civil and Administrative Tribunal.

RELATED DOCUMENTS

- *Local Government Act 1989*
- Tourism Strategy : A Destination Plan for Darebin 2016-2021
- Darebin Council Plan 2017 - 2021

Attachments

- Proposed Map of High Street Northcote Business Precinct 2019-2024 (**Appendix A**) [↓](#)
- Northcote Special Charge Renewal Public Notice 2019 (**Appendix B**) [↓](#)
- High Street Northcote Proposed Property Assessment (**Appendix C**) [↓](#)

DISCLOSURE OF INTEREST

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

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

Proposed High Street Northcote Business Precinct 2019-2024

Darebin City Council



DAREBIN CITY COUNCIL

NOTICE OF INTENTION TO DECLARE A SPECIAL CHARGE

HIGH STREET NORTHCOTE BUSINESS PRECINCT (Precinct)

In accordance with the provisions of the *Local Government Act 1989 (Act)*, it is hereby given that Darebin City Council at its meeting on **18 March 2019** resolved to give notice of the intention to declare and levy a special charge under Section 163 of the Act.

The special charge is for the purpose of defraying expenses to be incurred by Council in providing funds to the incorporated body operating as the Northcote Business Association (NBA), which funds, subject to the approval of Council, are to be used for the purposes of promotional, marketing, business development, contracted support, and other incidental expenses as agreed to from time to time between Council and NBA all of which are associated with the encouragement of commerce, retail and professional activity and employment in the Precinct.

In performing functions and exercising powers to encouragement of commerce and retail activity in and around the area for which it is proposed the Special Charge being **1 July 2019 to 30 June 2024**, will be declared, the Council intends to levy and spend an amount of **\$88,745** or the first year of the Scheme, raising in total an amount of **\$443,725** over the Scheme. Any increases in Special Charge amounts pursuant to increases in the Consumer Price Index (CPI) will, however, be added to the payments of the Special Charge in the second, third, fourth, and fifth years of the Scheme.

The proposed Special Charge will be based on geographic criteria, having regard to the location (as set out below and also shown on the plan) and the capital improved value (CIV) of those rateable properties in the Precinct that are used, or reasonably capable of being used, for commercial, retail or professional purposes and further, the classification of those properties as receiving a "primary" or a "secondary" special benefit.

The Council considers that each rateable property and each business included in the Scheme area that is required to pay the Special Charge will receive a special benefit because the viability of the Precinct as a retail, commercial and professional area, and the value and the use, occupation and enjoyment of the properties will be maintained or enhanced through increased economic activity.

For the period of the Scheme, the proposed Special Charge will be assessed on the following rateable properties (which properties are specified as being the area and the land for which the Special Charge will be declared) as follows:

Properties enjoying a "primary" special benefit are charged \$480 per annum including:

Street name	Street number (inclusive)
High Street	203 to 385; 200 to 360 and 360A

Properties enjoying a "secondary" special benefit (as shown below) are charged \$235 per annum including:

Street name	Street number (inclusive)
High Street	387 to 409; 372 to 392; 176 to 198
Mitchell Street	2A and 4A
Corner of High & Separation Streets Northcote	The property known as Northcote Central Shopping Centre

The proposed special charge will be levied by the Council sending a notice of levy annually to the persons required to pay the Special Charge, which will require that the Special Charge be paid in four instalments, to be paid by the dates fixed by the Council in the notice and in accordance with section 167(3) of the Act. Council will consider cases of financial and other hardship and may reconsider other payment options for the Special Charge.

Copies of the proposed declaration of Special Charge and a plan of the Scheme area are available to inspect during normal business hours at Darebin City Council Offices, 274 Gower Street Preston or on Council's website www.darebin.vic.gov.au for a period of at least 28 days after the publication of this notice.

Any person may make a written submission to the Council under sections 163A and 223 of the Act. In addition, any person who will be required to pay the proposed Special Charge, whether an owner or an occupier of a property included in the Scheme, has a right to object to the proposed declaration and may also make a written objection to the Council under section 163B of the Act.

Any person who has made a written submission may also request that they be heard in support of their written submission. Submissions should be addressed to: Wendy Dinning Economic Development Coordinator, PO Box 91 Preston, 3073.

Council will consider and, if requested, hear support for all written submissions received before 5pm 29 April 2019 at a Hearing of Submissions Committee. Submitters will be advised in writing of the date and time of the meeting.

It is proposed that Council will consider this matter at its Ordinary Meeting of 11 June 2019. Further information on this Scheme may be obtained from Wendy Dinning Economic Development Coordinator on 84708888 or wdinning@darebin.vic.gov.au

High Street Northcote Proposed Property Assessment Schedule 2019/20 (year one)

Assessment Number	Amount payable 2019/2020	Assessment Number	Amount payable 2019/2020	Assessment Number	Amount payable 2019/2020	Assessment Number	Amount payable 2019/2020	Assessment Number	Amount payable 2019/2020
36722	480.00	36763	480.00	36815	480.00	37234	480.00	37276	480.00
36723	480.00	36764	480.00	36816	480.00	37235	480.00	37277	480.00
36724	480.00	36767	480.00	36817	480.00	37236	480.00	37278	480.00
36725	480.00	36769	480.00	36818	235.00	37237	480.00	37279	480.00
36726	480.00	36770	480.00	36819	235.00	37238	480.00	37280	480.00
36727	480.00	36771	480.00	36820	235.00	37240	480.00	37281	480.00
36728	480.00	36772	480.00	36821	235.00	37241	480.00	37282	480.00
36729	480.00	36773	480.00	36822	235.00	37245	480.00	37283	480.00
36731	480.00	36775	480.00	36830	235.00	37246	480.00	37285	480.00
36732	480.00	36776	480.00	37196	235.00	37247	480.00	37286	480.00
36734	480.00	36777	480.00	37197	235.00	37248	480.00	37289	235.00
36735	480.00	36778	480.00	37199	235.00	37249	480.00	37290	235.00
36736	480.00	36794	480.00	37200	235.00	37250	480.00	37292	480.00
36737	480.00	36795	480.00	37202	480.00	37253	480.00	37293	235.00
36738	480.00	36796	480.00	37205	480.00	37254	480.00	37294	235.00
36739	480.00	36799	480.00	37208	480.00	37255	480.00	37295	235.00
36740	480.00	36800	480.00	37209	480.00	37256	480.00	37296	235.00
36741	480.00	36801	480.00	37211	480.00	37257	480.00	37297	235.00
36743	480.00	36802	480.00	37213	480.00	37259	480.00	37298	235.00
36744	480.00	36803	480.00	37214	480.00	37262	480.00	46896	235.00
36746	480.00	36804	480.00	37216	480.00	37263	480.00	46897	235.00
36747	480.00	36805	480.00	37222	480.00	37264	480.00	46900	235.00
36748	480.00	36806	480.00	37223	480.00	37265	480.00	46905	235.00
36749	480.00	36807	480.00	37224	480.00	37266	480.00	46906	235.00
36751	480.00	36808	480.00	37225	480.00	37267	480.00	46908	235.00
36752	480.00	36809	480.00	37226	480.00	37268	480.00	46910	235.00
36754	480.00	36810	480.00	37227	480.00	37270	480.00	46911	235.00
36758	480.00	36811	480.00	37228	480.00	37271	480.00	46912	235.00
36760	480.00	36812	480.00	37231	235.00	37272	480.00	46913	235.00
36761	480.00	36813	480.00	37232	480.00	37273	480.00	46914	235.00
36762	480.00	36814	480.00	37233	480.00	37274	480.00	46915	235.00

Assessment Number	Amount payable 2019/2020	Assessment Number	Amount payable 2019/2020
46917	235.00	69370	480.00
46918	235.00	69786	235.00
50859	235.00	70812	480.00
58503	235.00	70813	480.00
60498	480.00	70845	480.00
60499	235.00	70848	480.00
60500	480.00	71338	480.00
61110	235.00	72585	235.00
61121	480.00	72938	480.00
61122	235.00	72939	480.00
61410	480.00	73980	480.00
62001	480.00	73981	480.00
62177	480.00	73982	235.00
62292	235.00	74941	235.00
62909	480.00	74942	235.00
62963	235.00	74943	235.00
62988	480.00	74965	480.00
63690	480.00	75671	480.00
63692	235.00	75672	480.00
63980	235.00	75673	480.00
64514	480.00	75940	480.00
65063	235.00	75941	480.00
66353	235.00	78222	480.00
66593	480.00	78787	235.00
66594	480.00	78788	235.00
67336	480.00	78789	235.00
67745	480.00	78790	235.00
68461	235.00	78791	235.00
68462	235.00	78792	235.00
68663	480.00		
68776	235.00		88,745.00

8.2 PRESTON BUSINESS ADVISORY COMMITTEE**Author:** Coordinator Economic Development**Reviewed By:** General Manager City Sustainability and Strategy

PURPOSE

This report recommends ceasing the Preston Business Advisory Committee and supporting businesses in Preston Central to establish a trader led Business Association.

EXECUTIVE SUMMARY

In 2008 Council sought to support the businesses in Preston Central by managing and administering the special rate levy with the advice from Preston Business Advisory Committee (PBAC).

Over the past 10 years the PBAC has worked to ensure businesses in Preston Central are represented and to ensure their ideas and priorities are incorporated into various promotional and marketing activities, events and programs. These have showcased the diverse range of businesses, helped to attract visitors and activated the precinct. More recently the PBAC has played a key role in development of a refresh of the branding for the Preston Central and social media promotions campaign.

The current Preston Central special rate levy expires at 30 June, 2019 and Council will consider a renewal for an additional five years at a future meeting. In order to allow the businesses that pay the special rate levy to have more control over their aspirations for Preston Central, it is timely that Council assess the future of the committee. Officers recommend disbanding the current advisory committee to Council and instead assisting the business community to establish a Preston Central business led association which can advocate directly to Council. Consultation with current PBAC members as well as local businesses indicates support for this approach.

Recommendation

That Council:

- (1) Acknowledges the work undertaken by the Preston Business Advisory Committee and its members over the past ten years.
 - (2) Disbands the Preston Business Advisory Committee as at 18 March.
 - (3) Continues to administer the special rate levy until such time as a Business Association is established.
 - (4) Supports the establishment of a business association for Preston Central.
-

BACKGROUND / KEY INFORMATION

Council sought to support the businesses in Preston Central by undertaking the administration and management of the special rate levy on 2 June 2008 through the establishment of the Preston Business Advisory Committee (PBAC).

The main responsibilities of PBAC can be summarised as - to represent all businesses in the Preston Central precinct and provide advice and feedback for the proposed promotional and marketing activities and events to attract people and the businesses within Preston Central.

The PBAC have advised Council on issues such as parking availability; streetscape improvements; safety and amenity issues and the need to enhance the diversity of Preston Central's offering and address the increased number of vacant shops. The Committee has also advised on Christmas decorations, street entertainment and digital campaigns. The PBAC has played a key role in development of:

- Visual merchandising programs that have included façade and re-branding of businesses,
- A range of promotional activities that highlight the variety of businesses within the precinct,
- Annual family fun days and culturally significant events such as lunar new year,
- Showcasing the food offering in the centre

Council engages a Centre Manager to deliver key promotional activities for Preston Central. This Centre Manager prepares reports for PBAC and seeks PBAC advice to inform their work and is funded by the current special rate levy. Their contract is managed by Council. In practice, Council Officers, via the Centre Manager, take PBAC's advice as a key input into operational planning and in this way PBAC has operated in a somewhat similar way to a Business Association.

Key PBAC activities and outcomes for June 2018 to February 2019

PBAC played a key role in development of:

- The People of Preston program, a place making project which focused on telling real stories of local business owners and residents.
- Social media campaign for Preston Central (Facebook, Instagram and Twitter).
- A visual merchandising program to improve façade and presentation of shop fronts.
- Planning for Christmas decorations and activities.
- Co-promotion of activities and events held at the Preston Market, which plays an anchor role as part of Preston Central.
- A Lunar New Year Festival which included store blessings, entertainment and showcased Preston Central to the wider Darebin community.

PBAC current membership and terms of reference

According to the most recently adopted Terms of Reference (TOR) the current membership comprises of up to 14 members as follows: two Cazaly Ward Councillors (co -chair); five business representatives, liable for the special rate; a representative from the Preston Market; two community representatives; two associate business representatives; one Preston resident; and two Council officers.

Over the past four months, five Committee members have resigned due to changes in their employment circumstances. During this time, only one additional member has joined the committee. This means that there are currently only two committee members that are paying the special rate levy and four community representatives or associated businesses on the committee. According to the PBAC Terms of Reference an Expression of Interest to seek new committee members is undertaken every two years. Given that this process would be commence shortly, and the special rate levy is due for renewal, it is the right time to assess the future of the committee.

Previous Council Resolution

The Terms of Reference and membership were most recently endorsed by Council on 7 August 2017. A decision to place two Cazaly Ward Councillors as co-chairs of this committee was made on 13 November 2017.

COMMUNICATIONS AND ENGAGEMENT

Consultation

Feedback received from some past and present members of the committee, and other businesses in Preston Central is that outcomes currently driven by PBAC could be improved with the re-establishment of a Business Association. Some of the opportunities committee members and businesses identified were:

- Decisions about marketing would be in the hands of the individuals who contribute to the levy.
- An Association can advocate to Council for the things that are important to businesses.
- Potentially decision could be made faster (less red tape).
- There is an opportunity for the businesses strengthen their working relationships.

Communications

A communications plan is currently being implemented as part of the marketing of the special rate levy. It includes an invitation to businesses to join the association.

ANALYSIS

Alignment to Council Plan / Council policy

Goal 4 - A strong economy

The overall goal is to support and attract a diversity of local businesses and industries by fostering an environment in which they can thrive. The current and proposed schemes specifically raise funds to achieve marketing, promotions and business development outcomes in line with the Council Plan.

Tourism Strategy – A destination plan for Darebin 2016 – 2021, seeks to increase awareness of the diversity of experiences on offer in our City.

Environmental Sustainability Considerations

Supporting vibrant local shopping centres can help encourage local shopping and more pedestrian and active transport trips compared to vehicle trips. This can have a small impact on reducing emissions.

Equity, Inclusion and Wellbeing Considerations

The Preston Business Advisory Committee has always struggled to get representation from the diverse background of business owners operating within Preston Central.

Cultural Considerations

Associations have always struggled to get representation from the diverse background of business owners operating within Centres. Supporting vibrant local shopping centres can help encourage local shopping and support community inclusion.

Economic Development Considerations

The outcomes facilitated by a special rate scheme are essential to enhance the development of commerce and trade in a retail precinct. The events, marketing and promotional activities held in Preston Central attract people from neighbouring suburbs and provide a boost to the local economy.

Financial and Resource Implications

There are no financial implications in ending the advisory committee. Staff time will be required to assist and support the re-establishment of a business association.

Legal and Risk Implications

Establishing a business association is a decision for the local businesses, not for Council. It is unlikely but possible that the businesses may not establish a business association before a the special rate levy needs to be renewed. If this were to occur, Council would proceed with seeking to renew the special rate and would manage it in the interim. This is a common approach in parts of Victoria, especially in regional areas and does not present any particular risks. Officers would continue to seek feedback and consult with businesses regularly to ensure that programs meet their needs.

DISCUSSION

There is interest in and benefits of re-establishing a Business Association in Preston

In Darebin and wider Melbourne it is most common that a business association administers a special rate levy.

At the point in time that Council established PBAC, local businesses were seeking support to administer the Levy. This has changed and feedback from local businesses has found that they are interested in and see benefit in re-establishing a business association. This is the right time to consider a change like this because the special rate levy is due for renewal.

The PBAC have advised Council on issues such as parking availability; streetscape improvements; safety and amenity issues and the need to enhance the diversity of Preston Central's offering and address the increased number of vacant shops. The Committee has also advised on Christmas decorations, street entertainment and digital campaigns. The PBAC has played a key role in development of

- Visual merchandising programs that have included façade and re-branding of businesses,
- A range of promotional activities that highlight the variety of businesses within the precinct,
- Annual family fun days and culturally significant events such as lunar new year,
- Showcasing the food offering in the centre

More recently the committee has also had challenges operating as an advisory committee including:

- Business associations often advocate to Council for things that are important to them. This is harder for the business operators to do when it is an advisory committee.
- As an advisory committee, it must rely on officers to enact its purchasing decisions and officers must follow a range of protocols that are important in a public sector organisation. Business associations have more flexibility and can at times implement decisions faster.
- An independent association may be able to attract broader representation of local businesses because of its independent role.

OPTIONS FOR CONSIDERATION

In regards to next steps, there are several options open to Council for consideration. A table indicating advantages and disadvantages of each option is below:

Option for consideration	Advantages	Disadvantages
1. Council can disband the current PBAC and support local businesses to establish a business association. In the interim Council would continue to manage the special rate levy and regularly seek feedback from local businesses. (recommended)	<ul style="list-style-type: none"> • Ownership of how the levy is spent would be in the hands of the businesses. • Ability for businesses to advocate to Council. • An association can secure stronger representation of local businesses. • Business associations have more flexibility and can implement decisions faster. 	<ul style="list-style-type: none"> • Will take time to build up the capacity of business representatives.
2. Council can decide to continue to run PBAC but amend the PBAC Terms of Reference to only include Preston Central based businesses that pay the Levy. It would run an EOI to recruit new members.	<ul style="list-style-type: none"> • Strengthens local business voices on PBAC to hear their priorities, ideas and needs are. 	<ul style="list-style-type: none"> • PBAC would continue to be seen as a Council led organisation not a business association. • Purchasing decisions have additional protocols (less flexibility) • Continues to be resource intensive for council staff.
3. Council could continue to run the current PBAC model. It would run an EOI to recruit new members.	<ul style="list-style-type: none"> • Continues to provide a mechanism for hearing from business about what their priorities, ideas and needs are. 	<ul style="list-style-type: none"> • PBAC would continue to be seen as a Council led organisation not a business association. • Purchasing decisions have additional protocols (less flexibility) • Continues to be resource intensive for council staff.

IMPLEMENTATION STRATEGY

Details

If Council adopts the officer's recommendation, the next steps would be:

- Acknowledge and celebrate the work undertaken by the Preston Business Advisory Committee and its members over the past ten years and inform current committee members of Council's decision.
- Continue to administer the special rate levy with the assistance of the Centre Manager and with feedback from local businesses.
- Continue to liaise with businesses within Preston Central to encourage and support them to establish a business association. This would include support to develop Rules of Incorporation and reviewing other governance requirements including registering as an incorporated association.

Communication

- A key focus for upcoming business engagement within Preston Central would be to support the establishment of a business association. Officers, with the Centre Manager, will develop a communications plan with particular focus on individual business. This will include information and networking events and business visitations.

Timeline

- Notify PBAC members of Council's decision (as soon as possible).
- Continue to administer the current special rate levy with the assistance of the Centre Manager (until new special rate levy is established and a business association is in place).
- Hold a final thank you event for past and present members of the PBAC (within two months).
- Support businesses to establish an association (over the next three to six months).
- Consider a future report regarding the renewal of the Preston Central special rate levy.

RELATED DOCUMENTS

- Preston Business Advisory Committee Terms of Reference 2017

Attachments

Nil

DISCLOSURE OF INTEREST

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

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

8.3 INTENTION TO DECLARE A SPECIAL RATE SCHEME FOR THE FAIRFIELD VILLAGE BUSINESS PRECINCT

Author: Coordinator Economic Development

Reviewed By: General Manager City Sustainability and Strategy

PURPOSE

To seek Council's declaration of intent to declare a special rate for the Fairfield Village Business Precinct 2019-2024 for the purposes of marketing, promotion and development of Fairfield Village.

EXECUTIVE SUMMARY

A special rate for the purposes of marketing, promotion and development of the Fairfield Village Business Precinct has been in place for 20 years. The current special rate scheme expires on 30 June 2019.

The funds collected from a special rate scheme assist precincts to market and promote the businesses within the precinct, and are also used to market the precinct as a whole to attract new visitors and shoppers. Over the past five years the Fairfield Village special rate has contributed to improving centre branding and social media presence and raised customer awareness.

This report proposes commencing the formal process for the renewal of the Fairfield Village Business Precinct Special Rate Scheme.

The next steps would be advertising of Council's intention to declare a special rate and seek submissions from property owners and businesses liable to pay the proposed special rate.

Recommendation

That Council:

- (1) Having otherwise considered all relevant matters, commences the statutory process under the *Local Government Act* 1989 to reintroduce a Special rate to and for the properties defined in the Fairfield Village Business Precinct for the encouragement of business and commerce (**Appendix A – Map**). This Special Charge will commence on 1 July 2019 and end on 30 June 2024, and raise an amount of \$66,000 per annum, multiplied by the Consumer Price Index Rate provided by the Australian Bureau of Statistics for the previous financial year for years two, three, four and five of the Scheme.
- (2) Apply the criteria to be used as the basis for levying the special rate:
 - i. For the period of the scheme, it is proposed that the special rate will be assessed as follows:

Properties allocated to the “primary” special benefit will be subject to a special rate of 0.00066645 cents in the dollar of the Capital Improved Value of the property (plus any CPI increase annually in the second, third, fourth and fifth years of the scheme).

Properties allocated to the “secondary” special benefit will be subject to a special rate of 0.00049984 cents in the dollar of the Capital Improved Value of the property (plus any CPI increase annually in the second, third, fourth and fifth years of the scheme).

The manner in which the special rate is assessed (that is, the criteria to be used as the basis for levying the special rate) is: For the first year and subsequent years of the proposed special rate – each commercially zoned property included in the special rate is to pay the amount calculated in **Appendix B** of the respective property’s Capital Improved Value.

- (3) Give public notice in the Preston and Fairfield Village Leader newspapers, of Council’s intention to declare a Special rate at its ordinary meeting to be held on 11 June 2019; in accordance with the Proposed Declaration of the Special rate (**Appendix C**).
- (4) Send separate letters enclosing a copy of the public notice to the owners and the occupiers referred to and set out in the listing of rateable properties in **Appendix A** to the Proposed Declaration of the Special Rate advising:
 - a) Of the intention of Council to declare the Special Rate at its ordinary meeting to be held on 11 June 2019;
 - b) The amount for which the property owner or the occupier (being a person who as a condition of a lease under which the person who occupies the property is required to pay the Special rate) will be liable; and
 - c) The basis of the calculation and distribution of the Special Rate and notifying such persons that submissions and/or objections in writing in relation to the Proposed Declaration of Special Rate will be considered and/or taken into account by Council in accordance with the Act.
- (5) Advises the Fairfield Village Traders Association of this resolution.
- (6) Authorises the appropriate members of Council’s staff:
 - a) To carry out any and all other administrative procedures necessary to enable Council to carry out its functions under the Act; and
 - b) To prepare a funding agreement between Council and the Fairfield Village Traders Association to formalise the administrative operations of the Special rate
- (7) Approve the agreement specified in paragraph 6(b) of this resolution and it be subsequently submitted to Council for approval and sealing before the proceeds of the Special rate, or any part of them, are paid to the Fairfield Village Traders Association for the purposes for which the Special Rate has been made.

BACKGROUND / KEY INFORMATION

The Fairfield Village Traders Association has written to Council asking that Council consider renewing the special rate scheme for the Fairfield Village Business Precinct. This will in effect continue on from the current scheme which ceases on 30 June 2019.

The new scheme is proposed to run for five years from 1 July 2019 to 30 June 2024 and is proposed to raise \$66,000 in the first year.

The funds raised by the scheme would deliver precinct specific business marketing events, promotion, advertising and marketing material including social media, and centre management.

The previous scheme allowed for the Association to raise the profile of the precinct through promotional activities and place making activities such family movie nights and comedy evenings; and promote local businesses on social media.

Previous Council Resolution

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

COMMUNICATIONS AND ENGAGEMENT

Consultation

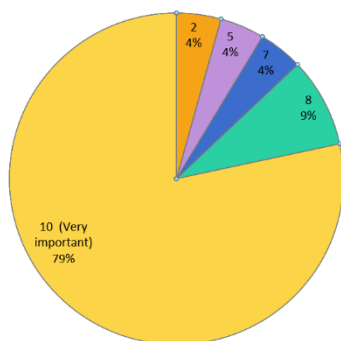
Survey of businesses

Prior to the commencement of any formal process, a survey has been conducted with the 124 business operators in Fairfield Village. The survey evaluated the effectiveness of the current marketing levy and ensures that there is enough support within the business community for the rate to be renewed. A total of 23 responses (18.6%) were received with the majority (78%) indicating that they were favourable towards the renewal of the scheme. This majority enables Council to consider the formal process of proposing the intention to declare a further levy.

While the number of surveys received was low, this is comparable to previous renewal responses and is indicative of the level of engagement before a formal process commences. Some concerns were raised regarding the amount of money and the effectiveness of the marketing. Copies of the survey results will be forwarded to the Business Association to assist in the preparation of their five year business plans.

The key results can be found below:

- On a scale of 0 to 10 how important is it to have Fairfield Village promoted as a precinct?



- On a scale of 0 to 10 how do you rate the effectiveness of the current promotion of Fairfield Village?

<ul style="list-style-type: none"> Not effective 0-3 Responses: 3 	<ul style="list-style-type: none"> Moderately effective 4-6 Responses: 5 	<ul style="list-style-type: none"> Very effective 7-10 Responses: 15
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- Would you support the renewal of the special rate scheme for a further five year period?

Yes: 18
No: 5

Communications

In addition to the survey the Association distributed a brochure outlining the benefits provided to businesses via the special rate over the past five years.

ANALYSIS

Alignment to Council Plan / Council policy

Goal 4 - A strong economy

The overall goal is to support and attract a diversity of local businesses and industries by fostering an environment in which they can thrive. The current and proposed scheme raise funds to achieve marketing, promotions and business development outcomes in line with the Council Plan.

Council's Tourism Strategy – *A destination plan for Darebin 2016 – 2021* seeks to increase awareness of the diversity of experiences on offer in our City.

Environmental Sustainability Considerations

Supporting vibrant local shopping centres can help encourage local shopping and more pedestrian and active transport trips compared to vehicle trips. This can have a small impact on reducing emissions.

Equity, Inclusion and Wellbeing Considerations

Associations have always struggled to get representation from the diverse background of business owners. Supporting vibrant local shopping centres can help encourage local shopping and community inclusion.

Cultural Considerations

Events delivered through the special rate levy are often unique to the businesses and community.

Economic Development Considerations

The events, marketing and promotional activities held in these precincts attract people from neighbouring suburbs and provide a boost to the local economy, which is the key to maintaining a strong and vibrant retail centres.

Financial and Resource Implications

The proposed 19/20 amount to be raised is \$66,000. The total amount proposed to be raised over 5 years is \$330,000 plus an annual increase of CPI.

Council's contribution in providing resources for the set up and administration of a new special rate is estimated to be \$10,000 over five years. This amount will not be recovered from the business association and will be absorbed in Council's Economic Development operational budget.

Legal and Risk Implications

The Act requires Council to give public notice of a proposed declaration of the Special Rate and write to all people who will be liable to contribute. The proposed Declaration for this Special Rate has been prepared in accordance with the Act.

Owners (or occupiers who would pay the rate as a condition of their lease) may object to the proposal within 28 days. If objections are received from more than fifty per cent of persons liable, Council will be prevented from making the declaration and the scheme cannot proceed.

DISCUSSION

Special rate levies are commonly raised by Councils to support the marketing and promotion of local shopping precincts. The success of local shopping precincts such as Fairfield Village is extremely important to the local community. A vibrant, active and successful shopping centre can provide the following benefits to the community:

- Local employment
- Diversity of businesses
- Space for community to socialise and shop
- Expressions of various cultures
- Social inclusion
- Strengthen the unique characteristics of Fairfield Village

For the past 20 years, Fairfield Village has had a Special Rate Scheme in place for the properties used for retail and commercial purposes within the precinct. The area to be included within the Special Rate is attached in the map as **Appendix A**. In the final year of the current scheme (2018/2019) the levy has raised \$59,787.

The funds raised by the Special Rate have been used by the Fairfield Village Traders Association over the last five years for:

- Digital marketing
- Promotional and marketing events
- Promotional advertising, marketing and public relations material
- Improvement of the branding of the centre
- Centre management, including employment of a Centre Coordinator
- Installation of centre décor and displays
- Works to enhance the appearance and amenity of the centre in addition to those provided generally by Council
- Incidental costs related to the above including expenses related to the declaration and levying of the rate

The Business Association is seeking a special rate levy for marketing and promotion

The Fairfield Village Traders Association believes the fixed amount will provide the necessary funding to sustain a proactive marketing approach and promotional campaign to assist Fairfield Village Business Precinct to remain competitive. The viability of the precinct is dependent on its ability to represent as a cohesive management group of businesses, allowing them to unite in effectively responding to external threats or opportunities so to protect their investment in the Darebin community; and provide a holistic approach to marketing and promotion of the precinct.

It has been practice with all Council's Special Rate Schemes for 100% of the money raised by the scheme to be paid directly to the business association's elected account, over instalments throughout the year.

The relevant association spends the funds as specified in the Special Rate declaration and in accordance with an agreement between them and Council which requires annual budgets, regular financial reporting and audited annual financial statements.

Proposed Special Rate declaration

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

In this case, the purposes of marketing, promotion and development of Fairfield Village arises out of Council's functions of advocating and promoting proposals which are in the best interests of the community and ensuring the peace, order and good government of Council's municipal district and promotes the social, economic and environmental viability and sustainability of the municipal district. Each proposed property outlined to pay the levy has been part of the previous Scheme 2014 – 2019.

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

- A. Purpose of the works
- B. Ensure coherence
- C. Calculate total cost
- D. Identify special beneficiaries
- E. Determine the properties to include
- F. Estimate total special benefits
- G. Estimate community benefits
- H. Calculate the benefit ratio
- I. Calculate the maximum total levy

A. Purpose of the Works

The levy will be used for the purposes of contracted support, promotional, advertising, marketing, business development and other incidental expenses which are associated with the encouragement of commerce, retail and professional activity and employment in the Fairfield Village Business Precinct.

B. Ensure Coherence

The levy have a natural coherence with the proposed properties are classified as receiving a "primary" or a "secondary" special benefit having regard to the nature and characteristics of the properties and businesses included in each of the two areas.

C. Calculate the Total Cost

For the purposes of section 163(1) of the Act, the total cost of the scheme to be raised over five years is \$330,000 (\$66,000 in year one) plus an annual increase of CPI from year two for the life of the scheme (five years).

The total cost of implementing this rate would include:

- The annual amount which the Association has budgeted to spend on various marketing, promotional and other activities; and
- Council's own administrative costs in relation to the scheme.

It has however been practice in previous schemes for Council to not recover its administrative costs from liable properties, and to only levy those costs incurred by the Association. It is proposed that this practice continue for the new scheme. Council's contribution is \$10,000 over the life of the scheme; by providing its own resources towards the benefit of the Centre is not inconsiderable and is highlighted for the record.

D. Identify the Special Beneficiaries

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

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

- Digital marketing
- Promotional and marketing events
- Promotional advertising, marketing and public relations material
- Improvement of the branding of the centre
- Centre management, including employment of a Centre Coordinator
- Installation of centre décor and displays

E. Determine Properties to Include

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

It is accepted that only those properties at which are included in the Business Precinct receive a special benefit from the scheme. Accordingly, it is proposed to include only commercial properties in the scheme. Council will not, then, be required to pay a share of costs related to special benefits for any property that is not included in the scheme.

F. Estimate Total Special Benefits

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

TSB = TSB_(in) + TSB_(out)

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

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

- **TSB_(in)** – The estimated total special benefit is based on the request from the Business Association required for their annual budget.
- **TSB_(out)** – This is not applicable as all participating properties are included.

G. Estimate Community Benefits

The community benefit which is calculated in circumstances where Council considers that the services and activities to be provided from the proceeds of the special rate, all being for the purpose of marketing, management and development of the Centre, will only benefit the commercial properties (all of which are rateable land) included in the Scheme area.

The community benefit has been assessed and equates to zero.

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

H. Calculate the Benefit Ratio

The benefit ratio is calculated as:

$$R = \frac{TSB_{(in)}}{TSB_{(in)} + TSB_{(out)} + TCB}$$

Where:

- TSB_(in)** = \$330,000 plus CPI increase for every subsequent year until 2024.
- TSB_(out)** = 0
- TCB** = 0
- R** = 1

I. Calculate the Maximum Total Levy

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

$$S = R \times C$$

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

R is the 'benefit ratio' which is the percentage of the total cost that Council determines is able to be levied. It takes into account whether there are properties Council believes will derive a 'special benefit' and are to be levied, and others which also receive such a benefit but which aren't to be levied (such as non-commercial community facilities). It is considered that all the properties within the area of the on the map attached **Appendix A** to the report will derive a special benefit. Council must also determine if there is a clear, direct and tangible 'community benefit' provided by the scheme that cannot be rated to the shops. This must be attributed to, and paid for, by Council.

S is the maximum amount that can be levied. With regard to the ‘benefit ratio’, it is considered that all the commercially zoned properties shown on the map and detailed in the list annexed to the attached proposed declaration, will receive a special benefit through increased economic activity. There are no rateable properties identified within this area which should not be levied.

Also, it is considered that there are no separate ‘community benefits’ that can be measured which might accrue from the existence of the scheme. Any benefits to people visiting the businesses in the Centre will accrue to the businesses themselves.

Therefore, the total maximum amount that can be levied on liable property owners would be 100% of the total cost of the Scheme

Therefore $S = 1 * \$330,000 = \$330,000$ plus CPI increase for every subsequent year until 2024.

Note there is no community benefit amount payable by Council.

Apportionment of Costs

Once the maximum levy amount has been calculated, Council needs to specify the methodology it will use in determining how the payment of the rate is to be apportioned amongst the benefiting properties. For the period of the scheme, it is proposed that the special rate will be assessed as follows (**Appendix C**):

- Properties allocated a “primary” special benefit (as shown below) - will be subject to a special rate of 0.00066645 cents in the dollar of the CIV of the property.

Property	Property Classification
74-152 Station Street (inclusive)	Primary
85-157 Station Street (inclusive)	Primary

- Properties enjoying a “secondary” special benefit (as shown below) - will be the subject of a special rate of 0.00049984 cents in the dollar of the CIV of the property.

Property	Property Classification
3-29 Railway Place (inclusive)	Secondary
256-288 Wingrove Street (inclusive)	Secondary
68-152 Station Street (second floor) (inclusive)	Secondary
75-157 Station Street (second floor) (inclusive)	Secondary
99a Station Street	Secondary
68-72 Station Street (inclusive)	Secondary
75 – 83 Station Street (inclusive)	Secondary

Statutory Process

The Act requires Council to give public notice of its proposed declaration of the Special Rate and write to all people who will be liable to contribute. The proposed declaration of the special rate has been prepared in accordance with the Act.

Owners (or occupiers who would pay the rate as a condition of their lease) may object to the proposal within 28 days. If objections are received from more than fifty per cent of persons liable, Council will be prevented from making the declaration and the scheme cannot proceed.

If the special rate is implemented, it is intended that the Business Association would continue to partly utilise the fund to employ a part-time centre coordinator to organise marketing, management and business development activities funded by the proceeds of the Special Rate as well as liaise with Council on behalf of the Association.

Funding Agreement

If the special rate is implemented, a formal agreement will be entered into between Council and the Business Association. This will confirm the role of the Association in expending the monies raised by the special rate is on the behalf of the Council, and is of an administrative nature only and at all times under the direction of and for Council. Payment of the special rate is conditional on the entering into such an agreement.

It is intended that the funds will also be utilised to ensure that the rolling five year business plan and annual budget be prepared for the Precinct. A copy of the business plan, a calendar of annual activities and budget will need to be provided to Council's Economic Development team. The agreement will encompass these.

Following the approval of the business plan, annual budget and compliance with those other conditions specified in the agreement, Council would provide the Association with the Special Rate proceeds in instalments. A key aspect of this arrangement is that the Association is an incorporated entity and acts in accordance with the *Associations Incorporation Reform Act 2012*.

OPTIONS FOR CONSIDERATION

- That Council endorse the intention to make a declaration of a special rate for the encouragement of business and commerce in the Fairfield Village Business Precinct.
- That Council do not endorse the intention to make a declaration of a special rate.

IMPLEMENTATION STRATEGY

Details

Should Council resolve to proceed with the intent to declare the special rate, the following would occur:

- Public Notice of Council's 'Intention to Declare' the special rate will be advertised in The Northcote and Preston Leader newspapers and individual letters, including a copy of the public notice, will be sent to all property owners and occupiers (businesses).
- A person affected by the special rate may make a written submission or objection to Council, within 28 days of the publication of the public notice. This will be considered in accordance with sections 163 and 223 of the Act 1989.

- Questions, submissions and objections will be directed to the Economic Development Coordinator.
- Council's Hearing of Submissions Committee will be convened to hear persons who wish to be heard in support of their submission or objection.
- Following this, a further report will be made to Council outlining all submissions and objections. Council will then resolve to either adopt or abandon the scheme.
- If the scheme is adopted, affected persons then have a period of 30 days to lodge an objection with the Victorian Civil and Administrative Tribunal.
- Should the Special Rate be renewed, Council will enter into a formal agreement with the Fairfield Village Traders Association prior to the special rate or any part being paid to the Association which, amongst other matters, acknowledges and confirms that the role of the Association is in expending the monies raised by the special rate on behalf of Council is of an administrative nature only and at all times under the direction of and for Council.

Communication

- A communications plan with particular focus on individual business and property owners will include an information session and FAQs on Council and the Association websites.
- All businesses will have access to translator service if needed.
- Copies of the Council report and attachments will be made publically available at the Fairfield Library.

Timeline

- In accordance with Section 163 of the *Act*, give public notice in the Northcote and Preston Leader newspapers.
- Notify Council's intent to make a declaration of a special rate from the 1 July 2019 for the encouragement of business and commerce in the Fairfield Village Business Precinct and that a copy of the public notice be sent to each person who will be liable to pay the special rate (business operators and landlords).
- That Council gives 29 days to receive submissions, which is longer than the prescribed 28 days. Submissions will close on 29 April at 9am.
- Any persons who wish to be heard in support of their submissions will be heard at a Special Hearing Committee of Council at Darebin Council Chambers, Preston at on 13 May 2019 if required.
- Following this, a further report will be made to Council outlining all submissions or objections. Council will then resolve to either declare or abandon the Special Rate.
- If adopted, affected persons then have a period of 30 days to lodge an objection with the Victorian Civil and Administrative Tribunal.

RELATED DOCUMENTS

- *Local Government Act 1989*
- Tourism Strategy : A Destination Plan for Darebin 2016-2021
- Darebin Council Plan 2017 - 2021

Attachments

- Proposed Map of Fairfield Village Business Precinct (**Appendix A**) [↓](#)
- Fairfield Village Proposed Property Assessments (**Appendix B**) [↓](#)
- Fairfield Special Rate Renewal Public Notice 2019 (**Appendix C**) [↓](#)

DISCLOSURE OF INTEREST

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

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

Proposed Map of Fairfield Village Business Precinct 2019-2024

Darebin City Council



Fairfield Village Special Rate Levy Proposed Property Assessment Schedule 2019/20 (year one)

Assessment Number	Amount payable 2019/2020	Assessment Number	Amount payable 2019/2020	Assessment Number	Amount payable 2019/2020	Assessment Number	Amount payable 2019/2020	Assessment Number	Amount payable 2019/2020
47339	289.90	47385	453.20	47759	413.20	52326	409.85	70911	259.90
47340	854.70	47386	493.15	47760	276.60	52327	179.95	75995	246.60
47341	349.90	47387	316.55	47761	553.15	52328	154.95	76043	739.75
47344	513.15	47388	363.20	47762	559.80	52329	304.90	76044	406.55
47346	359.90	47389	349.90	47763	553.15	52330	559.80	76045	519.85
47348	376.55	47390	396.55	47764	1,526.15	52331	529.85	76046	573.15
47349	539.80	47391	396.55	47765	426.55	52332	529.85	76047	2,165.95
47350	396.55	47392	1,073.00	47766	479.85	52333	374.90	70749	229.90
47352	157.45	47393	506.50	47767	486.50	52334	339.90		
47354	279.90	47394	406.55	47768	559.80	52335	237.40		
47355	339.90	47395	759.75	47769	559.80	52336	774.75		\$66,000.10
47357	227.45	47397	959.70	47770	899.70	56365	559.80		
47358	433.20	47400	1,826.05	47771	1,952.70	56366	419.85		
47359	299.90	47741	486.50	47772	376.55	56367	439.85		
47361	433.20	47742	486.50	47774	486.50	56368	433.20		
47362	573.15	47743	686.45	47775	1,073.00	61129	366.55		
47363	166.60	47744	359.90	47776	396.55	61130	359.90		
47364	199.95	47745	559.80	47777	633.15	62332	479.85		
47367	309.90	47746	599.80	47778	566.50	63022	274.90		
47369	673.10	47747	566.50	47779	553.15	63023	274.90		
47370	426.55	47748	1,786.10	47780	1,019.65	63024	172.45		
47371	426.55	47749	839.70	47781	404.85	63025	182.45		
47373	579.80	47750	353.20	47783	649.80	63026	149.95		
47377	626.45	47751	393.20	47784	244.90	63027	169.95		
47378	506.50	47752	353.20	51146	384.85	65484	329.90		
47379	559.80	47753	353.20	51149	219.95	67100	249.90		
47380	479.85	47754	686.45	51150	499.85	67101	389.85		
47381	264.90	47755	573.15	51154	464.85	51158	272.40		
47382	396.55	47756	453.20	51155	479.85	68155	413.20		
47383	267.40	47757	646.45	51156	282.40	68306	277.40		
47384	566.50	47758	626.45	51157	277.40	70749	229.90		

DAREBIN CITY COUNCIL
NOTICE OF INTENTION TO DECLARE A SPECIAL RATE
FAIRFIELD VILLAGE BUSINESS DISTRICT (Precinct)

In accordance with the provisions of the *Local Government Act 1989 (Act)*, it is hereby given that Darebin City Council at its meeting on **18 March 2019** resolved to give notice of the intention to declare and levy a special rate under Section 163 of the Act.

The special rate is for the purpose of defraying expenses to be incurred by Council in providing funds to the incorporated body operating as the Fairfield Traders Association (FTA), which funds, subject to the approval of Council, are to be used for the purposes of promotional, marketing, business development, contracted support, and other incidental expenses as agreed to from time to time between Council and FTA all of which are associated with the encouragement of commerce, retail and professional activity and employment in the Precinct.

In performing functions and exercising powers to encouragement of commerce and retail activity in and around the area for which it is proposed the Special Rate being **1 July 2019 to 30 June 2024**, will be declared, the Council intends to levy and spend an amount of **\$66,000** or the first year of the Scheme, raising in total an amount of **\$330,000** over the Scheme. Any increases in Special Rate amounts pursuant to increases in the Consumer Price Index (CPI) will, however, be added to the payments of the Special Rate in the second, third, fourth, and fifth years of the Scheme.

The proposed Special Rate will be based on geographic criteria, having regard to the location (as set out below and also shown on the plan) and the capital improved value (CIV) of those rateable properties in the Precinct that are used, or reasonably capable of being used, for commercial, retail or professional purposes and further, the classification of those properties as receiving a "primary" or a "secondary" special benefit.

The Council considers that each rateable property and each business included in the Scheme area that is required to pay the Special Rate will receive a special benefit because the viability of the Precinct as a retail, commercial and professional area, and the value and the use, occupation and enjoyment of the properties will be maintained or enhanced through increased economic activity.

For the period of the Scheme, the proposed Special Rate will be assessed on the following rateable properties (which properties are specified as being the area and the land for which the Special Rate will be declared) as follows:

Properties enjoying a "primary" special benefit will be the subject of a special rate of 0.00066645 cents in the dollar of the CIV of the property including:

Street name	Street number (inclusive)
Station Street	74 to152; 85 to157

Properties enjoying a "secondary" special benefit will be the subject of a special rate of 0.00049984 cents in the dollar of the CIV of the property including:

Street name	Street number (inclusive)
Railway Place	3 to 29
Wingrove Street	256 to 288
Station Street	68 to 152 (second floor) ; 75 to 157 (second floor)
Station Street	68 to 72; 75 to 83; and 99a

The proposed Special Rate will be levied by the Council sending a notice of levy annually to the persons required to pay the Special Rate, which will require that the Special Rate be paid in four instalments, to be paid by the dates fixed by the Council in the notice and in accordance with section 167(3) of *the Act*. Council will consider cases of financial and other hardship and may reconsider other payment options for the Special Rate.

Copies of the proposed declaration of Special Rate and a plan of the Scheme area are available to inspect during normal business hours at Darebin City Council Offices, 274 Gower Street Preston or on Council's website www.darebin.vic.gov.au for a period of at least 28 days after the publication of this notice.

Any person may make a written submission to the Council under sections 163A and 223 of the Act. In addition, any person who will be required to pay the proposed Special Rate, whether an owner or an occupier of a property included in the Scheme, has a right to object to the proposed declaration and may also make a written objection to the Council under section 163B of the Act.

Any person who has made a written submission may also request that they be heard in support of their written submission. Submissions should be addressed to: Economic Development Coordinator, PO Box 91 Preston, 3073.

Council will consider and, if requested, hear support for all written submissions received before 5pm 29 April 2019 at a Hearing of Submissions Committee. Submitters will be advised in writing of the date and time of the meeting.

It is proposed that Council will consider this matter at its Ordinary Meeting of 11 June 2019. Further information on this Scheme may be obtained from Wendy Dinning Economic Development Coordinator on 84708888 or wdinning@darebin.vic.gov.au

8.4 **REVIEW OF PLANNING CONTROLS PRESTON MARKET**

Author: General Manager City Sustainability and Strategy

Reviewed By: Chief Executive Officer

This report will be circulated separately.

8.5 INTENTION TO DECLARE A SPECIAL CHARGE: DAREBIN SOLAR SAVER**Author:** Climate Action Officer**Reviewed By:** General Manager City Sustainability and Strategy

PURPOSE

To seek Council's declaration of intent to declare a Special Charge for the next Solar Saver round.

EXECUTIVE SUMMARY

The Solar Saver program is a key action of Council's Climate Emergency Plan. The proposed Special Charge scheme includes 147 properties and would add 780.4kW of solar to Darebin. The program was open to all residents and low income residents, renters, pensioners and social housing residents have been prioritised.

The proposed Special Charge scheme totals \$967,652.80 (\$1,463,920.45 gross including GST and pre STC claim) and these funds will be paid back to Council through the Special Charge scheme over 10 years. No interest is charged. These payments are more than offset by participants' savings on their energy bills, and therefore the program provides financial and environmental benefits.

Recommendation

That Council:

- 1) Gives notice of its intention to declare a Special Charge in accordance with section 163 of the *Local Government Act 1989 (Act)* as follows:
 - (a) A Special Charge is declared for the period commencing on the day on which Council issues a notice levying payment of the special rate and concluding on the tenth anniversary of that day.
 - (b) The Special Charge be declared for the purpose of defraying any expense incurred by Council in relation to the provision of solar energy systems on residential properties participating in the Solar Saver scheme, which project:
 - i. Council considers is or will be a special benefit to those persons required to pay the Special Charge (and who are described in succeeding parts of this resolution); and
 - ii. Arises out of Council's functions of advocating and promoting proposals which are in the best interests of the community and ensuring the peace, order and good government of Council's municipal district.
 - (c) The total:
 - i. Cost of performing the function described in paragraph 1(b) of this resolution be recorded as \$967,652.80; and
 - ii. Amount for the Special Charge to be levied be recorded as \$967,652.80, or such other amount as is lawfully levied as a consequence of this resolution.

-
- (d) If Council receives a rebate from the Victorian Government Solar Homes Program for any of the properties listed in **Appendix B**, the value of the Solar Homes rebate will be credited to the property owner's outstanding amount on their rates notice for Solar Saver.
 - (e) The Special Charge be declared in relation to all rateable land described in the table included as Appendix B to this report, in the amount specified in the table as applying to each piece of rateable land.
 - (f) The following be specified as the criteria which form the basis of the Special Charge so declared:
 - i. Ownership of any land described in paragraph 1(d) of this resolution.
 - (g) The following be specified as the manner in which the Special Charge so declared will be assessed and levied:
 - i. A Special Charge calculated by reference to the size of the solar energy system being installed and the particular costs of installation at each property participating in the Solar Saver scheme, in respect of which a Householder Agreement has been executed, totalling \$967,652.80, being the total cost of the scheme to Council;
 - ii. To be levied each year for a period of 10 years.
 - (h) Having regard to the preceding paragraphs of this resolution and subject to section 166(1) of the Act, it be recorded that the owners of the land described in paragraph 1(d) of this resolution will, subject to a further resolution of Council, pay the Special Charge in the amount set out in paragraph 1(f) of this resolution in the following manner:
 - i. Payment annually by a lump sum on or before one month following the issue by Council of a notice levying payment under section 163(4) of the Act; or
 - ii. Payment annually by four instalments to be paid by the dates which are fixed by Council in a notice levying payment under section 163(4) of the Act.
- 2) Considers there will be a special benefit to the persons required to pay the Special Charge because there will be a benefit to those persons that is over and above, or greater than, the benefit that is available to persons who are not subject to the proposed Special Charge, as a result of the expenditure proposed by the Special Charge, in that the properties will have the benefit of a solar energy system being installed.
 - 3) For the purposes of having determined the total amount of the Special Charge to be levied:
 - (a) Considers and formally records that only those rateable properties included in the Solar Saver scheme as proposed will derive a special benefit from the imposition of the Special Charge, and there are no community benefits to be paid by Council; and
 - (b) Formally determines for the purposes of section 163(2) (a), (2A) and (2B) of the Act that the estimated proportion of the total benefits of the Special Charge to which the performance of the function or the exercise of the power relates (including all special benefits and community benefits) that will accrue as special benefits to the persons who are liable to pay the Special Charge is 100%.
 - 4) Give public in the *Northcote Leader* and *Preston Leader* newspapers of Council's intention to declare, at its ordinary meeting to be held on 29 April 2019, the Special Charge in the form set out above.
-

- 5) Send separate letters, enclosing a copy of this resolution, **Appendix B** to this report, and the public notice referred to in Paragraph 4 of this resolution, are to be sent to the owners of the properties included in the scheme, advising of Council's intention to levy the Special Charge, the amount for which the property owner will be liable, the basis of calculation of the Special Charge, and notification that submissions and/or objections in relation to the proposal will be considered by Council in accordance with sections 163A, 163B and 223 of the Act.
 - 6) Hearing of Submissions Committee be convened, at a date and time to be fixed, to hear persons who, in their written submissions made under section 223 of the Act, advise that they wish to appear in person, or to be represented by a person specified in the submission, at a meeting in support of their submission.
 - 7) Manager Environment and Sustainable Transport be authorised to carry out any and all other administrative procedures necessary to enable Council to carry out its functions under sections 163A, 163(1A), (1B) and (1C), 163B and 223 of the Act.
-

BACKGROUND / KEY INFORMATION

In the Council Plan 2017-2021 and the Climate Emergency Plan, Council committed to working with the community to expand the amount of solar PV in Darebin from 18,000 kW to 36,000 kW.

Key aspects of the program include:

- The Solar Saver program is currently open to all residential rate payers for solar systems up to 10kW and for businesses up to 30kW. Council has not had the resources to date to actively engage businesses through the program.
- Council undertakes procurement of good value solar systems and installation with 10 year warranties.
- Solar saver participants register interest, receive quotes and the property owner signs a householder agreement (**Appendix A**)
- Council declares a Special Charge and pays the upfront cost of the solar system and installation for participants when the solar systems are installed.
- Solar Saver participants pay the Special Charge over a 10 year period to reimburse council's upfront payment – which is more than offset by their energy bill savings.
- As detailed below Council has resolved that interest is not charged to residential participants and that the program will be funded through Council's existing cash reserves.

Over 1,800 households have participated in previous Solar Saver programs The Solar Saver program has been broadened to all residential and business ratepayers with preference is still given to low income homes.

Solargain PV have been engaged by Council to provide and install solar for this round of the Solar Saver program and have provided over 800 quotations for the systems to residents. 147 residents have accepted these quotations and are included in the proposed Special Charge scheme.

Solar Homes Victoria Rebate

The Victorian Government announcement in August 2018 of the solar PV rebate (up to \$2,225) was great news for Victorian households. After considerable negotiation an agreement has recently been made between Sustainability Victoria (who administer the Solar Homes program) and Darebin Council for Darebin Solar Saver households to be eligible for the rebate of 50% of the system cost up to a maximum of \$2,225 (subject to the meeting of other eligibility requirements such as the means test).

At this stage, the agreement between Council and the householder does not include a reduction for the Solar Homes rebate. If the householder is eligible (a special registration process is being established by Solar Homes for this purpose) and Council receives the relevant rebate from Solar Homes Victoria, the rebate amount will be applied to each household's Solar Saver Special Charge amount.

Previous Council Resolution

This is the third Special Charge to be announced this year as part of the Solargain contract for Solar Saver.

The intention to declare the first Special Charge was announced at Council's meeting held on 4 February 2019, when it resolved to install solar systems for 126 Darebin households (totalling 748kW). The intention to declare the second Special Charge was announced at Council's meeting held on 25 February 2019, when it resolved to install solar systems for 237 Darebin households (totalling 1365.43kW) as follows.

- (1) Council gives notice of its intention to declare a Special Charge in accordance with section 163 of the *Local Government Act 1989 (Act)* as follows:
 - a) A Special Charge is declared for the period commencing on the day on which Council issues a notice levying payment of the special rate and concluding on the tenth anniversary of that day.
 - b) The Special Charge be declared for the purpose of defraying any expense incurred by Council in relation to the provision of solar energy systems on residential properties participating in the Solar Saver scheme, which project:
 - i. Council considers is or will be a special benefit to those persons required to pay the Special Charge (and who are described in succeeding parts of this resolution); and
 - ii. Arises out of Council's functions of advocating and promoting proposals which are in the best interests of the community and ensuring the peace, order and good government of Council's municipal district.
 - c) The total:
 - i. Cost of performing the function described in paragraph 1(b) of this resolution be recorded as \$1,618,520.51; and
 - ii. Amount for the Special Charge to be levied be recorded as \$1,618,520.51, or such other amount as is lawfully levied as a consequence of this resolution.
 - d) The Special Charge be declared in relation to all rateable land described in the table included as Appendix B to this report, in the amount specified in the table as applying to each piece of rateable land.
 - e) The following be specified as the criteria which form the basis of the Special Charge so declared:
 - i. Ownership of any land described in paragraph 1(d) of this resolution.
 - f) The following be specified as the manner in which the Special Charge so declared will be assessed and levied:
 - i. A Special Charge calculated by reference to the size of the solar energy system being installed and the particular costs of installation at each property participating in the Solar Saver scheme, in respect of which a Householder Agreement has been executed, totalling \$1,618,520.51, being the total cost of the scheme to Council;

- ii. To be levied each year for a period of 10 years.
- g) Having regard to the preceding paragraphs of this resolution and subject to section 166(1) of the Act, it be recorded that the owners of the land described in paragraph 1(d) of this resolution will, subject to a further resolution of Council, pay the Special Charge in the amount set out in paragraph 1(f) of this resolution in the following manner:
 - i. Payment annually by a lump sum on or before one month following the issue by Council of a notice levying payment under section 163(4) of the Act; or
 - ii. Payment annually by four instalments to be paid by the dates which are fixed by Council in a notice levying payment under section 163(4) of the Act.
- (2) Council considers that there will be a special benefit to the persons required to pay the Special Charge because there will be a benefit to those persons that is over and above, or greater than, the benefit that is available to persons who are not subject to the proposed Special Charge, as a result of the expenditure proposed by the Special Charge, in that the properties will have the benefit of a solar energy system being installed.
- (3) Council, for the purposes of having determined the total amount of the Special Charge to be levied:
 - a. Considers and formally records that only those rateable properties included in the Solar Saver scheme as proposed will derive a special benefit from the imposition of the Special Charge, and there are no community benefits to be paid by Council; and
 - b. Formally determines for the purposes of section 163(2) (a), (2A) and (2B) of the Act that the estimated proportion of the total benefits of the Special Charge to which the performance of the function or the exercise of the power relates (including all special benefits and community benefits) that will accrue as special benefits to the persons who are liable to pay the Special Charge is 100%.
- (4) Public notice be given the Northcote Leader and Preston Leader newspapers of Council's intention to declare, at its ordinary meeting to be held on 25 February 2019, the Special Charge in the form set out above.
- (5) Separate letters, enclosing a copy of this resolution, **Appendix B** to this report, and the public notice referred to in Paragraph 4 of this resolution, are to be sent to the owners of the properties included in the scheme, advising of Council's intention to levy the Special Charge, the amount for which the property owner will be liable, the basis of calculation of the Special Charge, and notification that submissions and/or objections in relation to the proposal will be considered by Council in accordance with sections 163A, 163B and 223 of the Act.
- (6) The Council's Hearing of Submissions Committee be convened, at a date and time to be fixed, to hear persons who, in their written submissions made under section 223 of the Act, advise that they wish to appear in person, or to be represented by a person specified in the submission, at a meeting in support of their submission.
- (7) Council's Manager Environment and Sustainable Transport be authorised to carry out any and all other administrative procedures necessary to enable Council to carry out its functions under sections 163A, 163(1A), (1B) and (1C), 163B and 223 of the Act.

COMMUNICATIONS AND ENGAGEMENT

Consultation

- Approximately 900 homes expressed interest agreeing to provide details to receive a quote.
- Solargain PV is in the process of completing home visits to all households who have received written quotations for the Solar Saver program. All participating households, have received a home visit and have signed agreements to participate in the program based on quoted prices.
- Consultation has occurred with the Darebin Environmental Reference Group, Aged and Disability - Community Development Officer and Marketing and Community Engagement Officer, Equity and Diversity – Community Planner, Interfaith Development Officer and Aboriginal Policy Officer.

Communications

- The program was advertised on the Council website, through Darebin News, newsletters and through networks.
- Similar communication channels will be used for the next scheme including promotions at events and targeted mail outs if required.

ANALYSIS

Alignment to Council Plan / Council policy

Goal 1 - A sustainable city

Climate Emergency Plan

Environmental Sustainability Considerations

This project is a key action in the Darebin Climate Emergency Plan 2017. The current round of Darebin Solar Saver is expected to install 780.4kW across 147 installations, with an estimated equivalent annual greenhouse gas saving of 1,951tCO₂-e.

Equity, Inclusion and Wellbeing Considerations

This project was specifically aimed at low income households, who are more vulnerable to increasing energy costs. Data from the first round of Solar Saver, indicate households with solar PV are more likely to use air-conditioning (because it is more affordable with solar PV) and are therefore less vulnerable to heat wave stress. Approximately 26.5% of participating households in this round are low income households, pensioners or have low proficiency in English.

Cultural Considerations

Many participants are from culturally and linguistically diverse (CALD) communities.

Economic Development Considerations

It is estimated that participating households will save well over \$100 per year after the special scheme payment (based on what their energy bills would have been before solar). After 10 years average participating households are expected to save well over \$400 per year. This represents potential funds that can be spent within the Darebin community rather than on utility bills.

Financial and Resource Implications

Council has included a total of \$5.4 million 2018-2019 Council Budget for the delivery of the Solar Saver program. The previous round of Solar Saver has expended \$2,245,764 excluding GST on solar installations. Council is likely to receive in the order of \$800,000-\$1,000,000 in rebates from Solar Homes Victoria for this round by 30 June 2019.

There may be one more special rates scheme conducted over the 2018-2019 year.

Should the proposed Special Charge scheme proceed, Council will pay \$967,652.80, for the supply and installation of the solar PV systems on the properties listed in **Appendix B**. In accordance with their respective Householder Agreements, property owners will pay for the cost of the solar energy system by equal instalments apportioned over a 10-year period, commencing from October 2019. Council is expected to receive \$96,765 in Special Charge repayments annually for this scheme over the 10 year period. Some households will pay the total amount in the first year. The Special Charge scheme is effectively an interest free loan to the households.

We anticipate that most households will be eligible for the Victorian Government Solar Homes Rebate, which means that Council will receive in the order of \$300,000 from the State Government towards payment of this batch of Special Charges. At this stage the agreement between Council and the householder does not factor in the Solar Homes Rebate as eligibility first needs to be confirmed by Solar Victoria. If the householder is eligible (a special registration process is being established by Solar Homes for this purpose) and Council receives the relevant rebate from Solar Victoria, the rebate amount will be credited to the property owner's outstanding amount on their rates notice for Solar Saver.

Payments to Council by property owners for works via Special Charge schemes are GST exempt.

Should a property be sold during the 10 year period in which the Special Charge scheme applies, the amount outstanding on the Special Charge scheme at the time of sale will be paid in full.

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

- Project and contract management
- Risk management, compliance and auditing
- Recruitment of and first point of contact for households
- Liaison with the Victorian Government and integration with their Solar Homes rebate

These administrative overheads come out of the Solar Saver program budget.

Legal and Risk Implications

A risk analysis has been undertaken for the program. Solar installations are electrical works and are required by law to be signed off by an authorised electrician through a certificate of electrical safety.

Random independent audits of the work will also be undertaken by Council to ensure installations comply with Council specifications. Occupational Health and Safety processes have been assessed and will be audited on site. Ten year warranties are required on panels, inverters and installation.

DISCUSSION

Solargain PV Pty Ltd have provided written quotes to approximately 800 households since November 2018 and 510 households have signed contracts to date.

With the introduction of the Victorian Government Solar Homes Rebate, most residents are opting for larger sized systems averaging around 6 kW, up from 4.3 kW. As a result we estimate that this Special Charge Scheme will result in approximately 780kW of solar being installed.

In 2017, Council committed to doubling the amount of solar power installed within the City from 18 megawatts (MW) to 36 MW by 2021. As at 30 November 2018, the total amount of solar power installed is 26.3 MW which means Council is 46% of the way to doubling its solar capacity by June 2021 and is on track to meet this target.

A preference has been given to vulnerable households including:

- Low income households
- Pensioners
- Social housing tenants
- Residents with low proficiency in English, or low literacy (including technological literacy)

Proposed Special Charge declaration

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

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

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

The guideline requires that Council identify the following:

- A. Purpose of the works
- B. Ensure coherence
- C. Calculate total cost
- D. Identify special beneficiaries
- E. Determine the properties to include
- F. Estimate total special benefits
- G. Estimate community benefits

- H. Calculate the benefit ratio
- I. Calculate the maximum total levy

A. Purpose of the Works

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

B. Ensure Coherence

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

C. Calculate the Total Cost

The proposed solar system installation includes the following items:

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

For the purposes of section 163(1) of the Act, the total cost of the works is calculated at \$967,652.80 based on signed quotations.

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

D. Identify the Special Beneficiaries

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

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

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

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

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

E. Determine Properties to Include

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

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

F. Estimate Total Special Benefits

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

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

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

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

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

G. Estimate Community Benefits

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

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

H. Calculate the Benefit Ratio

The benefit ratio is calculated as:

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

Where:

$$\text{TSB}_{(\text{in})} = \$967,652.80;$$

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

$$\text{TCB} = 0$$

$$R = 1$$

I. Calculate the Maximum Total Levy

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

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

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

Therefore **S** = 1 * \$967,652.80= \$967,652.80

Note there is no community benefit amount payable by Council.

Apportionment of Costs

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

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

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

Statutory Process

The Act requires Council to give public notice of its proposed declaration of the Special Charge and write to all people who will be liable to contribute. The proposed declaration of the Special Charge has been prepared in accordance with the Act.

Owners (or occupiers who would pay the charge as a condition of their lease) may object to the proposal within 28 days. If objections are received from more than fifty per cent of persons liable, Council will be prevented from making the declaration and the scheme cannot proceed.

OPTIONS FOR CONSIDERATION

A further Special Charge Scheme may be considered at the 8 April Council meeting.

IMPLEMENTATION STRATEGY

Timeline

Subject to Council resolution

- Council report – intention to declare Special Charge scheme – 18 March 2019
- Copies of the proposed declaration to property owners – from 27 March 2019
- Copy of proposed declaration available for public inspection – from 27 March 2018
- Public notice of proposed declaration – 27 March 2018
- Receipt of written submissions – by 24 April 2019
- Hearing of submissions (if required) – TBA
- Council report – declaration of Special Charge scheme – 20 May 2019
- Future report to Council establishing new Solar Saver contracting panel – 20 May 2019

- Subject to declaration of the Special Charge scheme, installation of solar will occur late May to June 2019
- Council may consider the establishment of another Special Charge scheme in April 2019

RELATED DOCUMENTS

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

Attachments

- Solar Saver Owner Agreement (**Appendix A**) [↓](#)
- Solar Saver - Property Addresses and Special Charges (**Appendix B**) [↓](#)

DISCLOSURE OF INTEREST

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

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



Darebin Solar Saver Program Owner Agreement

[Name of householder]

Address line 1

Address line 2

Key details

Commencement Date	1 July 2019
Expiry date	30 November 2029 or 10 years after issuing of first Special Charge notice (whichever is the later date) OR when cost is paid out in full.
Cost of the Solar Energy System	[MERGE quote amount (ex GST, post STC)] See also Schedule 2. (Please refer to information about Solar Homes rebate provided separately.)
Amount payable by the Owner in each quarterly rates notice from September 2019	An amount equal to 1/40 th of the total cost, being approximately: \$ (iMERGE amount) per quarter (for forty quarterly payments)
This includes:	The supply and installation of the solar system, and any repair or replacement covered by the warranty during the warranty period.
This does not include:	Any connection fee charged by your energy retailer or distributor or unforeseeable associated electrical works; any general maintenance, service calls or repair or replacement not covered by the warranty.
For any queries:	Please contact Darebin City Council 03 8470 8888 www.darebin.vic.gov.au solar@darebin.vic.gov.au PO Box 91, Preston VIC 3072
Option to withdraw from agreement:	This agreement is entirely voluntary. The Owner can withdraw their agreement, without penalty, any time up to a week before their scheduled installation. The owner can also withdraw their agreement any time up to the day before their installation but may incur a cancellation fee if less than a week's notice is given.

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BACKGROUND

This agreement records the agreed terms between Council and the Owner regarding the supply and installation of a solar energy system under the Program and repayment of the system.

IT IS AGREED AS FOLLOWS

1) Term of Agreement

This Agreement commences on the Commencement Date and, unless terminated in accordance with this Agreement, will continue until the expiry date on page 1, or the final payment has been received by Council.

2) Pre-Conditions

- a) The provision of a Solar Energy System to the Owner under this Agreement is conditional on the following taking place and remaining in place:
- i) Council entering into and maintaining a contract with a company to supply and install the Solar Energy System to the Owner as part of the Program;
 - ii) Council declaring the Scheme to recover the costs of the Program and this Scheme remaining valid;
 - iii) Council granting a permit to the Householder, if required for heritage reasons as set out in the Darebin Planning Scheme;
 - iv) If the property is tenanted, the Owner securing the permission of the Tenant to enter the Owner's property for the purposes of installation (see also Clause 6 and Schedule 2);
 - v) The Owner paying any other outstanding Rates or Charges owed to Council;
 - vi) The Owner not exercising the option to withdraw.
- b) If the pre-conditions in clause a) have not been satisfied by 31 December 2019 this Agreement immediately ends and each Party is released from its obligations under this Agreement.

3) Payment for Solar Energy System

- a) The Cost of the Solar Energy System is the total amount set out under Key Details on page 1 and itemised in Schedule 2. This amount purchases the supply and installation of the Solar Energy System and any required repair or replacement covered by the warranty during the warranty period, but does not cover grid connection fees, any electrical works required by the electricity distributor during grid connection, general maintenance, service calls or repair or replacement outside the warranty.
- b) The Cost of the Solar Energy System under clause a) may be adjusted by Council during the term of this Agreement if, for a reason beyond the control of Council or the Contractor, further costs are required to be incurred in supplying or installing the Solar Energy System.
- c) Council envisages that any adjustment to the Cost of the Solar Energy System under clause b) will only arise where the Owner agrees to the change and where:
 - i) there is a change to legislation applicable to, or regulation of, the installation of the Solar Energy System (eg changes to Renewable Energy Certificates); or
 - ii) the installation of the Solar Energy System originally quoted for changes as a result of building works undertaken at the Owner's property or a request to change the location or design of the Solar Energy System by the Owner (which could also alternatively be charged separately to the Special Charge as a once-off invoice)..
- d) Any adjustment under clause b) that is more than 10% above the Cost of the Solar Energy System as on Page 1 will be made by way of a variation to the Scheme, in accordance with section 166 of the *Local Government Act 1989*. That is, where a variation would result in a change to the Owner's liability under the Scheme of 10% or more, the Owner will have an opportunity to make submissions to Council in respect of it and, if the Solar Energy System has not already been installed, withdraw from the Scheme.
- e) Payment for the Cost of the Solar Energy System will by default be apportioned in quarterly instalments over a 10-year period, commencing from the 2019-2020 rating year. The amount payable by the Owner per quarter is set out in Key Details (page 1).
- f) The Owner may alternatively choose to pay the Cost of the Solar Energy System sooner by arrangement with Council's Rates Team.
- g) Commencing after the installation of the solar system (approximately September 2019), the Owner will receive a Special Charge notice each quarter setting out their liability under the Scheme for the property at which the Solar Energy System is installed, until their liability under the Scheme is discharged in full.
- h) Unless otherwise agreed between the Parties, all payments are due at the date set out in each Special Charge notice. In the event that payment has not been made by the due date, Penalty Interest may be payable upon any outstanding amounts, in accordance with the *Local Government Act 1989* and this Agreement.
- i) Any delay or adjustment to the delivery date for the Solar Energy System within the installation period (up to June 30 2019) or adjustment to the Cost of the Solar Energy System under clause b) does not entitle the Owner to delay or withhold payment under this Agreement.

4) Council's Obligations

Council's obligations under this Agreement include the obligation to make all reasonable efforts to:

- a) enter into contractual arrangements with a licensed electrical contractor, who has experience and expertise in the Solar Energy industry and who is of good repute, to supply and install the Solar Energy System;
- b) ensure that any Contractor engaged under clause a) provides the supply and installation of a Solar Energy System to the Owner within a reasonable time of this Agreement being entered into.

5) The Owner's Obligations

- a) The Owner must pay to Council the Cost of the Solar Energy System in accordance with Section 3).
- b) The Owner must arrange for the Contractor and its agents to gain access to the Owner's property for the purposes of conducting site inspections, installing the Solar Energy System and to carry out any required repairs or replacements. If the property is let, this includes obtaining the permission of the Tenant in writing, using the form in Schedule 1 for this purpose.
- c) The Owner must ensure that those parts of their property in which works are being undertaken by the Contractor are safe to access, and free from asbestos or other toxic substances, prior to the Contractor or its agents accessing the Owner's property. If the property is let, this includes arranging for a Tenant to make those parts of the property safe.
- d) If the Owner's property is let to a Tenant by an agreement or residency right that is subject to the Tenancy Act, the Owner must comply with the Tenancy Act in relation to the installation or operation of the Solar Energy System at the Owner's property.
- e) If the property is let, the Owner will procure the Tenant's:
 - i) authorisation for the Contractor to submit an application to their electricity provider to connect a renewable energy system to the electricity provider's electrical distribution network; and
 - ii) agreement to take all reasonable action required by the Contractor, including signing any relevant documents, and paying any associated fees, in order for that connection to take place. The Tenant is responsible for any metering or other fees charged by their electricity provider and such charges do not form part of this Agreement.
- f) The Owner must not, and must ensure that any Tenant does not, intentionally damage, sell, trade or otherwise dispose of any part of the Solar Energy System during the term of this Agreement.
- g) The Owner must, and must ensure that any Tenant does, comply with any warranties, manufacturer's instructions and user manuals relating to the Solar Energy System and acknowledges that any failure to do so may void those warranties.
- h) Neither the Owner nor any Tenant has any entitlement to claim any Renewable Energy Certificates in relation to the Solar Energy System provided under this Agreement.

6) Assignment of Warranties

- a) The Contractor has agreed that all warranties relevant to the Solar Energy Systems will be issued in respect of, and remain with, the relevant properties at which the Solar Energy Systems are installed.
- b) If the Owner or a Tenant has any concerns, queries or requests for a service call, repair or replacement of the Solar Energy System, the Owner or Tenant must contact the Contractor who supplied and installed the Solar Energy System. Contact details for the Contractor will be supplied to the Owner and Tenant prior to the installation of the Solar Energy System.
- c) Council takes no responsibility for any costs or charges incurred by the Owner or any Tenant in contacting the Contractor under this clause 6). Such costs and charges are a matter to be agreed by the Owner and any Tenant.

7) No Guarantee of Savings

- a) While typically a Solar Energy System will result in reduced electricity costs for the Owner and any Tenant, no guarantee is made by Council that the Owner or any Tenant will save money on their electricity bills as a result of the provision of the Solar Energy System under this Agreement.
- b) Neither Council, nor the Contractor, is responsible for any inaccuracies or losses caused to the Owner or any Tenant by changes to feed in tariffs, electricity prices or government schemes.

8) No Liability

- a) To the fullest extent permitted by law, Council is not liable for the ongoing maintenance, repair or replacement of the Solar Energy System, including but not limited to:
 - i) the replacement of the goods or the supply of equivalent goods;
 - ii) the repair of such goods;
 - iii) the payment of the cost of replacing the goods or of acquiring equivalent goods; or
 - iv) the payment of the cost of having the goods repaired.
- b) The Owner agrees to the installation and use of the Solar Energy System under this Agreement at their own risk and releases Council from all claims resulting from any damage, loss, death or injury in connection with the installation and use of the Solar Energy System except to the extent that Council is negligent.
- c) The Owner must indemnify and hold harmless Council against all claims resulting from any damage, loss, death or injury in connection with the installation and use of the Solar Energy System except to the extent that Council is negligent.
- d) Each indemnity in this Agreement is a continuing obligation, separate and independent from the other obligations of the parties and survives termination of this Agreement.
- e) This Section (8) does not limit in any way the Owner's ability to make warranty claims directly to the Contractor.

9) Ownership of Solar Energy System

- a) Ownership of the Solar Energy System remains fully vested in Council during the term of the Agreement, unless the Solar Energy System is otherwise paid for in full in accordance with Section 3 **Error! Reference source not found.**, at which time the ownership of the Solar Energy System vests in the Owner.
- b) Once all payments payable under this Agreement have been made by the Owner in accordance with Section 3, the full ownership of the Solar Energy System will pass from Council to the Owner.

10) Termination

Without limiting the generality of any other clause, Council may terminate this Agreement by notice in writing if the Owner:

- a) breaches any essential terms of this Agreement and such breach is not remedied within 60 days of written notice by Council;
- b) fails to obtain the permission of the Tenant (if the property is let) for the Contractor to enter the Owner's property to install the Solar Energy System; or
- c) otherwise fails to observe their obligations under the Tenancy Act, to the extent that those obligations are relevant to this Agreement.

11) No Fettering of Council's Powers

It is acknowledged and agreed that this Agreement does not fetter or restrict Council's powers or discretions in relation to any powers or obligations it has under any Act, regulation or local law that may apply to the Scheme or any other aspect of this Agreement.

12) Entire Agreement

This Agreement constitutes the entire agreement between the parties. Any prior arrangements, agreements, representations or undertakings related to this solar installation are superseded.

13) Joint and Several Liability

If the Owner consists of more than one person, this Agreement binds them jointly and each of them severally.

14) Severability

If any provision of this Agreement is held invalid, unenforceable or illegal for any reason, this Agreement will remain otherwise in full force apart from such provision which will be considered to be deleted.

15) Governing Law

This Agreement will be governed by and construed according to the law of Victoria.

16) Disputes

- a) Any grievances or concerns relating to the Solar Energy System must be conveyed to the Contractor, in accordance with clause 6)b).

- b) If any dispute arises between the Owner and Council regarding this Agreement, the Parties must at first instance endeavour to resolve it by discussion and agreement.
- c) If any dispute arises between the Owner and a Tenant regarding this Agreement, it is the responsibility of the Owner to resolve the dispute. Such a dispute will not affect the Owner's obligations under this Agreement and Council will have no involvement in such a dispute.

17) Definitions

Contractor means the licensed electrical contractor, whether being a person or entity, engaged by Council to supply and install Solar Energy Systems under the Program.

Owner means the person or persons named in the Agreement as being the owner of the property at which a Solar Energy System will be installed.

Party means either Council or the Owner as the context dictates.

Penalty Interest means interest at the rate of 10 per cent per annum, or such other rate as may be fixed by section 2 of the *Penalty Interest Rates Act 1983* from time to time.

Program means the "Solar Saver Program" of Council.

Renewable Energy Certificate has the same meaning as in the *Renewable Energy (Electricity) Act 2000* (Cth) and includes any other certificate, right or entitlement of a similar nature which arises under Victorian or Commonwealth legislation;

Scheme means the Special Rate Scheme to be declared by Council, under the *Local Government Act 1989*, to recoup the costs of the Solar Energy Systems provided as part of the Program.

Solar Energy System means the system described at **Error! Reference source not found.**Schedule 2 and includes the solar panels and any associated infrastructure and materials provided by the Contractor for the proper functioning of the solar panels to produce electricity from solar power, but does not include any infrastructure or services provided by third parties (such as electricity distributors or electricity retailers).

Tenancy Act means the *Residential Tenancies Act 1997*.

18) SIGNED as an agreement between:

	Owner 1: _____
DATE: SIGNED for and on behalf of Darebin City Council ACN 75 815 980 522 by Gavin Mountjoy Coordinator Energy and Adaptation Darebin City Council	Owner 2 (if applicable): _____ DATE: SIGNED by [Ratepayer name (s)]

Summary of Key details – see front page for full Key Details and Schedule 2 for a full breakdown of costs

Cost of the Solar Energy System	[MERGE quote amount (ex GST, post STC)] See breakdown provided at Schedule 2.
Amount payable by the Owner in each quarterly rates notice from September 2019	An amount equal to 1/40 th of the total cost, being approximately: \$ (iMERGE amount) per quarter (for forty quarterly payments)
This includes:	The supply and installation of the solar system, and any repair or replacement covered by the warranty during the warranty period.
This does not include:	Any connection fee charged by your energy retailer or distributor or unforeseeable associated electrical works; any general maintenance, service calls or repair or replacement not covered by the warranty.
Option to withdraw from agreement:	This agreement is entirely voluntary. The Owner can withdraw their agreement, without penalty, any time up to a week before their scheduled installation. The owner can also withdraw their agreement any time up to the day before their installation but may incur a cancellation fee if less than a week's notice is given.

NOTE: IF YOU ARE SCANNING THIS AGREEMENT TO RETURN TO COUNCIL PLEASE SCAN THE ENTIRE DOCUMENT INCLUDING SCHEDULE 2 (THE QUOTE) AND SCHEDULE 1 IF APPLICABLE.

TICK THIS BOX IF YOU WOULD LIKE THIS SIGNED AGREEMENT POSTED BACK TO YOU.

Schedule 1

[NOTE: Schedule 1 is applicable ONLY if the property is tenanted. Owner-occupiers do not need to complete this form.]

Tenant's permission for Contractor to access Owner's property

I,

[Tenant's full name]

a tenant to whom the premises at

«Installs.Install street number and name» «Installs.Install street type»

«Installs.Install Suburb VIC Postcode»

are let under a tenancy agreement as defined under the *Residential Tenancy Act 1997*, agree to allow the contractor (and its agents) responsible for installing a solar panel system at the rented premises to access the premises for the purposes of conducting site inspections, installing the solar energy system and to carry out any required repairs, maintenance or replacements.

The Tenant authorises the Contractor to submit an application to their electricity provider to connect a renewable energy system to the electricity provider's electrical distribution network and the Tenant must take all reasonable action required by the Contractor, including signing any relevant documents, and paying metering or other fees charged by their electricity provider in order for that connection to take place.

SIGNED by:

.....
Signature

Date:

.....
Full Name

COUNCIL MEETING

18 MARCH 2019

APPENDIX B

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

FULL LIST OF ADDRESSES AND COSTS

Address	Cost
11 Clive Street ALPHINGTON VIC 3078	\$6,074.75
5 Miller Street ALPHINGTON VIC 3078	\$5,603.72
14 Naroan Road ALPHINGTON VIC 3078	\$7,019.19
17 Malcolm Street COBURG NORTH VIC 3058	\$3,595.95
156 Perry Street FAIRFIELD VIC 3078	\$6,653.42
286-288 Wingrove Street FAIRFIELD VIC 3078	\$5,889.75
5 Ballinamona Street FAIRFIELD VIC 3078	\$5,866.75
70 Arthur Street FAIRFIELD VIC 3078	\$7,886.30
64 Perry Street FAIRFIELD VIC 3078	\$6,505.39
115B Rathmines Street FAIRFIELD VIC 3078	\$5,669.09
139 Arthur Street FAIRFIELD VIC 3078	\$8,117.09
138 Christmas Street FAIRFIELD VIC 3078	\$6,944.75
2/210 Station Street FAIRFIELD VIC 3078	\$7,228.40
2/23 Bradshaw Street KINGSBURY VIC 3083	\$2,648.19
17 Eagle Avenue KINGSBURY VIC 3083	\$6,556.75
12 Gresswell Road MACLEOD VIC 3085	\$11,590.74
25 Evan Smith Close MACLEOD VIC 3085	\$6,132.75
6 The Common MACLEOD VIC 3085	\$8,039.67
33 Candy Street NORTHCOTE VIC 3070	\$7,234.19
79 Emmaline Street NORTHCOTE VIC 3070	\$7,651.45
17 Helen Street NORTHCOTE VIC 3070	\$6,934.19
14 Farnan Street NORTHCOTE VIC 3070	\$8,772.88
8 Butler Street NORTHCOTE VIC 3070	\$6,264.75
37 Howitt Street NORTHCOTE VIC 3070	\$7,457.09
74 Bridge Street NORTHCOTE VIC 3070	\$4,338.89
21 Cain Avenue NORTHCOTE VIC 3070	\$6,606.75
23 Beavers Road NORTHCOTE VIC 3070	\$8,065.45
13 Russell Street NORTHCOTE VIC 3070	\$5,056.82
4/11 Langwells Parade NORTHCOTE VIC 3070	\$5,168.89
41 Auburn Avenue NORTHCOTE VIC 3070	\$8,346.95
52 Derby Street NORTHCOTE VIC 3070	\$8,621.66
104 Darebin Road NORTHCOTE VIC 3070	\$6,519.72
54 Simpson Street NORTHCOTE VIC 3070	\$8,764.19
2 Lorna Avenue NORTHCOTE VIC 3070	\$6,258.40
125 Clarke Street NORTHCOTE VIC 3070	\$5,566.75
14 Wakanui Street NORTHCOTE VIC 3070	\$6,770.75
3/6 Westfield Street NORTHCOTE VIC 3070	\$6,270.98

COUNCIL MEETING

18 MARCH 2019

Address	Cost
112 Hawthorn Road NORTHCOTE VIC 3070	\$6,867.78
104 Arthurton Road NORTHCOTE VIC 3070	\$5,346.75
139 Beavers Road NORTHCOTE VIC 3070	\$5,612.75
1/3 St Georges Road NORTHCOTE VIC 3070	\$4,195.40
1 Edward Street NORTHCOTE VIC 3070	\$3,987.21
203 Separation Street NORTHCOTE VIC 3070	\$4,752.93
57 Christmas Street NORTHCOTE VIC 3070	\$6,904.19
5/105 Jenkins Street NORTHCOTE VIC 3070	\$4,279.89
14 Hartley Street NORTHCOTE VIC 3070	\$5,583.71
15A Reid Street NORTHCOTE VIC 3070	\$7,164.19
26 Andrew Street NORTHCOTE VIC 3070	\$10,143.36
75 Emmaline Street NORTHCOTE VIC 3070	\$8,437.57
124 Gladstone Avenue NORTHCOTE VIC 3070	\$8,575.46
7 Evans Crescent NORTHCOTE VIC 3070	\$6,386.51
145 Elm Street NORTHCOTE VIC 3070	\$8,995.45
7 Farnan Street NORTHCOTE VIC 3070	\$6,504.75
5/223 Westgarth Street NORTHCOTE VIC 3070	\$5,631.24
401 Clarke Street NORTHCOTE VIC 3070	\$9,989.15
18 Ruby Street PRESTON VIC 3072	\$5,426.75
9 Milton Crescent PRESTON VIC 3072	\$6,420.51
41 Madeline Street PRESTON VIC 3072	\$7,857.88
35 Oakover Road PRESTON VIC 3072	\$5,502.75
2 Austin Street PRESTON VIC 3072	\$5,346.75
6 Davies Street PRESTON VIC 3072	\$7,885.77
6 Clara Street PRESTON VIC 3072	\$6,099.42
2 Grandview Road PRESTON VIC 3072	\$4,554.89
218 Wood Street PRESTON VIC 3072	\$5,774.75
26A Young Street PRESTON VIC 3072	\$7,574.19
14 Paywit Street PRESTON VIC 3072	\$6,299.75
44 Stokes Street PRESTON VIC 3072	\$5,324.72
14 Hope Street PRESTON VIC 3072	\$5,316.36
18 Park Avenue PRESTON VIC 3072	\$6,669.75
34 George Street PRESTON VIC 3072	\$5,483.75
25 Bayliss Street PRESTON VIC 3072	\$7,924.00
52 Austral Avenue PRESTON VIC 3072	\$6,499.75
27 Robeson Street PRESTON VIC 3072	\$6,848.40
2/11 Graham Court PRESTON VIC 3072	\$5,162.71
1 Kane Street PRESTON VIC 3072	\$6,706.75
127 Bruce Street PRESTON VIC 3072	\$10,027.57
33 George Street PRESTON VIC 3072	\$5,592.75
39 Tunaley Parade RESERVOIR VIC 3073	\$10,232.88
1/32-34 Kelsby Street RESERVOIR VIC 3073	\$3,462.51
28 Dwyer Avenue RESERVOIR VIC 3073	\$4,793.71
4 Kia Ora Road RESERVOIR VIC 3073	\$6,080.75

COUNCIL MEETING

18 MARCH 2019

Address	Cost
30 Ashton Street RESERVOIR VIC 3073	\$4,854.75
25 Ayr Street RESERVOIR VIC 3073	\$7,723.60
23 Robb Street RESERVOIR VIC 3073	\$4,793.71
97 Crookston Road RESERVOIR VIC 3073	\$12,618.17
2 Xavier Grove RESERVOIR VIC 3073	\$9,453.59
111 Henty Street RESERVOIR VIC 3073	\$6,065.42
49 Yarra Avenue RESERVOIR VIC 3073	\$5,476.75
52 Powell Street RESERVOIR VIC 3073	\$8,019.13
1/111 Hickford Street RESERVOIR VIC 3073	\$7,964.19
3/2 Cool Street RESERVOIR VIC 3073	\$6,571.30
50 Powell Street RESERVOIR VIC 3073	\$8,457.57
3 Berwick Street RESERVOIR VIC 3073	\$8,307.57
18 Home Street RESERVOIR VIC 3073	\$4,634.89
19 Mclvor Street RESERVOIR VIC 3073	\$4,019.89
3/708 Gilbert Road RESERVOIR VIC 3073	\$4,025.40
1/13 Barton Street RESERVOIR VIC 3073	\$5,168.89
1/50 St Vigeons Road RESERVOIR VIC 3073	\$8,056.95
6/17 Daventry Street RESERVOIR VIC 3073	\$4,178.89
4/18 Gourock Street RESERVOIR VIC 3073	\$6,756.14
23 Marshall Drive RESERVOIR VIC 3073	\$7,192.09
8 Down Street RESERVOIR VIC 3073	\$3,393.32
3/68 Henty Street RESERVOIR VIC 3073	\$5,162.93
58 Tambo Avenue RESERVOIR VIC 3073	\$4,023.67
21 Ameily Crescent RESERVOIR VIC 3073	\$7,374.98
39B Ramleh Road RESERVOIR VIC 3073	\$3,826.63
3 Stewart Street RESERVOIR VIC 3073	\$5,592.61
63 Keon Parade RESERVOIR VIC 3073	\$5,346.75
5A Compton Street RESERVOIR VIC 3073	\$4,752.93
682 High Street RESERVOIR VIC 3073	\$12,118.07
8 Gourock Street RESERVOIR VIC 3073	\$5,889.09
48 Kingsley Road RESERVOIR VIC 3073	\$5,958.98
23 Monash Street RESERVOIR VIC 3073	\$6,603.75
81 Village Drive RESERVOIR VIC 3073	\$3,595.95
11 Sharpe Street RESERVOIR VIC 3073	\$6,814.42
1 Darebin Boulevard RESERVOIR VIC 3073	\$3,449.95
33 Cuthbert Road RESERVOIR VIC 3073	\$6,368.40
18 cuthbert Road RESERVOIR VIC 3073	\$8,993.57
1 / 8 McMahon Road RESERVOIR VIC 3073	\$6,312.61
16 Wellman Street RESERVOIR VIC 3073	\$6,004.75
14 Locksley Avenue RESERVOIR VIC 3073	\$6,671.75
51 Harold Street THORNBURY VIC 3071	\$5,592.61
97 Fyffe Street THORNBURY VIC 3071	\$6,018.75
4/291 Rathmines Street THORNBURY VIC 3071	\$3,350.63
103 Miller Street THORNBURY VIC 3071	\$5,324.72

COUNCIL MEETING

18 MARCH 2019

Address	Cost
205 Raleigh Street THORNBURY VIC 3071	\$8,429.13
95 Hutton Street THORNBURY VIC 3071	\$9,045.13
133 Rennie Street THORNBURY VIC 3071	\$5,592.61
34 Rossmoyne Street THORNBURY VIC 3071	\$5,223.75
204 Harold Street THORNBURY VIC 3071	\$6,280.75
21 Hammond Street THORNBURY VIC 3071	\$7,329.98
99A Pender Street THORNBURY VIC 3071	\$7,857.88
35 Flinders Street THORNBURY VIC 3071	\$5,586.75
95 St David Street THORNBURY VIC 3071	\$13,008.17
57 Collins Street THORNBURY VIC 3071	\$8,632.09
125 Shaftesbury Parade THORNBURY VIC 3071	\$6,756.07
259 Victoria Road THORNBURY VIC 3071	\$7,135.45
171 Harold Street THORNBURY VIC 3071	\$12,498.18
316 Rossmoyne Street THORNBURY VIC 3071	\$10,304.95
187 Rossmoyne Street THORNBURY VIC 3071	\$5,223.75
51B Pender Street THORNBURY VIC 3071	\$4,479.24
34 Newman Street THORNBURY VIC 3071	\$4,644.89
25/8-10 Martin Street THORNBURY VIC 3071	\$5,237.89
1/448-450 St Georges Road THORNBURY VIC 3071	\$5,570.72
99 Fyffe Street THORNBURY VIC 3071	\$8,804.45
335 Rossmoyne Street THORNBURY VIC 3071	\$5,945.75
36 Normanby Avenue THORNBURY VIC 3071	\$8,263.05
Total cost to households	\$967,652.80

SUMMARY

TOTAL kilowatts to be installed	780.4
Number of installations	147
TOTAL cost to households	\$967,652.80
Cost to Council inc GST	\$1,064,418.08
Projected price of STCs to be claimed	\$399,502.37
Projected GROSS total cost to Council (INC GST, before STCs or rebates claimed)	\$1,463,920.45

8.6 CT2017187 - CONTRACT AWARD FOR OPEN SPACE RELATED SERVICES

Author: Coordinator Arboriculture Planning

Reviewed By: General Manager Operations and Capital

PURPOSE

To seek endorsement to award Contract No. CT2017187 – Open Space Related Services

EXECUTIVE SUMMARY

The City of Darebin plays an important role in planning and managing a diverse open space system. A range of parklands, linear parks, sporting reserves, historic parks, conservation areas, urban spaces and streetscapes are highly valued by the community. This open space system offers a range of settings and opportunities to meet community needs.

Due to the amount of work carried out there is a requirement to engage a panel of suitably qualified and experienced contractors to provide a variety of open space related goods and services on behalf of the City of Darebin.

Recommendation

That Council:

- (1) Awards Contract CT2017187 for the Open Space Related Services to a panel of successful tenderers as listed below:

for the contract sum of \$_____ (GST inclusive) for the period April 2019 to April 2024, including a contract period of three years fixed, with two one-year options (a five-year period).

- (2) Authorises the Chief Executive Officer to finalise and execute the contract documentation on behalf of the Council.
- (3) Authorises the Chief Executive Officer to execute the options to extend on behalf of Darebin Council.

BACKGROUND / KEY INFORMATION

Darebin is among the largest, most diverse communities anywhere in the State. The 53 square kilometres that make up the City of Darebin stretch from Melbourne’s inner northern suburbs of Northcote, Fairfield and Alphington through to the traditional middle ring suburbs of Reservoir and Bundoora.

The City of Darebin plays an important role in planning and managing a diverse open space system. A range of parklands, linear parks, sporting reserves, historic parks, conservation areas, urban spaces and streetscapes are highly valued by the community. These spaces can be used for active organised sport, casual and unstructured recreation activities or preserved for their environmental qualities. This open space system offers a range of settings and opportunities to meet community needs.

This contract aligns with the Council Plan 2017-2021 and achievement of Goal 1.3:

- Maintain parks, reserves and opens spaces
- Grow our Urban Forest
- Install rain gardens and water sensitive urban devices to improve waterways

Due to the amount of work carried out there is a requirement to engage suitably qualified and experienced contractors to provide a variety of open space related goods and services on behalf of the City of Darebin. The tender is a unit price contract locking in prices and capping prices rises to the CPI of the goods and services for the duration of the contract. This gives certainty to short and medium term budget planning.

The number and range of contractors appointed to the panel gives flexibility and certainty in service delivery.

This contract will assist in the implementation and maintenance of the Open Space Strategy, Green Streets Strategy and Urban forest Strategy.

Previous Council Resolution

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

COMMUNICATIONS AND ENGAGEMENT

Consultation

Table 1 – Council Staff

Title	Directorate
General Manager Operations and Capital	Operations and Capital
Manager Parks and Open Space	Operations and Capital
Tree Management Coordinator	Operations and Capital
Turf Management Coordinator	Operations and Capital
Bushland Management Coordinator	Operations and Capital
Horticulture and Open Space Coordinator	Operations and Capital
Bundoora Park Operations Coordinator	Operations and Capital
Public Spaces & Design Coordinator	City Futures
Senior Procurement Officer	Governance and Engagement

Table 2 – External Organisations

Title	Description
Probity Advisor	Anne Dalton & Associates

Communications

Council has approached the open market and undertaken a public tender process.

ANALYSIS

Alignment to Council Plan / Council policy

Goal 1 - A sustainable city

This contract aligns with the Council Plan 2017-2021 and achievement of Goal 1.3:

- Maintain parks, reserves and opens spaces
- Grow our Urban Forest
- Install rain gardens and water sensitive urban devices to improve waterways

Environmental Sustainability Considerations

The tender process assessed Environmental sustainability as part of all tenderers Quality management Procedures.

All tenderers are encouraged to use environmentally sustainable process, including use of recycled products where practicable. Several tenderers were able to provide evidence of sustainable business practice.

For example, all contractors who plant advanced trees for Council use Greenwells that are made from recycled plastic and can be re-used. Greenwells minimise damage to trunks, retain mulch and assist with directing moisture to the root ball of the tree.

Equity, Inclusion and Wellbeing Considerations

- Provide opportunities to contractors who conduct business in an ethical and fair manner. Several tenderers were able to provide evidence of ethical business practice.
- Provide opportunities to business who support youth employment. Several contractors were able to provide evidence of youth employment or apprenticeships.
- An assessment was carried out for each tenderer as part of the evaluation process in accordance with Council's procurement policy and guidelines. A 5% weighting was allocated to this criteria in conjunction with cultural considerations

Cultural Considerations

- Provide opportunities to business who support refugee and asylum seeker community members.
- Provide opportunities to business who support and promote indigenous individuals or communities through employment and/or training. Some tenderers were able to provide evidence of supporting indigenous individuals.

- An assessment was carried out for each tenderer as part of the evaluation process in accordance with Council's procurement policy and guideline. A 5% weighting was allocated to this criteria in conjunction with equity, inclusion and wellbeing considerations.

Economic Development Considerations

There are a number of suppliers in the market that can fulfil the required services, including those already on the current panel. With an increase in the number of suppliers able to perform the required services, this leads to better rates and value for money. This is increasingly important in an environment of rate capping.

With Municipal Association Victoria and Procurement Australia suppliers not able to provide the same level of value for money, Council has conducted a public tender process.

A local business assessment was carried out for each tenderer as part of the evaluation process in accordance with Council's procurement policy and guideline. A 10% weighting was allocated to this criteria.

Several contractors were able to provide evidence of registration as a local business.

Financial and Resource Implications

Details of Financial and resource Implications can be found in confidential **Appendix A** and budget details within confidential **Appendix C**.

Legal and Risk Implications

A Risk Management Plan was prepared as part of the approved Strategic Procurement Plan for the provision of works and services. The risk controls in place identified low residual rating classifications.

Financial and insurance criteria were reviewed as part of the tender process. Failure to achieve compliance in this area results in rejection of the tender bid.

DISCUSSION

Request for Tender

The Request for Tender (RFT) for the Open Space Related Services was advertised in 'The Age' newspaper on 3 November 2018. The tender was opened for 19 days as per Council's Procurement Policy. A non-mandatory Tender Briefing Session was held on 7 November 2018 to provide tenderers with an opportunity to familiarise with the site and the project. The RFT closed on Thursday 20 December 2018.

Details of contractors that submitted proposals before the closing date and time are provided in confidential **Appendix A**, circulated to Councillors under separate cover.

Tender Evaluation

Submissions were evaluated by the panel against the evaluation criteria detailed in Table 3 below. The evaluation criteria was established prior to the RFT being advertised, and was included in both the Strategic Procurement Plan and the RFT Documentation.

Table 3 – Evaluation Criteria

Evaluation Criteria
Price
Relevant experience and current work
Organisational capacity and key personnel
Availability
Local business assessment
Social procurement assessment
Customer Focus
Environmental sustainability and quality management systems
Risk, insurances and OH&S
Financial viability

Evaluation Criteria and Methodology

Tenderers were assessed using the evaluation criteria as detailed in the above table.

Schedule of rates for the price component were collected and compared for services offered in each category. Using the combination of weighted scores from the above table, a detailed spreadsheet was used to compare unit rates for services and products to select preferred tenderers. The tenderers with the best scores were selected for awarding of a contract for one or more categories of services. Where a tenderer with a score less than others was chosen, reasons are listed in the minutes. The number of tenderers selected is dependent on the needs of Parks and Open Space.

Risk, Insurance and OH&S were assessed as part of the tender evaluation process. Tenders that failed to meet any of these criteria were excluded from the assessment process.

Reference Checks have also been carried out for all successful contractors.

Probity

Council's Procurement Policy mandates that a probity advisor be engaged for all the projects valued at \$1,000,000 or greater. An independent Probity Advisor was engaged to provide an overview of the probity tasks and findings in relation to the evaluation process. The Probity Advisor engaged for this project has provided a report which is included in **Appendix B**. The report, received on 15 February 2019 concluded that there are no probity concerns.

OPTIONS FOR CONSIDERATION

Award contract to successful tenders:

Customer satisfaction, safety and amenity of assets is retained with effective maintenance and renewal programs in place.

Do nothing:

Customer satisfaction and amenity declines with lack of effective maintenance on Councils assets.

IMPLEMENTATION STRATEGY

Details

Table 4 – Implementation strategy

Tasks	Timeframe
Award Contract CT2017187 to the successful contractors	April 2019
Commence provision of works and services	April 2019
Awarding of First option to extend (one year)	April 2022
Awarding of Second option to extend (one year)	April 2023
Conclusion of Contract	April 2024

Communication

All successful and non-successful tenderers to be advised accordingly before works commence.

Timeline

As above

RELATED DOCUMENTS

- **CT 2017187 – Contract Documentation and Awarding – Open Space Services**
 - Strategic Procurement Plan
 - Probity Plan
 - Risk Assessment
 - Request for Tender and tender documentation
 - Conflict of Interest declarations
 - Evaluation Endorsement
 - Evaluation Matrix

Attachments

- Confidential Appendix to CT2017187 (**Appendix A**) Confidential - enclosed under separate cover
- Probity Report Darebin Council (**Appendix B**) Enclosed under separate cover
Confidential - enclosed under separate cover
- Confidential Appendix to CT2017187 (**Appendix C**) Enclosed under separate cover
Confidential - enclosed under separate cover
- Confidential Appendix to CT2017187 (**Appendix D**) Enclosed under separate cover
Confidential - enclosed under separate cover
- Confidential Appendix to CT2017187 (**Appendix E**) Enclosed under separate cover
Confidential - enclosed under separate cover

DISCLOSURE OF INTEREST

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

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

8.7 2019 ALGA NATIONAL GENERAL ASSEMBLY AND MAV STATE COUNCIL MEETING MOTIONS**Author:** Coordinator Governance, Council Business and Civic Services**Reviewed By:** General Manager Governance and Engagement

PURPOSE

This report seeks Council's approval to submit 10 proposed motions to the Australian Local Government Association (ALGA) National General Assembly on 16 to 19 June 2019 (Appendix A) and nine proposed motions to the Municipal Association of Victoria (MAV) State Council meeting on 17 May 2019 (Appendix B).

EXECUTIVE SUMMARY

Through the MAV State Council meeting and ALGA National General Assembly, Council has an opportunity to advocate for issues and promote initiatives that impact on the livelihood and wellbeing of the Darebin community. Council has identified proposed motions for consideration at these meetings that align with the priority areas identified in Council's strategies and in the 2017–21 Council Plan. These include motions that cover the topics of energy, waste and climate emergency; infrastructure funding; aged care services; community safety; affordable housing; diversity; rate capping; tree protection; homelessness; and promoting the work of local government.

Recommendation

That Council resolves to:

- (1) Submit the motions attached at **Appendix A** to the 2019 Australian Local Government Association National Assembly
 - (2) Submit the motions attached at **Appendix B** to the May 2019 Municipal Association of State Council meeting.
-

BACKGROUND / KEY INFORMATION

MAV and ALGA are the two of the key peak body organisations for Local Government. MAVs State Council Meeting will be held on 17 May 2019 and ALGAs National General Assembly will be held from 16 to 19 June 2019. Council has an opportunity to put forward motions for consideration at both of these meetings.

Previous Council Resolution

At its meeting held on 19 March 2018, Council resolved:

***That** the following motions be put to the MAV State Conference:*

1. *That the MAV seek funding from state government to produce a report on the profile of Local Government similar to the existing 'State of Public Service' report;*

2. *That the MAV:*
 - (1) *Writes to the Prime Minister, leader of the opposition, leaders of minor parties and independent members of parliament requesting that bulk funding from the Commonwealth for aged care services be maintained for local councils that want to continue delivering quality aged and home care services to their vulnerable and ageing communities.*
 - (2) *Advocates for an analysis of impact on the gender pay gap of the introduction of My Aged Care, and the shift in service delivery away from local government.*
3. *That the MAV writes to the Prime Minister requesting that:*
 - a. *Australia abandons the current harsh and unjust policies of offshore detention which have resulted in 9 deaths and untold misery and despair with many people developing serious mental illness;*
 - b. *Asylum seekers, including the 160 children held on Nauru, are returned to Australia;*
 - c. *Asylum seeker men currently abandoned on Manus Island in Papua New Guinea are returned to Australia;*
 - d. *Australia accepts the offer by New Zealand to provide protection for 150 people per year;*
 - e. *The over 30,000 refugees living on bridging visas in our community with their futures in limbo should have a right to seek permanent protection;*
 - f. *Asylum seekers seeking protection in Australia are not pressured to return to their home countries or unsafe places where they could be subject to persecution.*
4. *That the MAV develops and implements a strategic marketing and advertising campaign to positively promote the activities and work of local councils across Victoria.*
5. *That the MAV:*
 - (1) *Writes to Victorian Premier, Daniel Andrews, requesting:*
 - a. *The Victorian Government recognises the lack of capacity in the local recycling industry and adopts policies and actions to encourage a sophisticated, independent, self-sustaining industry.*
 - b. *The Victorian Government allocates \$100 million from the \$2,077 million received from the sale of the State's shareholding in Snowy Hydro to a fund focussed on:*
 - *developing and enhancing the sustainability of domestic processing of recyclable waste within the state of Victoria*
 - *addressing the immediate local government funding shortfalls arising from the China Sword policy.*
 - c. *The Victorian Government works with local government to develop a self-sustaining, responsible recycling process addressing all elements from producer through consumer to recycler.*
 - (2) *Obtains advice on:*
 - a. *The legality of the Victorian Government continuing to collect the Landfill Levy and withholding the collected funds, without disbursement for the purposes for which the levy was collected.*
 - b. *The ability of Councils to withhold payment of the Landfill Levy until such time as a plan is developed for its disbursement.*

That the following motions be put to the ALGA National General Assembly:

1. *That the ALGA establishes a Multicultural Advisory committee to provide strategic and policy advice to the ALGA Board on national immigration, settlement and multicultural issues that impacts on local governments across Australia.*

2. *That the ALGA:*
 - (1) *Writes to the Prime Minister, leader of the opposition, leaders of minor parties and independent members of parliament requesting that bulk funding from the Commonwealth for aged care services be maintained for local councils that want to continue delivering quality aged and home care services to their vulnerable and ageing communities.*
 - (2) *Advocates for an analysis of impact on the gender pay gap of the introduction of My Aged Care, and the shift in service delivery away from local government.*
3. *That the ALGA seek funding from federal government to produce a report on the profile of Local Government similar to the existing "State of Public Service" report.*
4. *That the ALGA write to the Prime Minister requesting that;*
 - a. *Australia abandons the current harsh and unjust policies of offshore detention which have resulted in 9 deaths and untold misery and despair, with many people developing serious mental illness.*
 - b. *Asylum seekers, including the 160 children held on Nauru, are returned to Australia.*
 - c. *Asylum seeker men, currently abandoned on Manus Island in Papua New Guinea, are returned to Australia.*
 - d. *Australia accepts the offer by New Zealand to provide protection for 150 people per year.*
 - e. *The over 30,000 refugees living on bridging visas in our community with their futures in limbo should have a right to seek permanent protection in Australia.*
 - f. *Asylum seekers seeking protection in Australia are not pressured by Australian authorities to return to unsafe places where they could be subject to persecution.*
5. *That the ALGA:*
 - (1) *Writes to Victorian Premier, Daniel Andrews, requesting:*
 - a. *The Victorian Government recognises the lack of capacity in the local recycling industry and adopts policies and actions to encourage a sophisticated, independent, self-sustaining industry.*
 - b. *The Victorian Government allocates \$100 million from the \$2,077 million received from the sale of the State's shareholding in Snowy Hydro to a fund focussed on:*
 - *developing and enhancing the sustainability of domestic processing of recyclable waste within the state of Victoria*
 - *addressing the immediate local government funding shortfalls arising from the China Sword policy.*
 - c. *The Victorian Government works with local government to develop a self-sustaining, responsible recycling process addressing all elements from producer through consumer to recycler.*
 - (2) *Obtains advice on:*
 - a. *The legality of the Victorian Government continuing to collect the Landfill Levy and withholding the collected funds, without disbursement for the purposes for which the levy was collected.*
 - b. *The ability of Councils to withhold payment of the Landfill Levy until such time as a plan is developed for its disbursement.*
6. *That the ALGA:*
 - (1) *Explore all the potential impacts that the TPP agreement may have which could limit the ability of councils to enter into a range of strategies and policies such as environmental initiatives, local procurement, jobs programs and insourcing*
 - (2) *Develop an advocacy strategy as required to protect the role of local government now and in the future*
 - (3) *Communicate to all councils information on the impacts that TPP may have on their operations*

At its meeting held on 3 September 2018, Council resolved:

That Council submits the following motions to the MAV State Council meeting on 19 October 2018:

1. That MAV immediately coordinates a campaign to:
 - a. Maintain block funding to Councils for the delivery of aged care services beyond June 2020; and
 - b. Request that the commonwealth government implements a moratorium to such time the government conducts a comprehensive review of the cancellation of block funding to Councils.
2. That MAV urges its members Councils to become Refugee Welcome Zones and Welcoming City Network members.
3. That MAV calls on the state government to not sell off any public housing estate land to private developers and instead increase public housing stock.
4. That MAV calls on the state government to increase by 50% the state government pension rate rebate for eligible card holders.
5. That MAV State Council:
 - (1) Notes the serious health impacts that gambling is having in the Victorian community.
 - (2) Notes that despite ample evidence of effective public health measures which could reduce harm, gambling companies are failing to deliver their products in a safe manner.
 - (3) Authorises the MAV to engage with the Vision Super board to advocate for full divestment of investments held in companies where more than 10% of earnings before interest and tax (EBIT) are derived from gambling including Woolworths, Crown Resorts, Aristocrat, Tatts Group, Tabcorp Holdings and Star Entertainment Group.
6. That the MAV:
 - (1) Coordinate with the Department of Health and Human Services and the Department of Environment, Land, Water and Planning to play a lead role in resourcing and supporting Councils to implement actions aligned to Plan Melbourne, Homes for Victorians and the Infrastructure Victoria 30-Year Plan with regard to social and affordable housing, including facilitating the provision of affordable housing through the planning system.
 - (2) Advocate to State and Federal Government to provide significant, consistent and ongoing funding for social and affordable housing.
 - (3) Advocate to the State Government to significantly increase the social housing being provided through the Social Housing and Public Housing Renewal Program and Inclusionary Housing Pilot, so that the provision is linked to demand.
7. That the MAV calls for the implementation of the Infrastructure Contribution Plan standard levies across established areas of Melbourne.

COMMUNICATIONS AND ENGAGEMENT

Consultation

The attached motions have been discussed with Councillors and the relevant officers.

Communications

N/A

ANALYSIS

Alignment to Council Plan / Council policy

Goal 6 - A well governed Council

Environmental Sustainability Considerations

Motions may address environmental sustainability considerations, depending on which motions are put forward by Council.

Equity, Inclusion and Wellbeing Considerations

Motions may address equity, inclusion and wellbeing considerations, depending on which motions are put forward by Council.

Cultural Considerations

Motions may address cultural considerations, depending on which motions are put forward by Council.

Economic Development Considerations

Motions may address economic development considerations, depending on which motions are put forward by Council.

Financial and Resource Implications

Motions may address financial sustainability considerations, depending on which motions are put forward by Council.

Legal and Risk Implications

Nil

DISCUSSION

Submitting motions through the ALGA and MAV meetings enables Council to broaden its advocacy reach on key issues and platforms. The motions in **Appendix A** and **Appendix B** aim to further Council's goals in reducing inequality, minimising our impact on the environment, building financial sustainability and supporting vulnerable members of the community.

OPTIONS FOR CONSIDERATION

Option 1 (Recommended)

Council resolves to submit the motions in **Appendix A** and **Appendix B** to the ALGA National General Assembly and the MAV State Council meeting respectively.

Option 2 (Not recommended)

Council resolves not to submit motions to the ALGA National General Assembly and the MAV State Council meeting

IMPLEMENTATION STRATEGY**Details**

Council will submit the approved motions to the ALGA General Assembly and the MAV State Council meeting within the prescribed timeframes.

Communication

Outcomes from the ALGA General Assembly and the MAV State Council meeting will be communicated to Councillors once they have been published.

Timeline

- Any motions that Council resolves to submit to the ALGA National General Assembly will be lodged by the deadline of 29 March 2019.
- Any motions that Council resolves to submit to the MAV State Council meeting will be lodged by the deadline of 23 April 2019.

RELATED DOCUMENTS

- Future Focussed – Call for Motions Discussion Paper 2019 – National General Assembly of Local Government 2019
- 2019-19 MAV Strategic Work Plan

Attachments

- ALGA National General Assembly Motions (**Appendix A**) [↓](#)
- MAV State Council Meeting Motions (**Appendix B**) [↓](#)

DISCLOSURE OF INTEREST

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

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

2019 ALGA National General Assembly Motion

Motion: Advocacy to Relieve Infrastructure Stress for Local Government

That the National General Assembly continues to advocate to the Federal Government for the implementation of measures that aim to relieve local government infrastructure funding pressures, including:

- the creation of a dedicated funding program for local government community infrastructure
- a more equitable distribution of infrastructure funding to the states, that takes into account population distribution and growth impacts.

National Objective:

Why is this a national issue and why should this be debated at the NGA? (Maximum 250 words)

ALGA's National State of the Assets 2015 report and Future Focussed Discussion Paper 2019 include the following findings:

- the gross replacement value of local government infrastructure for all Australian councils is estimated at \$438 billion
- \$47 billion of assets (11%) are rated as being in poor or very poor condition
- \$31 billion of the asset stock (7%) has poor function, requiring upgrading to meet current or emerging local and regional service level targets for safety, compliance, social, environmental and economic performance
- \$31 billion of assets (7%) have poor capacity and require augmenting to support growth trends.

Summary of Key Arguments:

Background information and supporting arguments (Maximum 500 words)

Infrastructure, and specifically the growing shortfall in infrastructure funding, is consistently rated as one of the highest strategic risks faced by councils.

"... councils are experiencing an ever-widening asset renewal gap, which is likely to become even greater as the impacts of rate capping and pressure to minimise rate increases becomes more evident nationally. A 2014 report by the Victorian Auditor General estimated that the renewal gap for Victorian councils in 2012 was \$225.3 million, but that the cumulative renewal gap would grow to \$2.3 billion by 2026." (2017 Australian Local Government Risk Report, Aon Risk Solutions, p.7)

A significant proportion of the key services delivered by councils is supported by infrastructure. Failure to address the asset renewal gap will result in infrastructure that is unsafe, not fit-for-purpose and unable to deliver on its intended use. This will negatively impact on the services that councils are able to provide to their communities and subsequently on the quality of life of those communities. Ageing infrastructure also has the potential to place the community at risk.

The impact of infrastructure that is in poor condition is not limited to local communities. Council infrastructure forms part of a national network that delivers broader social, economic and environmental benefits. Strategic investment in local infrastructure by the Federal Government would support the delivery of national goals relating to growth, productivity and competitiveness.

2019 ALGA National General Assembly Motion**Motion: Aged Care Services**

That the National General Assembly:

1. Advocates for and coordinates a campaign to maintain block funding for the delivery of the Commonwealth Home Support Program beyond June 2020,
2. Advocates for the States, Territories and the Commonwealth Governments to grant an exemption to local government providing home care services from the National Competition Policy.

National Objective:

Why is this a national issue and why should this be debated at the NGA? (Maximum 250 words)

Reforms in the aged care sector have been driven by the federal government to achieve a nationally consistent system.

The current reform agenda provides certainty of funding for Commonwealth Home Support Program services only to the end of June 2020. It is unclear how the federal government will proceed with funding model beyond then although it was previously expected that block funding would end at that time, and a competitive market of service providers created instead.

This situation is creating uncertainty for older Australians in receipt of these services, for service providers and for the workforce.

ALGA adopted a resolution in 2018 to write to the Government requesting that block funding for these services be maintained for local governments. This motion would carry on that work.

Additionally, the government should provide certainty of funding until after the Royal Commission into Safety and Quality in Aged Care delivers its recommendations and that these recommendations are considered to inform any future aged care funding models.

Furthermore, many local government who are providers of these services provide additional subsidies to ensure that quality of services are maintained at a high. The additional subsidy in local government allows for better pay and conditions for workers in the sector, a reflection of the minimum skills and qualification staff delivering these services hold.

Summary of Key Arguments:

Background information and supporting arguments (Maximum 500 words)

The Federal Aged Care Reforms in the home support sector is creating ongoing uncertainty for community members, the workforce and for service providers. The possible cessation of current Commonwealth Home Support Program (CHSP) block funding in mid-2020 is adding to this uncertainty.

The Royal Commission into Aged Care Quality and Safety commenced its work and it is expected to deliver its final report in April 2020, the close proximity of this to the anticipated end of block funding would not provide government with the time to consider, findings and recommendations to potentially make changes to the funding model if required. Therefore,

block funding should be extended to provide certainty to the community and to the workforce.

If the competitive market for CHSP is introduced after June 2020, National Competition Policy will apply to the services of many councils, and will effectively remove the ability of councils to subsidise their services. This could make it impossible for those councils to continue their services. Legal advice obtained by Darebin indicates that the Victorian government can approve an exemption to National Competition Policy to local government-provided home care services. This would allow local government's continued involvement in service provision if and when the service model changes. The anticipated federal reforms should not disadvantage older Australians.

2019 ALGA National General Assembly Motion

Motion: Awareness Campaign

That the ALGA develops and implements a strategic communications campaign to raise the level of awareness and understanding of the work Councils do in regional and metropolitan Australia and rebuilds the trust in local government as an institution

National Objective:

Why is this a national issue and why should this be debated at the NGA? (Maximum 250 words)

Levels of trust in government and politicians in Australia are at their lowest levels in history*. Engagement across the three tiers of government is also declining. This very real concerns are set against the backdrop of an information landscape that has seen the decline in influence of traditional media and the increase in prevalence and power of democratic media, where individuals can access, share and produce content. As well, the increasing diversity of our communities and ways people consume media and information makes communicating effectively and clearly even more challenging.

There is a need for the ALGA to lead the development of a national campaign that helps build trust and confidence in local government and strengthens the relationships with our communities and stakeholders. We need a compelling national story that articulates the purpose of local government and contributes to improving overall accountability and transparency.

Summary of Key Arguments:

Background information and supporting arguments (Maximum 500 words)

The 2018 report *Democracy 2025* by the Museum of Australian Democracy (MoAD) and the Institute for Governance and Policy Analysis at the University of Canberra (UC-IGPA) identified that fewer than 41 per cent of Australian citizens are currently satisfied with the way democracy works in Australia. This is significantly down from 86 per cent a decade ago.

Satisfaction has fallen particularly sharply since 2013 when 72 per cent of Australian citizens were satisfied. Approximately three in 10 respondents trust federal government and less than four in 10 trust state or territory government or local government.

Only 47 per cent of millennials trust local government, 37 per cent of Generation X and less than half of the Baby Boomers.

The levels of social trust are also in decline, with social trust between people falling below 50 per cent for the first time to 47 per cent and there is a group of people who are completely disconnected from traditional politics. This group, in particular, are very difficult to reach.

However, the report also showed here were also strong levels of support for reforms aimed at creating a stronger community or local focus to decision-making. And people want to access detailed information about innovative reforms, projects and policies.

A strategic and coordinated communications campaign led by the ALGA will contribute significantly to improving the level of trust in local government, raising the awareness and understanding of what Councils deliver to their local communities and strengthen transparency and accountability.

** Democracy 2025 by the Museum of Australian Democracy (MoAD) and the Institute for Governance and Policy Analysis at the University of Canberra (UC-IGPA)*

2019 ALGA National General Assembly Motion**Motion: Climate Emergency**

That the National General Assembly calls on the Australian Government to:

- Declare a Climate Emergency
- Establish a \$10 billion dollar national fund for councils to build the resilience of climate change vulnerable communities.
- Commit to providing maximum protection for all people, economies, species, ecosystems, and civilisations, and to fully restoring a safe climate
- Mobilise the required resources and take effective action at the necessary scale and speed across Australia,
- Transform the economy to zero emissions and make a fair contribution to drawing down the excess carbon dioxide in the air, and
- Encourage all other governments around the world to take these same actions.

National Objective:

Why is this a national issue and why should this be debated at the NGA? (Maximum 250 words)

Given that climate impacts are already causing serious loss of life and destroying vital ecosystems, and that global average temperature, atmospheric greenhouse gases, and ocean acidity are already at dangerous levels, action at the federal level to support local government in its climate emergency response is needed.

Only the state and federal governments can support the scale and speed of action that is required to transform legislation, markets and economies sit with these levels of governments.

Summary of Key Arguments: See above

2019 ALGA National General Assembly Motion**Motion: Compulsory Inclusionary Zoning in Planning Schemes for Affordable Housing**

That ALGA:

1. Advocates for a coordinated, national response to housing issues, incorporating all levels of government.
2. Advocates for mandatory controls in planning schemes, in the form of inclusionary zoning, to require affordable housing contributions as part of private development.

National Objective:

Why is this a national issue and why should this be debated at the NGA? (Maximum 250 words)

Australia has faced a structural housing affordability problem for the last 60 years, whereby the growth in the cost of housing has outstripped growth in wages. In addition, the last 20 years have seen a significant reduction in government investment in public housing. These factors, and others, have resulted in a housing system that is unaffordable for increasing numbers of Australians.

The lack of affordable, secure housing in Australia will have significant social and economic impacts, not only on the individuals affected, but upon our society. There is significant cultural, social and economic importance attached to home ownership, and the inability of increasing number of people to enter the property market will have significant consequences. For example, the Australian government relies on the fact that many retired Australians own their own home in calculating the aged pension. If future generations do not have secure housing, there will be significant impacts upon the ability of the government to support and house older Australians.

Capital cities, particularly Melbourne and Sydney, have been acutely impacted by the lack of investment in public and community housing by successive governments. There are now more than 80,000 Victorians, including 20,000 children, on the waiting list for subsidised housing. Again, this has severe implications for those individuals directly affected, but also for society more broadly. Those in affordable and secure housing have better health and education outcomes, and are better able to contribute to and participate in civic life.

Given the significance of the impact of rising house prices on generations of Australia, a national policy debate and response is needed.

Summary of Key Arguments:

Background information and supporting arguments (Maximum 500 words)

Housing affordability has become a critical issue in contemporary Australian society. There has been a structural affordability problem in Australia for the past 60 years – between 1960 and 2006 house prices increased by 2.7% per annum on average, while incomes increased by only 1.9% per annum. Housing prices have increased far beyond incomes. At the same time, housing supply has failed to keep pace with demand. Concessions and tax exemptions have increased demand, and incentives for housing supply have been limited. Rapid migration and population growth has increased demand for housing, particularly in large cities. There is a lack of institutional investment in Australia's rental housing market in part because of the lack of tax concessions and low investment returns. Superannuation funds in Australia have invested in the housing market in Europe and the US, but to a very limited extent in Australia.

As house prices rise, increasing numbers of people, particularly those on low and very low incomes, are unable to enter the property market, and rely on private rental housing. In

Darebin, 1.9 per cent of private rental stock is affordable to very low income earners¹. Demand for affordable rental housing adds to demand for government-subsidised housing. There are more than 80,000 people, including 20,000 children, on the waiting list for social housing in Victoria². Many commentators, and Council, believe housing in Australia is at a crisis point³. All levels of government must take action to address declining housing affordability and the severe undersupply of affordable housing.

The planning system has received significant attention for its role in housing affordability, specifically the planning mechanisms that can be used to contribute to affordable housing supply. While such mechanisms have been adopted in some local jurisdictions in Australia, they have not resulted in significant outputs, in part due to a lack of support at the level of state and national government.

There is a need for a coordinated, national response to housing affordability. The policy levers that impact housing affordability span federal, state and local government. A national response should include establishment of a national body that is responsible for forecasting demand and supply and the development of a national housing strategy; tax reform to demand side incentives that work to reduce housing demand; implementation of supply side tax incentives that work to increase supply; significant investment and/or incentives for affordable housing, and finally, implementation of planning mechanisms, such as inclusionary zoning, that ensure that affordable housing is delivered as part of private development.

¹ Department of Health and Human Services 2018, Rental Report, available at <https://www.dhhs.vic.gov.au/publications/rental-report>

² Parliament of Victoria Legal and Social Issues Committee 2018, Inquiry into the Public Housing Renewal Program, available at https://www.parliament.vic.gov.au/images/stories/committees/SCLSI/Public_Housing_Renewal_Program/LSIC_58-11_PHRP_Text_WEB.pdf

³ Mares, P 2018, *No Place Like Home: Repairing Australia's Housing Crisis*, The Text Publishing Company, Melbourne

2019 ALGA National General Assembly Motion**Motions: Improving Energy Performance Standards for all Australian Homes**

That the National Assembly welcomes COAG Energy Council's decision to support a *Trajectory for Low Energy Buildings*, which proposes a pathway towards 'zero energy (and carbon) ready buildings', increases to the energy efficiency provisions in the National Construction Code and further consideration of options for existing buildings.

As the tier of government with critical responsibilities in the provision of community services particularly to low-income and disadvantaged households most vulnerable to rising energy prices and climate change impacts, local government welcomes this recognition that:

1. With 3 million people living in poverty and many more renting there is an urgent affordability, health and economic challenge that needs a coordinated, national and ongoing response.
2. Improving the energy efficiency of Australia homes can lead to: lower energy bills, improved health and wellbeing, improved resilience of the electricity system and reduced greenhouse emissions

The National Assembly urges:

1. State and Territory Building Ministers to implement the *Trajectory* recommendations through the National Construction Code to be implemented in 2022, including:
 - a. A step change in minimum energy performance standards to at least a 7-star NATHERS equivalent and the introduction of an energy usage budget (whole-of-building approach);
 - b. Enabling renewable energy to contribute to the energy usage budget but not replace energy efficiency measures;
 - c. Extend the National Construction Code to include minimum performance standards for fixed appliances;
 - d. Strengthen the requirements of the National Construction Code to apply to a greater number of major renovations in existing homes;
 - e. Work with industry to ensure effective compliance with minimum standards through skills training and incentives, and improved mechanisms for dispute resolution and redress. Provide a well-resourced regulator with adequate tools and powers to address non-compliance; and
 - f. Provide additional funding and assistance to ensure all new social housing complies with minimum energy performance standards.
2. COAG Energy Council to commit to a *Trajectory* for the improvement of energy performance in existing homes by the end of 2019, including commitment to work with State, Territory and local governments to:
 - a. Introduce mandatory disclosure of energy performance for all buildings when they are sold and leased;
 - b. Mandate minimum energy efficiency performance standard for rental properties, as part of broader standards for what constitutes healthy and habitable rental housing;
 - c. Develop and implement programs to improve the energy efficiency of all social housing, including community housing;
 - d. Provide information and equitable incentives for home owners to upgrade their homes, with targeted support for upgrades to people on low incomes; and

- e. Progress related measures including obligations on energy companies to achieve annual energy efficiency reductions, disclosure and information obligations on real estate companies and lending institutions.

National Objective:

Why is this a national issue and why should this be debated at the NGA? (Maximum 250 words)

Based on the COAG Energy Ministers recommendation on Friday 8th February the Building Ministers Forum made directions to the Australian Building Codes Board to investigate implementation of the trajectory into the National Construction Code. This is a three-year process that will start this year for implementation in 2022.

The National Construction Code is Australia's is a national developed set of rules that define buildings standards, performance and methods of construction. The Code is developed through the COAG process and given legal effect by relevant legislation in each State and Territory. While the states and territories can derogate from the code i.e. the Victorian Government was the first to introduce the 6 Star standard – having a national approach and national consistency makes a more cost effective and consistent environment for industry and the consumer.

The current review of the National Construction Code – to be implemented in 2022 – is an opportunity to set higher standards for new homes.

These standards should ensure that new homes need significantly less energy to maintain a healthy living environment, thereby reducing household energy costs and health and safety risks. Improving building efficiency can also make a significant contribution to achieving Australia's emissions reduction targets.

Summary of Key Arguments:

Background information and supporting arguments (Maximum 500 words)

Energy is an essential service, and integral to creating wellbeing and positive health outcomes for people and communities. The poor energy performance of homes, combined with significant increases in energy costs over the past decade, mean that many are now living in homes that are damp, too cold in winter and too hot in summer. Living in these homes, dealing with high electricity bills, and going without the energy, can lead to financial stress, poor health and make it harder to work, to get an education or to be a part of the community.

People on low incomes and/or who rent, have little choice or control over the efficiency performance of their home and major energy-using fixed appliances. They face even greater risk of high energy bills or living without the energy they need.

Improving the energy performance standard of our homes is an opportunity to benefit people and the community through:

- lower energy bills – improvements in energy efficiency requirements of the National Construction Code could reduce average energy costs by up to \$900 per household annually, according to a recent study by the Australian Built Environment Council (ASBEC) and Climateworks Australia;
- improved health and well-being - reduce social isolation, illness, stress, and mortality rates, resulting in economic and social benefits including lower spending on health care and services. Respected medical journal The Lancet reported that each year more than

6% of deaths in Australia are due to the effects of cold living environments while a further 1% are heat related.

- improved resilience of the electricity system – reduced burden on the electricity grid, reducing the need for network investment for peak demand, and resulting in lower prices for all, according to ASBEC; and
- reduced emissions – actions to reduce emissions from the building sector could deliver 28 per cent of Australia’s 2030 emissions reduction target, reducing the economic, environmental and health risks of climate change people face.

2019 ALGA National General Assembly Motion

Motion: National Advisory Body on Population, Migration and Interculturalism/ Diversity

That the ALGA establishes a National Advisory Body to the ALGA on population, migration, interculturalism and diversity.

National Objective:

Why is this a national issue and why should this be debated at the NGA? (Maximum 250 words)

Australia has one of the most multicultural populations in the world with more than 300 different ancestries and 28% of our resident population born overseas - nearly 7 million people. Across the country more than 300 languages are spoken.

The continued success of multicultural Australia will depend on our ability to foster social cohesion as our population and cultural diversity grows.

Summary of Key Arguments:

Background information and supporting arguments (Maximum 500 words)

Local councils are best placed to understand the complexity and diversity of their communities. As the peak body representing local government in Australia, is well positioned to lead and advocate on concerns relating to diversity and multiculturalism and enhance local government's capacity to create welcoming and inclusive communities.

Many of Australia's local government areas have large numbers of constituents from different cultural, ethnic and linguistic backgrounds. ALGA works closely with the Commonwealth to advance cultural diversity and represents local government concerns relating to citizenship, migration and settlement policy

ALGA works closely with the Commonwealth and state governments in the re-settlement of refugees and asylum seekers so that appropriate support services, such as housing, education, health and trauma counselling are provided in a coordinated and strategic manner. Achieving positive settlement outcomes and integration into the community are important for the stability and prosperity of communities.

While in place at State levels, such as the Municipal Association of Victoria (MAV) Multicultural Committee, there is currently no advisory body to the ALGA on population, migration, interculturalism and diversity. This poses a risk to ensuring integrated planning and response to these national challenges.

The establishment of a National Advisory Body to the ALGA on population, migration, interculturalism and diversity would further enhance ALGA's already strong role in this space, improving settlement outcomes and enhancing the stability and prosperity of communities across Australia.

2019 ALGA National General Assembly Motion

Motion: National Grey-Spot Program and Road User Pricing

That the National General Assembly calls on the Australian Government to:

- fund a \$800 million Grey-spot program that provides pedestrian infrastructure in locations where there are older Australian (+65) to address high proportion of pedestrian deaths experience by older Australians
- better manage pedestrian injury and risk, through a deeper understanding of the causes of death, injury and the operation of high risk locations
- use the Principle Pedestrian Network Tool to map future and potential pedestrian demand across our cities
- introduce policies to support the rapid up-take of electric vehicles
- introduce a road user based pricing system to stem the reduction in revenue from the fuel excise through the growing adoption of electric vehicles and to facilitate demand management
- re-align the proportion of transport federal funding so that the three levels of Government in Australia have a more efficient and equitable match between their public responsibilities and their finances.

National Objective:

Why is this a national issue and why should this be debated at the NGA? (Maximum 250 words)

The Australian Government provides approximately \$750 million (2013 – 2022) in Black Spot Funding. This funding targets those road locations where crashes are occurring. The funding provided by the Australian Government does not sufficiently address the need across our cities to provide a greater amount of pedestrian infrastructure. While the national road toll fell last year, the number of pedestrians killed increased, making up 15 per cent of road accidents.

Walking comprises the largest transport mode because almost everyone is a pedestrian at some stage in their journey. However, pedestrians have little or no protection in the event of a collision. Certain groups of pedestrians are particularly vulnerable, such as the elderly. In the last 10 years, more than 400 pedestrians lost their lives on Victorian roads, with one third of pedestrians who lost their lives aged 70 years or over. Most (74%) lost their lives in Metropolitan Melbourne, and most (67%) were male. This trend is repeated nationwide. Pedestrian fatalities and serious injuries are most common in major cities and towns (including on local roads, and higher volume roads with mixed traffic use). There is a large increase in deaths for collision speeds above around 30 km/h, while the critical speed of impact for serious injury and for particularly vulnerable road users is likely to be less than this. The solutions include lower speed environments; separation of pedestrians from other road users; and provision of appropriate crossing facilities.

The fuel excise is a Federal tax. The Australian Government provides significant road infrastructure funding derived from the fuel excise.

Along with vehicle registration fees, the federal government's largest source of transport-related revenue is the fuel excise. It collects 41 cents in tax on every litre of petrol and diesel sold at the pump in Australia, contributing about \$12.6 billion annually.

Most of that money supports for road and transport infrastructure and it is the main way the government recoups the cost of roads from those who use them the most. But the growing adoption of electric vehicles (EVs) means the revenue derived from the fuel excise is reducing.

The Federal Government could introduce a tax based on an odometer reading at the end of each month or quarter. The technology now exist to do this.

Transport emissions have the highest rate of growth of any sector since 1990. With no action, transport emissions are projected to continue growing to 2030 (expected to reach 111 MtCO₂ by 2030). The major source of the problem is cars, responsible for roughly half of Australia's greenhouse gas pollution from transport. EV's, provided they are powered by renewable energy, can eliminate these emissions.

The Electric Vehicle Council predicts that under supportive policies EVs could make up 60 per cent of vehicles by the end of the next decade.

Road pricing (also road user charges) are direct charges levied for the use of roads, including road tolls, distance or time based fees, congestion charges and charges designed to discourage use of certain classes of vehicle, fuel sources or more polluting vehicles. These charges may be used as a transportation demand management tool to reduce the social and environmental negative externalities associated with road travel such as air pollution, greenhouse gas emissions, visual intrusion, noise and road accidents.

2019 ALGA National General Assembly Motion

Motion: Nursing Service

That National General Assembly calls on the Federal Government to introduce two new Home Care subsidies to medication management, and nursing services. This will allow Home Care Packages recipients to receive these two crucial services and maintain care in the community.

National Objective:

Why is this a national issue and why should this be debated at the NGA? (Maximum 250 words)

Access to affordable services that support older Australians to maintain their independence is important to individuals and carers wellbeing nationally.

Home Care Packages are a federally funded initiative that aims to have a national consistent approach to funding of services to people in the community. The current gaps in funding makes it difficult for people to access nursing services and medication management. This is a national concern due to the national application of guidelines and funding formula.

Summary of Key Arguments:

Background information and supporting arguments (Maximum 500 words)

Home Care Packages are funded by the federal government to help older Australian with complex care need to live independently in their own homes.

As at 30 June 2018, there were 91,847 older Australians in receipt of Home Care Packages nationally, with additional 40,000 packages announced this financial year so far.

The federal government pays a range of care subsidies and supplements depending on the care requirements, and funding levels of a package are allocated based on the care needs. Currently Level 1 and 2 (basic and low needs) can access nursing services at the subsidised Commonwealth Home Support Program rate from nursing providers for short term when the Home Care Package funding have been fully allocated to other services, this is not available for Level 3 or 4.

Older people who are on a Home Care level 3 or 4 package, are assessed to have intermediate and high needs, although these level of packages have higher care subsidies levels, however due to the complex care need requirements and cost of case management service recipients are left with little funding to support them with all their care needs. This includes the medication management cost and the purchase of nursing services to meet their needs adequately. This motion argues for the government to consider specific supplements for the nursing support and medication management for people on these level 3 and 4. This anomaly and lack of funding for these two services places additional pressure on older Australians and their carers as it renders these services out of reach for people on a package.

2019 ALGA National General Assembly Motion**Motions: Waste Recycling****Motion 1**

That the National General Assembly calls on the Australian Government to:

- a) Declare climate emergency and commit to quickly transforming the waste and recycling sectors to low carbon to address the emergency and protect vulnerable communities in Australia and around the world.
- b) Create an intergovernmental Recycling Taskforce and \$1 Billion Fund to support this essential service which is in crisis, in recognition that the crisis requires a multi-level government response and that as it continues it is putting cost of living pressure on communities and increasing carbon emissions.
- c) Turn off the tap of wasted materials every year used in Australia including by putting a price on new materials used in products and packaging and by using those funds to subsidise recycled materials and products so that the economy transforms to value reuse and recycling.
- d) Establish an Australian wide accreditation and quality assurance capability for recycling and waste management suppliers to make sure these services meet the environmental and social standards the Australian community expects.
- e) Establish Australian Standards for products and materials with recycled content.

National Objective:

Why is this a national issue and why should this be debated at the NGA? (Maximum 250 words)

Waste and recycling services industries, provide an essential service for our community. The recycling industry is facing crisis globally and this is impacting in Australia at all levels of government. It has been more than a year since Australia began to feel the impacts of China's National Sword Policy, which banned contaminated recycling materials. More than twelve months on, Australia is still facing a recycling industry crisis – recently evidenced by 50% of Victoria's recycling being unable to be accepted by the recycling processor. The 2018 National Waste Policy and respective State Government's strategic plans and policy approaches to addressing this issue in the past year, have resulted in little action. The Federal Government is the best placed to act on this issue, however real leadership is required. This issue should be debated at the National General Assembly to request further and decisive action from the Federal Government.

Key Arguments:

Background information and supporting arguments (Maximum 500 words)

We are facing a climate emergency and all waste and recycling emissions must be considered with the climate imperative forefront. The recycling industry is an essential service industry and is not currently being treated as one. One year after the ban on contaminated material to China, the Australian recycling industry is still in crisis. No real action has been seen in the past year from State or Federal Government. Decisive action is needed to create a stable, self-sustaining, robust and resilient Australian recycling industry. Only Federal government can transform the economic settings needed to stem the tide of packaging and waste that is creating this challenge. State and federal government both need to use their legislative and market development power to achieve lasting, effective and efficient market and natural resource management outcomes. In the short term, stabilising the industry is critical.

Motion 2

That the National General Assembly calls on its State and Territory member bodies to:

- 1) Meet with the relevant Federal, State and Territory Environment Ministers to:
 - i) call for creation of an intergovernmental Recycling Taskforce and \$1 Billion Fund to support this essential service which is in crisis, in recognition that the crisis requires a multi-level government response and that as it continues it is putting cost of living pressure on communities and increasing carbon emissions.;
 - ii) Establish an Australian wide accreditation and quality assurance capability for recycling and waste management suppliers to make sure these services meet the environmental and social standards the Australian community expects.
 - iii) Turn off the tap of wasted materials every year used in Australia including by putting a price on new materials used in products and packaging and by using those funds to subsidise recycled materials and products so that the economy transforms to value reuse and recycling.
- 2) Coordinate a National Day of Action to call on the Australian government to turn off the tap of wasted materials packaging that is created every year and used in Australia.

National Objective:

Why is this a national issue and why should this be debated at the NGA? (Maximum 250 words)

See argument above for recycling industry.

The ALGA has requested action from the Federal Government on the recycling crisis in 2018. Little change was seen. The ALGA again will debate requesting the Federal Government to take action on the recycling crisis in 2019. If there is continued inaction from the Federal Government to make any significant change to ensure the development of a sustainable and resilient recycling industry, there may be a need for further, ongoing action. This motion enables this action to continue in a united way throughout the year to maintain the ALGA's call for action on the national recycling crisis.

Key Arguments:

Background information and supporting arguments (Maximum 500 words)

See above for recycling. Australia's recycling crisis must have immediate attention. State and Territory member bodies have worked separately on this issue during 2018. Co-ordinated national action, moves beyond 'letter writing' responses.

2019 MAV State Council Meeting Motion**Motion: Awareness Campaign**

That the MAV develops and implements a strategic communications campaign to raise the level of awareness and understanding of the work Councils do in regional and metropolitan Victoria and rebuilds the trust in local government as an institution.

RATIONALE:

There is a need for the MAV to lead the development of a state-wide campaign that helps build trust and confidence in local government and strengthens the relationships with our communities and stakeholders. We need a compelling story that articulates the purpose of local government and contributes to improving overall accountability and transparency.

2019 MAV State Council Meeting Motion**Motion: Rate Capping**

That the MAV advocates to the State Government on behalf of all Councils that:

- Consideration is given to sector-wide issues that are impacting the costs of all Councils, such as recycling, when the annual rate cap is being set rather than just setting the rate cap at CPI; and
- The funding provided to Councils to deliver services or undertake functions on behalf of the State Government is increased in line with real cost to Council of those services or functions.

RATIONALE:

Increases to Councils' main source revenue in rates on municipal properties have been capped by the State Government. The cap on rate increases since the introduction of rate capping have been set in line with the CPI forecast in State Government Budget Update released just prior to the setting of the rate cap.

No consideration is being given to other external factors that are having significant financial impact on Councils' operations. It is requested that consideration be given by the State Government to these factors when setting the cap on rate increases.

Councils provide services to the community on behalf of the State Government such as maternal and child health and undertake functions on behalf of the State Government such as the collection of the Fire Services Property Levy. The funding for these services from the State Government has not increased in line with the increases in the cost to Councils of delivering these services creating overall financial disadvantage to Councils. It is requested that State Government funding is increased in line with cost increases experienced by Councils.

2019 MAV State Council Meeting Motion**Motion: Aged Care Services**

That the MAV:

1. Coordinates a campaign and advocates to maintain block funding for the delivery of the Commonwealth Home Support Program beyond June 2020,
2. Advocates for the Victorian State Government to grant an exemption to local government providing home care services from the National Competition Policy.

RATIONALE:

Reforms in the aged care sector have been driven by the federal government to achieve a nationally consistent system.

Local government in Victoria has a proud history of delivering aged care services to local communities. The Victorian system, supported with joint planning and delivery from local government, has been at the forefront of home support services which are responsive to local needs.

The current reform agenda provides certainty of funding for Commonwealth Home Support Program services only to the end of June 2020. It is unclear how the federal government will proceed with funding model beyond then although it was previously expected that block funding would end at that time, and a competitive market of service providers created instead.

This situation is creating uncertainty for older Victorians in receipt of these services, for service providers and for the workforce.

It is important that the federal reforms do not result in a lowest common denominator approach, where quality Victorian services may be affected because of an imposed national-wide system.

Block funding of local council services through the CHSP should be continued. That is, there should be a moratorium on ending CHSP block funding in Victoria. A federal review should be conducted to examine the potential impacts of removing block funding in favour of creating a competitive market of service providers in Victoria.

In 2018 the MAV passed a resolution to advocate for maintaining CHSP funding for local councils that want to continue delivering quality aged and home care services to their vulnerable and ageing communities and advocate for an analysis of impact on the gender pay gap of the introduction of My Aged Care, and the shift in service delivery away from local government.

The announcement of the Royal Commission into Safety and Quality in Aged Care in recent months is another reason why there should be a moratorium. The Royal Commission into Aged Care Quality and Safety commenced its work and it is expected to deliver its final report in April 2020, the close proximity of this to the anticipated end of block funding would not provide government with the time to consider, findings and recommendations to potentially make changes to the funding model if required. Therefore, block funding should be extended to provide certainty to the community and to the workforce.

If the competitive market for CHSP is introduced after June 2020, National Competition Policy will apply to the services of many councils, and will effectively remove the ability of councils to subsidise their services. This could make it impossible for those councils to continue their services. Legal advice obtained by Darebin indicates that the Victorian government can approve an exemption to National Competition Policy to local government-provided home care services. This would allow local government's continued involvement in service provision if and when the service model changes.

Senior Victorians have benefited over decades from Victorian councils' leadership in the area of providing quality aged care services. Victorians should not be disadvantaged in the federal reforms.

2019 MAV State Council Meeting Motion**Motion: Compulsory Inclusionary Zoning in Planning Schemes for Affordable Housing**

That the MAV:

1. Advocate for a coordinated, national response to housing issues, incorporating all levels of government.
2. Advocate for mandatory controls in planning schemes, in the form of inclusionary zoning, to require affordable housing contributions as part of private development.
3. Ensure MAV is appropriately resourced to support Councils to implement state government housing policy.

RATIONALE:

Australia has faced a structural housing affordability problem for the last 60 years, whereby the growth in the cost of housing has outstripped growth in wages. In addition, the last 20 years have seen a significant reduction in government investment in public housing. These factors, and others, have resulted in a housing system that is unaffordable for increasing numbers of Australians.

The lack of affordable, secure housing in Australia will have significant social and economic impacts, not only on the individuals affected, but upon our society. There is significant cultural, social and economic importance attached to home ownership, and the inability of increasing number of people to enter the property market will have significant consequences. For example, the Australian government relies on the fact that many retired Australians own their own home in calculating the aged pension. If future generations do not have secure housing, there will be significant impacts upon the ability of the government to support and house older Australians.

Capital cities, particularly Melbourne and Sydney, have been acutely impacted by the lack of investment in public and community housing by successive governments. There are now more than 80,000 Victorians, including 20,000 children, on the waiting list for subsidised housing. Again, this has severe implications for those individuals directly affected, but also for society more broadly. Those in affordable and secure housing have better health and education outcomes, and are better able to contribute to and participate in civic life.

Given the significance of the impact of rising house prices on generations of Australia, a national policy debate and response is needed.

Summary of Key Arguments:

Housing affordability has become a critical issue in contemporary Australian society. There has been a structural affordability problem in Australia for the past 60 years – between 1960 and 2006 house prices increased by 2.7% per annum on average, while incomes increased by only 1.9% per annum. Housing prices have increased far beyond incomes. At the same time, housing supply has failed to keep pace with demand. Concessions and tax exemptions have increased demand, and incentives for housing supply have been limited. Rapid migration and population growth has increased demand for housing, particularly in large cities. There is a lack of institutional investment in Australia's rental housing market in part because of the lack of tax concessions and low investment returns. Superannuation funds in Australia have invested in the housing market in Europe and the US, but to a very limited extent in Australia.

As house prices rise, increasing numbers of people, particularly those on low and very low incomes, are unable to enter the property market, and rely on private rental housing. In Darebin, 1.9 per cent of private rental stock is affordable to very low income earners¹. Demand for affordable rental housing adds to demand for government-subsidised housing. There are more than 80,000 people, including 20,000 children, on the waiting list for social housing in Victoria². Many commentators, and Council, believe housing in Australia is at a crisis point³. All levels of government must take action to address declining housing affordability and the severe undersupply of affordable housing.

The planning system has received significant attention for its role in housing affordability, specifically the planning mechanisms that can be used to contribute to affordable housing supply. While such mechanisms have been adopted in some local jurisdictions in Australia, they have not resulted in significant outputs, in part due to a lack of support at the level of state and national government.

There is a need for a coordinated, national response to housing affordability. The policy levers that impact housing affordability span federal, state and local government. A national response should include establishment of a national body that is responsible for forecasting demand and supply and the development of a national housing strategy; tax reform to demand side incentives that work to reduce housing demand; implementation of supply side tax incentives that work to increase supply; significant investment and/or incentives for affordable housing, and finally, implementation of planning mechanisms, such as inclusionary zoning, that ensure that affordable housing is delivered as part of private development.

¹ Department of Health and Human Services 2018, Rental Report, available at <https://www.dhhs.vic.gov.au/publications/rental-report>

² Parliament of Victoria Legal and Social Issues Committee 2018, Inquiry into the Public Housing Renewal Program, available at https://www.parliament.vic.gov.au/images/stories/committees/SCLSI/Public_Housing_Renewal_Program/LSIC_58-11_PHRP_Text_WEB.pdf

³ Mares, P 2018, *No Place Like Home: Repairing Australia's Housing Crisis*, The Text Publishing Company, Melbourne

2019 MAV State Council Meeting Motion**Motions: Less Car Dependant Society and Cycling Infrastructure**

Part One

- That the MAV writes to the Minister for Planning requesting:
 - the Victorian Government plan for the decoupling of housing and parking;
 - an amendment to the planning scheme to remove the current minimum parking rates based approach for new developments in preparation for a shift in private car ownership and use.
 - Transport for Victoria to work closely with local governments in undertaking research and development into innovative and disruptive transport technologies and urban infrastructure.

Part Two:

- That the MAV:
 - Compiles information from local government cycling plans and work with councils to identify up to 50 priority projects to improve cycling infrastructure across Melbourne, enabling people to safely cycle as a primary mode of transport.
 - Presents these projects to the Minister for Transport, VicRoads and Transport for Victoria, with a request to fund these projects.
 - Calls on the Victorian Government to:
 - increase funding for cycling infrastructure to a minimum of \$500 million per year, noting that this is less than 0.05% of the Victorian government's 2018-19 roads budget; and
 - extend TAC coverage to include any person injured while riding a bike on Victorian roads and paths.

RATIONALE:

With the forthcoming introduction of autonomous vehicles and the increasing use of car share and ride share schemes; the need for households to privately own a car will lessen. In light of these shifts in car access and ownership the requirement for minimum parking rates in new developments will need to be reconsidered in the Victorian Planning Scheme.

Local government has a role in managing the decoupling of housing and parking (i.e. parking rates for new developments will need to be reconsidered with the view to remove minimum parking rates where appropriate). To date there has been little forward looking leadership on this matter shown by the Victorian Government, with planning decision being made on a case by case basis to derogate from the planning scheme.

The need for less onsite and on street parking should lead to the reallocation of public open space to provide communities with greater urban greening, safer pedestrian facilities, more economic vibrant streetscapes and increased liveability.

The Victorian Government's 2018 Cycling Strategy has not been funded to deliver a high standard of metropolitan cycling infrastructure. As a consequence Melbourne's cross city routes are in complete and vary widely in terms of a safety, design and user experience.

2019 MAV State Council Meeting Motion**Motion: Nursing and Medication Management Subsidy for Home Care Packages**

That the MAV calls on the Federal Government to introduce two new Home Care subsidies to medication management, and nursing services. This will allow Home Care Packages recipients to receive these two crucial services and maintain care in the community.

RATIONALE:

Home Care Packages are funded by the federal government to help older Australian with complex care need to live independently in their own homes.

As at 30 June 2018, there were 91,847 older Australians in receipt of Home Care Packages nationally, with additional 40,000 packages announced this financial year so far.

The federal government pays a range of care subsidies and supplements depending on the care requirements, and funding levels of a package are allocated based on the care needs. Currently Level 1 and 2 (basic and low needs) can access nursing services at the subsidised Commonwealth Home Support Program rate from nursing providers for short term when the Home Care Package funding have been fully allocated to other services, this is not available for Level 3 or 4.

Older people who are on a Home Care level 3 or 4 package, are assessed to have intermediate and high needs, although these level of packages have higher care subsidies levels, however due to the complex care need requirements and cost of case management service recipients are left with little funding to support them with all their care needs. This includes the medication management cost and the purchase of nursing services to meet their needs adequately. This motion argues for the government to consider specific supplements for the nursing support and medication management for people on these level 3 and 4. This anomaly and lack of funding for these two services places additional pressure on older Australians and their carers as it renders these services out of reach for people on a package.

2019 MAV State Council Meeting Motion

Motion: Tree Protection

That the MAV advocates for a change in the Local Government Act allowing councils to charge the tree's Amenity Value (Melbourne City Council Method) or significantly increase the number of penalty units for the unauthorised removal or damage of a local law and planning scheme protected tree.

RATIONALE:

The purpose of this motion is to protect and enhance the urban character, by regulating tree removal and pruning of trees on private property.

With increasing housing density and loss of private open space protection of trees on private property is becoming an issue. Neighbourhoods are losing character and in this time of climate change the mitigating effects of tree canopy are being lost.

This is particularly true in middle and outer suburbs of major cities where rapidly growing populations are placing increasing demands on housing supply.

A mechanism to reduce this tree removal by an increase in fines will deter the indiscriminate removal of trees from private property.

Summary of Key Arguments:

- Protected trees can be very long-lived and provide a sense of character and identity to an area.
- They also contribute significantly to modifying the impacts of living in an urban environment, including reducing runoff into drains, reducing air temperatures, capturing dust particles and pollutants in the canopy, increasing property values, providing natural protection from the sun, contributing to psychological well-being and providing habitat for local fauna.
- An increasing density of urban development means that the number of large trees on private land is decreasing, therefore the health and sustainability value of these trees is becoming increasingly important.
- Decisions made in respect to tree removal permits need to consider the property owner's needs, any risk or damage to persons or property and the impact of the tree removal on the environment and local amenity.
- The current maximum fine under a local law and planning scheme is limited to 20 penalty points (currently \$3,200)
- The amenity value of a tree as a fine can potentially be much higher than the 20 penalty points and would be a greater deterrent to unauthorised removal

2019 MAV State Council Meeting Motion**Motion: Waste Recycling**

That the MAV calls upon the Victorian Government to:

- 1) Immediately take steps to establish a storage facility for all recycling in order to avert it going to landfill;
- 2) To provide local governments with financial support in the event that SKM is unable to meet its contractual obligations to financial compensate local governments for the costs of directing recycling to landfill;
- 3) Set a up a Taskforce with local government representation as a first step to developing and implementing a new recycling industry policy;
- 4) Similarly to the renewable energy industry, develop a new comprehensive Victorian Government Recycling Industry Policy and invest the land fill levy into recycling processing and education.

2019 MAV State Council Meeting Motion**Motion: Advocacy for Homeless Women aged 50+**

That the MAV:

1. Advocates to the State and Federal Government to provide significant, consistent and ongoing funding for social and affordable housing, which includes targeted support to address the needs of older women at risk of homelessness.
2. Advocates to the State Government to provide significant, consistent and ongoing funding for homelessness access points, to include assertive outreach and brokerage for safe emergency accommodation.
3. Advocates to the State Government to continue to implement measures aimed at improving women's financial security and economic independence across the lifespan, as outlined in the Safe and Strong, Victoria's Gender Equality Strategy.
4. Supports the North and West Housing Networks *A Crisis in Crisis* advocacy campaign and to promote the campaign to local government areas.

RATIONALE:

Women over 55 years are now the fastest growing cohort of homeless people in Australia. Experiencing Family Violence is the single most common reason women seek the support of the Homelessness Service System. Women experience economic inequality as a result of wage, wealth and retirement income gaps, increasing their risk of vulnerable to housing stress, insecurity and homelessness. Women who are older and living alone will be significantly more disadvantaged than men their age, less able to maintain homeownership and less able to compete in the private rental market for affordable accommodation.

Homelessness prevention is possible through the provision of affordable housing stock. In order for the supply of affordable housing to be significantly increased, ongoing and substantial investment is required. Further to this the cumulative impacts of social and financial disadvantage over a woman's lifetime mean that the gendered nature of homelessness cannot be overlooked. Measures aimed at improving women's financial security and economic independence across the lifespan is a vital component of preventing this homelessness. There is significant work being undertaken to further affordable housing and gender equality, and the MAV is ideally positioned to play a lead role in coordinating and supporting this work.

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

Nil

10. NOTICES OF MOTION**10.1 DAREBIN COMMUNITY SUSTAINABLE TRANSPORT RESERVE****Councillor:** Tim LAURENCE**NoM No.:** 390

Take notice that at the Council Meeting to be held on 18 March 2019, it is my intention to move:

That Council:

- (1) Resolves to establish a \$1 million sustainable transport reserve to assist with attracting funds to extend the route 11 Tram.*
- (2) And that the creation of this sustainable transport reserve be included in the 2019-2020 draft budget.*

Notice Received: 5 March 2019**Notice Given to Councillors** 8 March 2019**Date of Meeting:** 18 March 2019

10.2 DAREBIN COMMUNITY LANGUAGES**Councillor: Tim LAURENCE****NoM No.: 391**

Take notice that at the Council Meeting to be held on 18 March 2019, it is my intention to move:

***That** Council, in the interests of social inclusion resolves to expand the number of community languages in the council Agenda and publications to include Punjabi, Nepali, Urdu, and Spanish that are all listed within the top 13 NESB Languages in Darebin in the latest ABS statistics.*

Notice Received: 5 March 2019**Notice Given to Councillors 8 March 2019****Date of Meeting: 18 March 2019**

10.3 DONATH AND DOLE RESERVE MASTER MASTERPLAN**Councillor: Tim LAURENCE****NoM No.: 392**

Take notice that at the Council Meeting to be held on 18 March 2019, it is my intention to move:

***That** Council resolves to invest adequately to fully fund the Master Plan by allocating \$400,000 in the 2019-2020 draft budget.*

Notice Received: 5 March 2019**Notice Given to Councillors 8 March 2019****Date of Meeting: 18 March 2019**

10.4 **ATHLETIC TRACK SEATING AND SHELTER****Councillor:** **Tim LAURENCE****NoM No.:** **393**

Take notice that at the Council Meeting to be held on 18 March 2019, it is my intention to move:

***That** Council resolves to invest adequately to construct seating and shelter for spectators at the newly refurbished Athletic track at Edwardes Park Lake in the 2019-2020 draft budget.*

Notice Received: **5 March 2019****Notice Given to Councillors** **8 March 201****Date of Meeting:** **18 March 2019**

10.7 HOMELESSNESS CRISIS LOCAL ACTION PLAN**Councillor: Tim LAURENCE****NoM No.: 396**

Take notice that at the Council Meeting to be held on 18 March 2019, it is my intention to move:

***That** Council resolves to allocate \$500,000 in the 2019-2020 draft budget for a homelessness Officer to work on a pilot program with homelessness volunteers and local charities to develop a proactive subsidised program to place people from our over 1,500 local homeless into accommodation by connecting with our local residents who collectively have 10,000 empty rooms the City of Darebin.*

Notice Received: 5 March 2019**Notice Given to Councillors 8 March 2019****Date of Meeting: 18 March 2019**

10.8 JOHN HALL LIGHTING**Councillor: Tim LAURENCE****NoM No.: 397**

Take notice that at the Council Meeting to be held on 18 March 2019, it is my intention to move:

That *Council resolves to allocate \$350,000 in the draft budget for 2019-2020 to ensure adequate lighting for training at John Hall reserve.*

Notice Received: 5 March 2019**Notice Given to Councillors 8 March 2019****Date of Meeting: 18 March 2019**

10.9 PROPOSED INCREASE IN THE PENSIONER RATE REBATE**Councillor: Gaetano GRECO****NoM No.: 398**

Take notice that at the Council Meeting to be held on 18 March 2019, it is my intention to move:

That Council:

- (1) *Notes that the current Pensioner rate rebate of \$150 was last increased by Council in 2014 and that the rebate is not indexed to reflect inflation increases.*
- (2) *Includes in the 2019-2020 Draft Council budget an increase in the Pensioner Rate Rebate of \$50.00 (from \$150 to \$200).*

Notice Received: 5 March 2019**Notice Given to Councillors 8 March 2019****Date of Meeting: 18 March 2019**

10.12 RESTORATION OF ABORIGINAL MURAL**Councillor: Gaetano GRECO****NoM No.: 401**

Take notice that at the Council Meeting to be held on 18 March 2019, it is my intention to move:

***That** Council notes the deterioration and fading of the reproduction of the iconic aboriginal mural on St. Georges Road and receives a report for consideration as part of the 2019-2020 budget process on how the reproduction of the mural can be restored.*

Notice Received: 5 March 2019**Notice Given to Councillors 8 March 2019****Date of Meeting: 18 March 2019**

11. REPORTS OF STANDING COMMITTEES

Nil

12. RECORDS OF ASSEMBLIES OF COUNCILLORS

12.1 ASSEMBLIES OF COUNCILLORS HELD

An Assembly of Councillors is defined in section 3 of the *Local Government Act 1989* to include Advisory Committees of Council if at least one Councillor is present or, a planned or scheduled meeting attended by at least half of the Councillors and one Council Officer that considers matters intended or likely to be the subject of a Council decision.

Written records of Assemblies of Councillors must be kept and include the names of all Councillors and members of Council staff attending, the matters considered, any conflict of interest disclosures made by a Councillor attending, and whether a Councillor who has disclosed a conflict of interest leaves the assembly.

Pursuant to section 80A (2) of the Act, these records must be, as soon as practicable, reported at an ordinary meeting of the Council and incorporated in the minutes of that meeting.

An Assembly of Councillors record was kept for:

- Councillor Briefing Session – 20 February 2019
- Council Briefing Session – 27 February 2019
- Councillor Briefing Session – 4 March 2019
- Darebin Aboriginal Advisory Committee – 6 March 2019
- Climate Emergency Darebin Advisory Committee – 6 March 2019
- Darebin Domestic Animal Management Reference Group – 7 March 2019

Recommendation

That the record of the Assembly of Councillors held on 20 and 27 February and 4, 6 and 7 March 2019 and attached as **Appendix A** to this report, be noted and incorporated in the minutes of this meeting.

Related Documents

- *Local Government Act 1989*

Attachments

- Assemblies of Councillors Held (**Appendix A**) [↓](#)



ASSEMBLY OF COUNCILLORS PUBLIC RECORD

ASSEMBLY DETAILS:	Title:	Councillor Briefing Session
	Date:	Wednesday 20 February 2018
	Location:	Council Chambers, Darebin Civic Centre
PRESENT:	Councillors:	Cr. Susan Rennie (Mayor), Cr. Susanne Newton (Deputy Mayor), , Cr. Steph Amir, Cr. Gaetano Greco, Cr. Tim Laurence, Cr. Kim Le Cerf, Cr. Julie Williams, Cr. Lina Messina
	Council Staff:	Sue Wilkinson, Vito Albicini, Ingrid Bishop, Cathy Henderson, Rachel Ollivier Allan Cochrane, Sunny Haynes, Darren Martin, Sally Moxham, Melinda Viksne
	Other:	Nil
APOLOGIES:		Cr. Trent McCarthy

The Assembly commenced at 6.06pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	2019–20 Capital and Strategic Initiatives	No disclosures were made Cr Newton arrived at 6.15pm Cr Laurence arrived at 6.30pm

The Assembly concluded at 9.19pm

RECORD COMPLETED BY:	Officer Name:	Melinda Viksne
	Officer Title:	Manager Governance and Performance



ASSEMBLY OF COUNCILLORS PUBLIC RECORD

ASSEMBLY DETAILS:	Title:	Council Briefing Session
	Date:	Monday 27 February 2019
	Location:	Council Chamber Darebin Civic Centre, 350 High Street Preston
PRESENT:	Councillors:	Cr. S. Newton (Deputy Mayor), Cr. K. Le Cerf, Cr. L. Messina, Cr. S. Amir, Cr. T. McCarthy, Cr. J. Williams, Cr. G. Greco, C. T. Laurence
	Council Staff:	S. Wilkinson, I. Bishop, V. Albicini, C. Henderson, R. Olliver, P. Miziewicz, S. Haynes, D. Rudd, E. Tuckey, A. Cochrane, J. Thomson-Martin, W. Dinning, D. Quinlan, P. Tulk, C. Sutherland, S. Moxham, A. O'Keeffe
	Other:	
APOLOGIES:		

The Assembly commenced at 5.41pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Business Advisory Committee	No disclosures were made.
2	Level Crossing Removal	Cr. T. Laurence arrived at 6.01pm
3	Open Space Strategy	
4	Preston Market	
5	Workshop to explore parking management	
6	Statement of Commitment to Traditional Owners	
7		

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
8	Former Lease Preston Mosque	
	General Business	
9	<ul style="list-style-type: none"> • Preston Market Update • Recycling 	

The Assembly concluded at 9.00pm

RECORD COMPLETED BY:	Officer Name:	Ingrid Bishop
	Officer Title:	General Manager Governance and Performance



ASSEMBLY OF COUNCILLORS PUBLIC RECORD

ASSEMBLY DETAILS:	Title:	Councillor Briefing Session
	Date:	Monday 4 March 2018
	Location:	Council Chambers, Darebin Civic Centre
PRESENT:	Councillors:	Cr Susan Rennie (Mayor), Cr Susanne Newton (Deputy Mayor), Cr Trent McCarthy, Cr Steph Amir, Cr Gaetano Greco, Cr Tim Laurence 5.44pm, Cr Kim Le Cerf, Cr Julie Williams
	Council Staff:	Sue Wilkinson, Vito Albicini, Ingrid Bishop, Rachel Ollivier, Cathy Henderson Allan Cochrane, Rod Burke, Melinda Viksne, Deb Strutt, Jo Smale, Felicity Leahy, Allan Middlemast, Katina Angelofsky, Jess Fraser, Claudio Cavallo, Vicky Guglielmo, Sally Moxham, Elisabeth Tuckey, Shadi Hanna, Rod Burke, Natasha Ralston, Phil Tulk, Sunny Haynes
	Other:	Nil
APOLOGIES:		None

The Assembly commenced at 5.42pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	2019-20 Budget Workshop	No disclosures were made Cr McCarthy arrived at 6.00pm Cr Newton arrived at 6.18pm

The Assembly concluded at 10.47 pm

RECORD COMPLETED BY:	Officer Name:	Melinda Viksne
	Officer Title:	Manager Governance and Performance

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ASSEMBLY OF COUNCILLORS

PUBLIC RECORD

ASSEMBLY DETAILS:	Title:	Darebin Aboriginal Advisory Committee
	Date:	Wednesday 6 March 2019
	Location:	Council Chambers, 350 High Street, Preston
PRESENT:	Councillors:	Mayor Cr. Susan Rennie (Chairperson) Cr. Susanne Newton Cr. Gaetano Greco Cr Kim Le Cerf (proxy)
	Council Staff:	Jess Fraser Mandy Bathgate, Ryan Hale, Cecile Tache, Amelia Bassett, Alexandra Stewart, Stuart McFarlane,
	Other:	6 Members of the Darebin Aboriginal Advisory Committee (Carol Harrison, Alan Brown, Jenaya Kastamonitis, Ellijean Singh, Charles Pakana, Erica Higgins)
APOLOGIES:		Maria Dugan

The Assembly commenced at 4.00pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
		No disclosures were made
1	Park Run Discussion	No disclosures were made
2	Darebin Statement of Commitment	No disclosures were made
3	Darebin Council Aboriginal Protocols	No disclosures were made
4	Inclusive Event- Update on EOI and ICAN process	No disclosures were made
5	Darebin Aboriginal and Torres Strait Islander Employment Strategy update	No disclosures were made
6	Progress update on Darebin Aboriginal Action Plan 2017-2021 DAAC Terms of Reference	No disclosures were made
7	Darebin Schools Yarning Conference 22 October 2019	No disclosures were made
8	Treaty Update	No disclosures were made

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
6	Standing agenda items to be considered on DAAC <ul style="list-style-type: none"> • Aboriginal & Torres Strait Islander Employment Strategy update • Aboriginal Action Plan • Treaty 	No disclosures were made
7	General Business <ul style="list-style-type: none"> • This meeting focused primarily around the Park Run and follow up actions around that. Some discussion was focused on the wording in the draft Council's Statement of Commitment and even greater discussion took place about the ICAN peace mural and also the EOI process outcome for the engagement of an inclusive events consultant was shared. Other business included updating with the changes to the Aboriginal and Torres Strait Islander Action Plan and the DAAC Terms of Reference.	No disclosures were made
8	Meeting Close	No disclosures were made

The Assembly concluded at 6.00pm

RECORD COMPLETED BY:	Officer Name:	Stuart McFarlane
	Officer Title:	Aboriginal Contact Officer

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ASSEMBLY OF COUNCILLORS PUBLIC RECORD

ASSEMBLY DETAILS:	Title:	Climate Emergency Darebin Advisory Committee
	Date:	Wednesday 6 March 2019
	Location:	Function Room, 350 High Street, Preston
PRESENT:	Councillors:	Cr. Kim Le Cerf (Co-Chair), Cr. Trent McCarthy (Co-Chair), Cr. Susan Rennie
	Council Staff:	Sally Moxham, Gavin Mountjoy, Tiffany Harrison
	Other:	Climate Emergency Darebin Committee members
APOLOGIES:		Sue Wilkinson, Rachel Ollivier

The Assembly commenced at 7:11pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Welcome, acknowledgements, apologies	No disclosures were made
2	Assembly of Councillors	No disclosures were made
3	Agenda review	No disclosures were made
4	Minutes from last meeting	No disclosures were made
5	Council update	No disclosures were made
6	2018-2019 Work plan Review	No disclosures were made

Climate Emergency Darebin Committee

6 March 2019

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
7	Strategic Review of CED	No disclosures were made
8	Working Group Updates	No disclosures were made
9	Other Business	No disclosures were made
10	Meeting Review	No disclosures were made
11	Next Meeting	No disclosures were made

The Assembly concluded at 9:17pm

RECORD COMPLETED BY:	Officer Name:	Tiffany Harrison
	Officer Title:	Climate Emergency Darebin Executive Officer

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ASSEMBLY OF COUNCILLORS PUBLIC RECORD

ASSEMBLY DETAILS:	Title:	Darebin Domestic Animal Management Reference Group
	Date:	Thursday 7 March 2019
	Location:	Conference Room, Darebin CC
PRESENT:	Councillors:	Cr. Susan Rennie.
	Council Staff:	Craig Bruckner – Coordinator Civic Compliance Michael Groenewaldt – Team Leader Local Laws Rania Fayad – Local Laws Assistant Ebony Flinn – Pet Rescue Support Officer
	Other:	Representatives of Animal Rescue Groups, members of the public, Hobsons Bay CC and the RSPCA
APOLOGIES:		Cr. Julie Williams

The Assembly commenced at 3 pm

MATTERS CONSIDERED	DISCLOSURES AND COMMENTS
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ASSEMBLY OF COUNCILLORS – PUBLIC RECORD (CONT)

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Darebin CC Animal Management Update Rescue Support Officer role Animal Collections Officer role Animal collection statistics	No disclosures were made
2	Pet Expo	

Council Meeting

18 March 2019

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
3	Epping Animal Welfare Facility Update High volume desexing RSPCA events EAWF & RSPCA statistics	Cr Rennie left the meeting
4	Rescue Group Updates TNR Trial	

The Assembly concluded at 5.00 pm

RECORD COMPLETED BY:	Officer Name:	Craig Bruckner
	Officer Title:	Coordinator Civic Compliance

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13. REPORTS BY MAYOR AND COUNCILLORS

Recommendation

That Council note the Reports by Mayor and Councillors.

14. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL

15. CLOSE OF MEETING

