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AGENDA OF THE COUNCIL MEETING

Held on Monday 29 April 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

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.

Nepali

यो एजेण्डा काउन्सिल बैठकको लागि हो। कुनै पनि एजेण्डाका वस्तुहरूको सहायताको लागि कृपया 8470 8888 मा फोन गर्नुहोस्।

Punjabi

ਕੌਂਸਲ ਮੀਟਿੰਗ ਲਈ ਇਹ ਏਜੰਡਾ ਹੈ। ਏਜੰਡੇ ਦੀਆਂ ਕਿਸੇ ਵੀ ਆਈਟਮਾਂ ਨਾਲ ਸਹਾਇਤਾ ਲਈ, ਕਿਰਪਾ ਕਰਕੇ 8470 8888 ਤੇ ਟੈਲੀਫੋਨ ਕਰੋ।

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.

Spanish

Este es el orden del día para la reunión del Concejo Municipal. Si necesita asistencia para cualquiera de los temas del orden del día, llame al teléfono 8470 8888.

Urdu

یہ کاؤنسل میٹنگ کا ایجنڈا ہے۔ ایجنڈا کے کسی مندرجات میں مدد کے لئے، براہ کرم 8470 8888 پر فون کریں۔

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.

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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
Cr. Susanne Newton (Deputy Mayor)
Cr. Julie Williams

2. APOLOGIES

3. DISCLOSURES OF CONFLICTS OF INTEREST

4. CONFIRMATION OF THE MINUTES OF COUNCIL MEETINGS

Recommendation

That the Minutes of the Ordinary Meeting of Council held on 8 April 2019 and the Special Meeting of Council held on 15 April 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 PRESTON MOSQUE & DAREBIN CITY COUNCIL MEMORANDUM OF UNDERSTANDING 2018-2022

Author: Manager Equity and Wellbeing

Reviewed By: General Manager Community

PURPOSE

This report seeks Council's endorsement of an updated Memorandum of Understanding (MOU) with Omar bin Al-Khattab Mosque (Islamic Society of Victoria - Preston Mosque) for the period of 2018-2022.

Council has worked closely with Preston Mosque following the Christchurch mosque shooting. This report includes information on the work and support provided since that date and going forward.

EXECUTIVE SUMMARY

Council has a long standing relationship the Omar Bin Al-Khattab Mosque in Cramer Street, Preston, which was first formalised in a Memorandum of Understanding in 2009 and renewed in 2014.

In 2018 Council, with representatives of the Mosque and Victoria Police, undertook a process to review and establish a new MOU for the period of 2018-2022. The renewed MOU articulates a shared vision, values, and commitment in relation to promoting a respectful and constructive relationship between the Mosque and Council. The document continues to provide Council with opportunities to deliver positive outcomes for the community and extend interfaith dialogue and ensures that a number of actions and activities are jointly planned, managed, implemented and evaluated.

The updated MOU includes a discrete action plan (**Appendix B**) that lists new actions that reflect the three priority areas outlined in the MOU. The action plan will be reviewed on an annual basis by the existing Preston Mosque and Council Committee.

Recommendation

That Council endorses the revised and updated Memorandum of Understanding with Omar bin Al-Khattab Mosque (Islamic Society of Victoria - Preston Mosque) for the period of 2018-2022 and authorises its signature by the Mayor.

BACKGROUND / KEY INFORMATION

Council has actively engaged with the Omar Bin Al-Khattab Mosque in Cramer Street, Preston, since 2003 as part of the Cramer Street Neighbourhood Project which was a government funded Living in Harmony Project. At the time a Mosque and Council Project Reference Group was established to respond to community concerns about the Mosque's activities and their impact on the neighbourhood.

The main issues of concern at the time referred to traffic and parking matters associated with increased usage of the Mosque on Fridays and during religious events and racism, along with racism and islamaphobia towards Muslim people following international events which linked terrorism with Muslim communities.

In 2009, a MOU between the Islamic Society of Victoria (Omar Bin Al Kattab Mosque) and the Darebin City Council was negotiated and signed. The MOU was renewed again in 2014.

This formalised agreement outlines a constructive and robust relationship between Council and the Mosque has been critical for a number of reasons:

- There are 6,012 Muslims residing in Darebin or 4.39% of its population (ABS:2011).
- The Mosque is numerically the largest in Australia and so exercises significant influence on the Islamic sector in this country, including hosting meetings of the National Boards of Imams.
- The Mosque is often the first point of contact for Muslim migrants and refugees coming to Australia and its services are also accessed by the wider non-Muslim population.
- The Mosque and community are significantly impacted by racism following local and international events that link Muslims and terrorism.
- The Mosque is a key part of Council's efforts to support interfaith dialogue. The MOU has also provided strong basis for positive and constructive engagements between Council and the mosque on a range of social issues.
- The MOU between the Darebin City Council and the Islamic Society of Victoria / Preston Mosque has been effective in the coordination of events in and around the Mosque with a minimum of disruption to local traffic and ensuring the safety of both local residents and Mosque visitors.

The MOU has been monitored and implemented by the Preston Mosque and Council Committee, which comprises of Council officers, representatives from the Mosque and Victoria Police. The committee meets bi-monthly or as needed.

In November 2018 the Mosque hosted a facilitated planning session with members of the Mosque Board and community, Councillors, Council officers and Victoria Police to review and update the MOU. This draft was subsequently endorsed by Mosque members in December 2018.

Previous Council Resolution

At its meeting held on 18 August 2014, Council resolved:

'THAT Council:

- (1) *Endorse the revised and updated Memorandum of Understanding, (attached as Appendix A to this report) with the Omar Bin Al Kattab Mosque that includes the re-establishment of the Council-Preston Mosque working committee.*
- (2) *Receive an update after 12 months on the progress of the 'future actions' as outlined in the report.'*

At its meeting held on 3 August 2015, Council resolved:

'THAT Council:

- (1) Note the progress report on the MOU between Darebin City Council and the Islamic Society of Victoria (Preston Mosque).*
- (2) Thank the Preston Mosque for their continued cooperation.'*

COMMUNICATIONS AND ENGAGEMENT

Consultation

The Memorandum of Understanding was reviewed and updated during a workshop with stakeholders in November 2018. This included Preston Mosque Board and members, Victoria Police, Councillors and Council officers from relevant departments.

Communications

A communication plan will be prepared in relation to relevant events that form part of the MOU.

ANALYSIS

Alignment to Council Plan / Council policy

Goal 5 - Involving our diverse community

Environmental Sustainability Considerations

The MOU provides for an effective and practical framework to work with the Islamic Society of Victoria and our Muslim residents to promote a culture and practice of protecting the environment. This can be of great benefit to Council to reach out to these communities and to collaborate in the discussion and implementation of Council's environmental policies and programs including environmental sustainability and using efficient energy sources to minimise waste.

Equity, Inclusion and Wellbeing Considerations

This initiative strengthens Council's efforts to include groups at risk of exclusion and discrimination by helping address the various barriers to participation and strengthen community inclusion. Faith communities, in particular Darebin's Muslim communities, are heavily impacted by discrimination and lack of access to services and programs. The MOU provides a key platform for engagement, program linkage and capacity building to improve wellbeing and equity outcomes

Cultural Considerations

The MOU recognises and acknowledges cultural considerations underpinning the relationship and being instrumental in building community wellbeing and social inclusion.

Economic Development Considerations

A strong relationship between Council and the Preston Mosque helps to build a community environment where Muslims and non-Muslim residents interact through increased business opportunities and the productivity and economic benefits of reinforcing and promoting Darebin as a diverse, inclusive, peaceful and prosperous city.

Financial and Resource Implications

The action outlined will be implemented within existing resources.

Legal and Risk Implications

The MOU between Council and the Islamic Society of Victoria / Preston Mosque is not a legally bound framework but an agreed understanding between both organisations to support each other in the coordination of a range of activities.

DISCUSSION

Renewal of the of MOU

The Memorandum of Understanding was reviewed and updated during a workshop with stakeholders in October 2018. Following this workshop, the updated MOU in summary:

- Articulates a shared vision, values, and commitment in relation to promoting a respectful and constructive relationship between the Mosque and Council.
- Formally aligns the Mosque and Council to respond strategically to issues to strengthen community cohesion, harmony and diversity.
- Integrates the Preston Mosque into Council's community engagement processes to increase participation in a broader community dialogue.

The renewed MOU continues to provide Council with the following opportunities:

- To formalise arrangements made in the past relating to traffic management and parking issues and minimise the impact on the surrounding community. This is particularly the case during Ramadan and at the two morning prayer services organised every year and which attract thousands of people to an early service.
- The existence of a robust relationship which allows Council to engage in the discussion of complex and emerging issues and to consider diverse perspectives and solutions.
- A proactive and prevention-oriented approach which allows a joint response to unanticipated human or community relations 'disasters' as a result of the impact of international and national events on the local community.
- The opportunity to influence perspectives and encourage interaction with the wider community, particularly for Muslim young people who are newly arrived, refugees or are seeking asylum in Australia.

The MOU ensures that the following actions and activities are jointly planned, managed, implemented and evaluated:

- Muslim festivals and events, with the formalisation of compliance arrangements with regards to Ramadan, Eid El Fitr, Eid El Adha and an Iftar dinner.
- Mosque community orientation: Open Day, Interfaith Tours.
- Neighbourhood relations initiatives and community consultations.

- Information sessions for Council staff on issues affecting Muslim communities.
- Compliance with emergency management policies, procedures and City of Darebin's parking regulations and event management requirements including road closure permit regulations and traffic management.
- Support with interfaith dialogue, forums and events to encourage community cohesion and harmony.
- The formalisation of traffic management decisions that are negotiated annually and in particular the Mosque's agreement to assist with the education of Mosque visitors and the Muslim community in Darebin in regard to traffic and parking regulations that need to be observed and information about infringement penalties.

The updated MOU includes an action plan (Appendix B) that lists new actions that reflect the three priority areas outlined in the MOU. This action plan was created following the workshop in 2018 which identified that the relationship between the Mosque and Council has progressed beyond responding and managing issues, to one which seeks to deliver positive outcomes for the Muslim community and extend interfaith dialogue.

The scope of the Action Plan reflects the actions to be completed in 2018/19 and is currently underway. The coordination and implementation of the annual Action Plan will be through the existing Preston Mosque and Council Committee. This committee will review the Action Plan on an annual basis.

Recent work with Preston Mosque

Council has worked closely with Preston Mosque following the Christchurch mosque shooting.

This incident has had a significant impact on the mosque and other Muslim communities within Darebin.

In addition to providing support and solidarity, Council along with Victoria Police have provided a letter of support for the Mosque's application to the Federal Government Safer Communities Fund program for security infrastructure upgrades.

Immediately after the Christchurch shooting, the CEO and Mayor reached out to Muslim community leaders. Councillors and staff supported the Mosques Open day on the following Sunday. The Mayor was a speaker at the Connect 2Gether 4 Harmony event run by the AMAFHH Federation at Preston Shire Hall, with staff providing support to attendees and organisers.

Representatives of Preston Mosque were invited to dinner with Councillors on 18 March which was an important occasion for conversation and support. The Mayor read a statement at the Council meeting expressing grief and solidarity. The Mayor also attended an assembly at the East Preston Islamic College to show support to the school community.

Advertisements were placed in local newspapers publicly announcing Council's support of the Muslim community and stating that Darebin is enriched by the longstanding Muslim culture and heritage in our city.

At the Darebin Community and Kite Festival on 24 March, Council provided a stall which advertised Council's commitment to welcoming and supporting the Muslim community. Staff invited community members to express solidarity and support. The Islamic Museum also ran a stall at the Festival and reported healthy community support.

Council has recently supported the delivery of Islamic awareness training to over 50 council and community organisation staff. Council also delivered a health information session at Preston Mosque for women and children, which included immunisation outreach and the provision of health information from other services.

OPTIONS FOR CONSIDERATION

Option One (recommended)

Council endorse the MOU and associated action plan.

This reflects the work undertaken by all parties to develop the new MOU and the value it has is underpinning a robust relationship between Council and the Mosque to deliver positive outcomes for the community and extend interfaith dialogue.

Option Two

Council doesn't endorse the MOU and associated action plan. This would disregard the work undertaken by all parties to develop the new MOU and the value of the MOU as a platform for respectful and constructive relationship between the Mosque and Council.

IMPLEMENTATION STRATEGY

Details

Following Council endorsement, a signing ceremony hosted at Council has been proposed by Mosque members.

The MOU is implemented through the attached Annual Action Plan. The Annual Action Plan will be monitored by the Preston Mosque and Council Committee and reviewed annually in May.

Communication

A communication plan will be prepared in relation to relevant events that form part of the MOU.

Communication is through the Darebin Council Interfaith Officer and via regular Mosque Committee Meetings that includes members of the Preston Mosque, Council Officer and Victoria Police.

Timeline

Formal signing hosted by Darebin City Council – May/June 2019

Implementation of actions

RELATED DOCUMENTS

- Nil

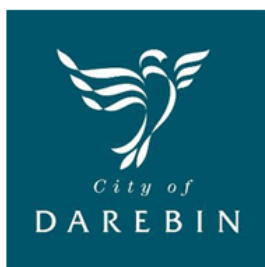
Attachments

- Preston Mosque and Darebin City Council MOU 2018-2022 (**Appendix A**) [↓](#)
- Preston Mosque and Darebin City Council MOU Annual Action Plan 2018 (**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.



Memorandum of Understanding (MOU) Omar bin Al Khattab Mosque and Darebin City Council 2019 - 2022

1. Acknowledgments

- The parties to this MOU acknowledge the Wurundjeri people, traditional owners and custodians of the land on which this MOU is signed and pay their respects to their Elders, past and present.
- The parties to this MOU also acknowledge Sheikh Fehmi Naji El-Imam AM as a founding member of the Darebin Interfaith Council and instrumental in the development of this MOU.

2. Purpose and scope

This Memorandum of Understanding serves as an agreement between the Omar bin Al-Khattab Mosque (Mosque) and the Darebin City Council (Council) to formalise a working relationship which ensures mutual respect, community harmony and effective solutions to challenges faced by the Darebin community. The purpose of the MOU is to guide the partnership and collaboration between both organisations.

The Memorandum of Understanding:

- Articulates a shared vision, values, and commitment in relation to promoting a respectful and constructive relationship between the Mosque and Council;
- Formally aligns the Mosque and Council to respond strategically to issues to strengthen community cohesion, harmony and diversity;
- Provides a foundation for collaborative partnerships to address the needs and issues of the wider community;
- Integrates the Preston Mosque into Council's community engagement processes to increase participation and integration with the broader community;
- Does not limit the rights of signatories to participate in any other activities or relationships;
- Has no legal binding.

3. Parties to the MOU

This Memorandum of Understanding is between the Omar bin Al Khattab Mosque and the Darebin City Council.

4. Vision

Memorandum of Understanding (MOU) Omar bin Al Khattab Mosque and Darebin City Council

To work together in continuing to build and foster positive community relationships between the Mosque, Council and broader community in a spirit of respectful co-existence and where all people feel valued, respected and included.

5. Principles

The working partnership between the Mosque and the Council will embody the following principles:

- A respectful, collaborative and robust relationship;
- Commitment to open dialogue for effective problem solving;
- Obligation to community integration and positive neighbourhood relations;
- Dedication to responding to the needs and issues of the Mosque, Council and the wider community.

6. Obligations of the parties

By signing this Memorandum of Understanding, all parties agree to:

- Commit in principle to consult with each other on matters of mutual interest;
- Work together to deliver the activities agreed to in the annual Action Plan;
- Share knowledge, expertise, skills and services to facilitate more effective outcomes for the wider community;
- Review and monitor progress annually to ensure the partnership remains sustainable, responsive and effective in meeting mutual goals.

7. Priority areas

The MOU identifies three priority areas of focus:

- **Linking to services:** increase awareness of Council and community programs and services to increase access and improve health and wellbeing outcomes.
- **Community relations:** Jointly support projects and activities that strengthen respectful and constructive community relations.
- **Civic participation:** Commit to a broader interfaith and intercultural dialogue to support Council's communities at risk of exclusion such as youth and Muslim women.

These priority areas reflect the purpose and vision of the MOU and Council's align to the commitments outlined in Goals Two and Five of the Council Plan 2017 – 2021.

The priority areas are implemented through an annual Action Plan (Appendix A) and will be reviewed annually in May.

8. Meetings

The coordination and implementation of the Memorandum of Understanding and the annual Action Plan between the Mosque and the Council will be the joint

responsibility of both organisations through the existing Preston Mosque and Council Committee. This committee will oversee the monitoring, implementation, evaluation and reporting of the MOU and the annual Action Plan.

The Preston Mosque and Council Committee will comprise representatives from the Mosque, Council and other external agencies on a needs basis. The Committee will meet quarterly.

Secretariat functions will be undertaken by the appointed officer from Darebin City Council. Chairing of meetings will be rotated between Preston Mosque and Council as agreed.

9. Review Dates

Action Plan (Appendix A) and will be reviewed annually

This MOU will be reviewed in 2022.

10. Contact Person

Each party must have at all times one nominated key contact person who is accountable for the implementation of the MOU. Any changes need to be advised immediately to the other party.

Omar bin Al Kattab Mosque	City of Darebin
Name:	Name:
Position:	Position:
Phone:	Phone:
Email:	Email:

11. Signatories

President, Omar bin Al Khattab Mosque

Mayor, City of Darebin

Dated:

Dated:

Omar bin Al Kattab Mosque (Preston Mosque) and Darebin City Council MOU Action Plan 2018-2019

The Action Plan identifies specific initiatives which will be delivered under three priority areas outlined in the Memorandum of Understanding.

The coordination and implementation of the annual Action Plan between the Mosque and the Council will be the joint responsibility of both organisations through the existing Preston Mosque and Council Committee.

The action plan will be reviewed annually in May.

Priority Area 1: Linking to services - increase awareness of Council and community programs and services to increase access and improve health and wellbeing outcomes.		
Actions	Timeframe	Output
1.1 Undertake a mapping exercise to identify topics, issues and model for community information sessions on Council services and programs.	February 2019	Mapping completed and community information session program for 2019/20 developed.
1.2 Deliver a series of community information sessions on Council services and programs in 2019.	2019	Community information sessions on identified topics delivered and evaluated.
Priority Area 2: Community relations: support projects and activities that strengthen safe and constructive community relations.		
Actions	Timeframe	Output
2.1 In partnership Deliver two information sessions to Council staff <ul style="list-style-type: none"> • 'Understanding Islam': A profile of Darebin's Muslim Communities. • Engaging with Muslim young people: Darebin Speak. 	March and May 2019	Sessions held, evaluated and outcomes reported on.
Priority Area 3: Civic participation Commit to a broader interfaith and intercultural dialogue to support Council's communities at risk of exclusion such as youth and Muslim women.		
Actions	Timeframe	Output
3.1 Identify current barriers and opportunities to support women's health and wellbeing outcomes.		Key issues and barriers identified and relevant programs/ strategies developed.

8.2 FAIRFIELD RAIL SPUR - FUTURE OPPORTUNITIES**Author:** Coordinator Strategic Planning**Reviewed By:** General Manager City Sustainability and Strategy

PURPOSE

To consider the opportunity for advocacy on the future of the Fairfield Rail Spur site, now that the level crossing removal project has been completed and therefore it is likely that it will not be needed by the state government for level crossing removal work.

EXECUTIVE SUMMARY

The 'Fairfield Rail Spur' is a historical rail site (1.44ha) that runs north-south between Heidelberg Road and Railway Place. The land is owned by the State Government and managed by VicTrack. The site is also sometimes referred to as the 'Alphington Rail Spur'.

The site is currently being managed by the Level Crossing Removal Project and is being used for storage. Now that the Grange Road Level Crossing Removal is complete officers are expecting that the state government will be able to consider other uses for the site.

There is an opportunity for Council to advocate for how the land might be repurposed to deliver a positive community outcome.

Analysis of the site confirms Council's long held view that the land should accommodate a direct cycling and pedestrian link between Fairfield Village and Heidelberg Road, along with high-quality open space to address an existing deficit and enhance the liveability of the area.

Formalising this link will connect regional cycling routes and provide 5,000 future residents of the Alphington Paper Mill precinct with a convenient connection into Fairfield Village and the Fairfield Train Station, reducing pressure of traffic on local roads and providing an economic boost to Fairfield Village.

The site is geographically constrained and only deemed suitable for linear and pocket parks, with informal recreation facilities. However, this would address a local open space deficit and link a broader network of public spaces. The entire site is not required to achieve these priority open space needs.

Portions of the site could be suitable for housing, provided any such development is sited, scaled and designed to respect existing residential interfaces and is complementary to the open space priorities. This site presents a good opportunity for delivery of affordable housing. It is located near public transport and services, which is a good strategic location for affordable housing.

This report recommends that Council establish an advocacy position that sets out uses for the land. Officers would advocate for councils position to relevant state government agencies including TFV, VicTrack and relevant Ministers.

Recommendation

That Council:

- (1) Notes that the State Government's current use of the Fairfield Rail Spur site for Level Crossing Removal Project purposes is temporary and the site is likely to become available for other uses.
- (2) Advocates to the State Government to ensure that the Fairfield Rail Spur:
 - a) Has a direct shared user path and linear park through the length of the site,
 - b) Provides open space to serve the local community and
 - c) Provides a range of affordable housing on the Fairfield Rail Spur site.
- (3) Advocates to the State Government to retain the Fairfield Rail Spur site as public land.
- (4) Advocates to the State Government to consult with Council and the community about any future uses or development of the Fairfield Rail Spur site, to inform any decision about its future use.

BACKGROUND / KEY INFORMATION

The site has been a long term advocacy target for Council with the intent of securing it for ongoing community use, as it has been used as an informal pathway and open space for many years.

The potential for the Fairfield Rail Spur to formally fill gaps in both Darebin's open space and pedestrian / cycle network has been previously highlighted by Council in past submissions made on the Chandler Highway project and on the Development Plan for the former Alphington Paper Mill site.

Figure 1 below shows the site and its context, including surrounding land uses, existing (and emerging) development, and connections.

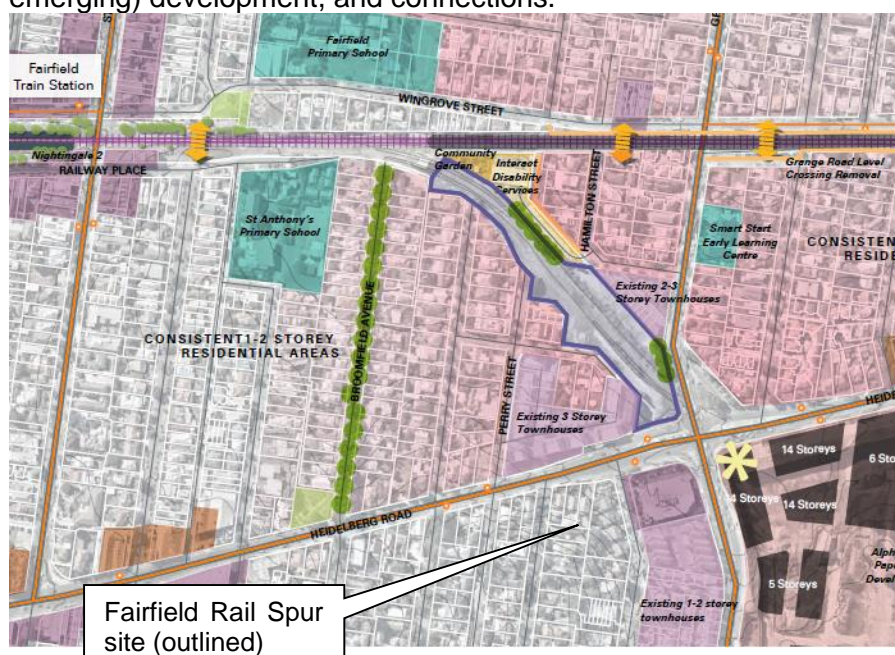


Figure 1: Fairfield Rail Spur site and context

Previous Council Resolution

At its meeting held on 23 November 2015, Council resolved to make a submission to the Chandler Highway project which included the following item:

- *VicRoads advocates to the State Government to formalise a shared path on the existing VicTrack rail reserve (old spur line) running in a north west direction from the intersection of Heidelberg and Grange Roads and linking to Railway Place to improve access to Fairfield Village centre and station. This intervention will reduce the reliance on private vehicles for those travelling to and from the AMCOR site.*

Council was briefed on the context and opportunities of the Fairfield Spur Line site on 28 May 2018.

COMMUNICATIONS AND ENGAGEMENT

Consultation and Communications

Council has not formally consulted the community on this specific site.

Council officers and a number of Councillors have had informal discussions with Fairfield residents.

ANALYSIS

Alignment to Council Plan / Council policy

Goal 1 - A sustainable city

Specifically:

1.2: We will increase sustainable transport through safer streets for walking and cycling, and advocacy for public transport.

1.3 We will expand and improve our network of open and green spaces, parks and natural environments to provide the lungs for our city and reduce the impacts of climate change.

Goal 3 - A liveable city

Specifically:

3.1: We will encourage and facilitate appropriate high-quality development in identified areas to create opportunities for living accessibly to public transport, infrastructure, open space and attractive, safe public areas.

Environmental Sustainability Considerations

The provision of additional open space, green canopy, habitat and active transport links will assist in creating a more sustainable city.

Equity, Inclusion and Wellbeing Considerations

The provision of active transport links will have positive social effects by increasing opportunities for active transport to support health and improving accessibility to Fairfield Village and its facilities.

Additional open space facilities will enhance opportunities for outdoor recreation and building community connections.

Cultural Considerations

There are no factors in this proposal which impact upon cultural considerations.

Economic Development Considerations

Providing a direct active transport link between the Alphington Paper Mill site and other development along Heidelberg Road to Fairfield Activity Centre will significantly increase the potential visitors to the centre.

Financial and Resource Implications

Advocacy to obtain community outcomes in the release of land could be undertaken within existing operating budgets.

It is possible that the state government may at some stage consider formally disposing of this site as surplus. If the state government were to do this, Council would be offered a 'first right of refusal' to acquire the site for community uses. However, for a site this large, the price would be prohibitively expensive. The price would be equal to current market value of the land.

Legal and Risk Implications

There are no particular legal or risk implications in advocating in regards to this site.

DISCUSSION

Strategic Analysis and Opportunities

The Fairfield Rail Spur site is situated in an area that is undergoing rapid transformation, with the construction of the Alphington Paper Mill precinct to house 5,000 new residents and a new neighbourhood centre, as well as major transport infrastructure upgrades at Grange Road and Chandler Highway.

Council officers have studied the site to understand its role in the context of existing needs and the emerging landscape, and to consider the facilities which can feasibly be accommodated on the land. The analysis was assisted by independent urban design advice provided by MGS Architects.

Analysis of the site and context confirms the following key priorities for the site:

Formalise shared user path

- The site has previously provided an informal, direct pedestrian connection between Fairfield Activity Centre /Fairfield Railway Station and the Alphington Paper Mill precinct. This could be significantly enhanced and also provide for a cycling connection. This will encourage the future residents of the Paper Mill development to walk and cycle to local shops and public transport, reducing the pressure on local roads and providing an economic boost to Fairfield Village.
- The pathway should be continuous and easily accessible from existing communities on either side of the site, and be complemented by further cross-path connections across

the site which can 'stitch together' a range of pedestrian and cycling movement patterns in the neighbourhood.

- The pathway stands to provide a locally-significant link between several important regional and strategic cycle routes in the locality, including the Yarra and Darebin Creek trails, Chandler Highway and Wingrove Street routes.

Quality open space

- The pedestrian and cycling link should extend through high quality public open space.
- The narrow, elongated shape of the land means it is not able to accommodate larger scale regional parks or sporting facilities. The site is best suited to a linear parkland format accommodating range of informal active and passive open spaces. These spaces would ideally be positioned at various nodes along the length of the site that integrate and extend the network of public spaces across the local area.
- Biodiversity values should be retained and enhanced as part of any linear open space connection.

Housing opportunities and affordable housing

- So long as the priority open space needs are met, this site is also a good location for residential development. State planning policy encourages provision of housing in this area given that it is well serviced by transport, services and access to jobs. It would be important that any development is complementary to the open space priorities. The entire site is not required to achieve the priority open space uses.
- The safety of residents using the pathway and open space would be significantly improved by being framed by residential interfaces that promote a greater sense of security from passive surveillance and activation. At present, most of the site is framed by rear fences and does not meet safety by design criteria.
- There is a clear and significant need in Darebin for additional affordable housing of all types including public housing, social housing and other types of affordable housing.
- This site is well located for affordable housing because of its proximity to the City and other jobs hubs such as Doncaster, Heidelberg or Box Hill, as well as to public transport and services.
- Any future residential use should maximise provision of Affordable Housing, including social housing.
- Any future development on the site should respond to the local context in terms of built form scale, side width and building orientation. The narrow northern (Fairfield Village) end of the site, which is also close to existing housing, would be most suitable for townhouses. Towards the southern end of the site, the built form could step up in height to the Grange Road/Heidelberg Road intersection where there is less sensitive frontage and minimal overshadowing impacts. However, it would be important that the configuration of buildings and open space in this corner would provide a high quality gateway to the precinct and invites connections within.

Public ownership of land

- This report recommends advocating for the land to remain in public ownership.
- There is a demonstrated need for public land in Darebin for a number of purposes including open space.
- There is also an opportunity for the state government to explore innovative models for long term management of public land, such as leasing it on long term leases. Council is currently trialling this approach with one of its own sites.

OPTIONS FOR CONSIDERATION

Option 1 - Recommended

That Council endorse the proposed advocacy position as recommended in this report.

Establishing a position is expected to maximise Council's opportunity to advocate effectively.

Option 2

Council could choose not to form a position at this time and wait until such time as the state government announces its plans for the site.

Option 3

Council could consider modifications to the recommendation

IMPLEMENTATION STRATEGY

Advocacy would be done in a range of ways:

- A letter from the Mayor would be sent to the relevant State Government Ministers and local state government elected representatives.
- Officers would share Council's position with community stakeholders.
- Officers would advocate to relevant to state government agencies including VicTrack.

In future, if the need arose, other approaches may be developed.

RELATED DOCUMENTS

- Victorian Government Landholding Policy and Guidelines (September 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 SOLAR SAVER SPECIAL CHARGE SCHEME
DECLARATION (BATCH 2)**

Author: Climate Action Officer

Reviewed By: General Manager City Sustainability and Strategy

PURPOSE

To consider the declaration of a Special Charge in relation to the Solar Saver program.

EXECUTIVE SUMMARY

The Solar Saver program is a key action of the Council Plan and Council's Climate Emergency Plan. Key aspects of the program include:

- The program is open to all residential rate payers for solar systems up to 10kW
- Council undertakes procurement of good value solar systems and installation with 10 year warranties
- 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 savings on their energy bills.

The proposed Special Charge Scheme includes 232 properties and would add approximately 1,345kW of solar capacity to Darebin, doubling the total of Council's previous similar programs. The program was open to all residents. Low income residents, pensioners and residents with low proficiency in English have been prioritised.

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

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

Five households have withdrawn from this Special Charge, which has slightly reduced the overall cost (now \$1,584,165.96) and amount of panels to be installed.

Recommendation

That Council:

- (1) Having complied with the requirements of sections 163A, 163B and 223 of the *Local Government Act 1989* ("Act"), and otherwise according to law, declares a Special Charge ("Special Charge") under section 163 of the Act as follows:
 - a) A Special Charge is declared for the period commencing on the day on which Council issues a notice levying payment of the special rate and concluding on the tenth anniversary of that day.

-
- b) The Special Charge is declared for the purpose of defraying any expense incurred by Council in relation to the provision of solar energy systems on 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 \$1,584,165.96;
 - ii. Amount for the Special Charge to be levied be recorded as \$1,584,165.96, or such other amount as is lawfully levied as a consequence of this resolution.
- d) The Special Charge is declared in relation to all rateable land described in the table included as **Appendix A** to this report, in the amount specified in the table as applying to each piece of rateable land.
- e) The following list is specified as the criteria that form the basis of the Special Charge so declared:
- Ownership of any land described in paragraph 1(d) of this resolution.
- f) The following is specified as the manner in which the Special Charge so declared will be assessed and levied:
- i. A Special Charge calculated by reference to the size of the solar energy system being installed and the particular costs of installation at each property participating in the Solar Saver scheme, in respect of which a Householder Agreement has been executed, totalling \$1,584,165.96, being the total cost of the scheme to Council
 - ii. To be levied each year for a period of 10 years.
- g) Having regard to the preceding paragraphs of this resolution and subject to section 166(1) of the Act, let it be recorded that the owners of the land described in paragraph 1(d) of this resolution will pay the Special Charge in the amount set out in paragraph 1(f) of this resolution in the following manner:
- i. Payment annually by a lump sum on or before one month following the issue by Council of a notice levying payment under section 163(4) of the Act; or
 - ii. Payment annually by four instalments to be paid by the dates which are fixed by Council in a notice levying payment under section 163(4) of the Act.
- (2) Considers that there will be a special benefit to 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) Directs that notice be given to all owners and occupiers of properties included in the Scheme in writing of the decision of Council to declare and levy the Special Charge, and the reasons for the decision. For the purposes of this paragraph, the reasons for the decision of Council to declare the Special Charge are that:
- a) There is no objection to the Scheme and it is otherwise considered that there is a broad level of support for the Special Charge from all property owners and occupiers.
 - b) Council considers that it is acting in accordance with the functions and powers conferred on it under the *Local Government Act 1989*, having regard to its role, purposes and objectives under the Act, particularly in relation to its functions of advocating and promoting proposals which are in the best interests of the community and ensuring the peace, order and good government of Council's municipal district.
 - c) All persons who are liable or required to pay the Special Charge and the properties respectively owned or occupied by them will receive a special benefit of a solar energy system being installed at the property.
- (5) Where a Householder wishes to withdraw from the Scheme, agrees to such withdrawal where the Householder has given written notice of their desire to withdraw from the Scheme before Council has incurred any expenditure in relation to the Householder's solar system.
-

BACKGROUND

The Council Plan 2017-2021 and the Climate Emergency Plan commit Council 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 following:

- The Solar Saver program is currently open to all residential rate payers for solar systems up to 10kW.
- 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 savings on their energy bills.

- As detailed below Council has resolved that interest will not be charged to residential participants and that the program will be funded through Council's existing cash reserves.

Over 900 households have participated in previous Solar Saver programs. The Solar Saver program has been broadened to all residential ratepayers and low income homes remain a priority.

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 systems to residents. 232 residents who have accepted these quotations have been included in this proposed Special Charge scheme.

On 25 February Council resolved to give notice of its intention to declare a Special Charge for the purpose of defraying any expense incurred by Council in relation to the provision of solar energy systems on residential properties participating in the Solar Saver scheme.

Public notice was posted in the 6 March 2019 edition of the Preston Leader and Northcote Leader. The public notice advised of the proposed declaration and invited submissions under section 223 of the Act by 5pm on 4 April 2019.

No objections were received by the Manager of Environment and Sustainable Transport.

A number of households wished to accept redesigns and new quotes for their systems. Where the prices have changed, the new price has been included in cost listed in **Appendix A**. In addition, where the price has increased by less than 10%, we have received written submissions to the effect that they wish to accept the new quote at the new price and understand their Special Charge will be updated accordingly (as per section 223 of the Act). Where the price has increased by more than the 10% allowed under the Act, the households have chosen to withdraw from this Special Charge so that they can be included in a later Special Charge scheme with their new design and new price.

Five households have withdrawn for this reason and this is why there are 232 participating households in this Special Charge, down from 237 when the Intention to Declare a Special Charge was announced on February 25 2019. This is also why the total cost will now be \$1,584,165.96, down from \$1,618,520.51 as per February 25 2019.

Previous Council Resolution

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

That:

- (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*

- (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 29 April 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 and agreed to provide details to receive a quote.
- All participating households, have received a home visit and have signed agreements to participate in the program based on quoted prices.
- Over the development of the program consultation has occurred with the Darebin Environmental Reference Group, Aged & Disability - Community Development Officer and Marketing and Community Engagement Officer, Equity & Diversity – Community Planner, Interfaith Development Officer and Aboriginal Policy Officer.
- Public notice was posted the Preston Leader Northcote Leader as above.

Communications

- The program has been advertised on the Council website and social media, in the local paper, through Darebin Community News, information sessions at Darebin Libraries and other Council events, newsletters and through networks. Letters were mailed to rates rebates recipients in 2018 to ensure the program continues to reach vulnerable community members.

ANALYSIS

Alignment to Council Plan / Council policy

Goal 1 - A sustainable city

Climate Emergency Plan 2017

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 approximately 2,800kW across over 500 installations, with an estimated equivalent annual greenhouse gas saving of approximately 7,000 tCO₂-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.

Cultural Considerations

Many participants are from culturally and linguistically diverse (CALD) communities. Information sessions have been conducted with Darebin Ethnic Communities Council as well as specific community groups such as the Vietnamese Elders Association. Information is also available in Darebin's community languages on our website and in printed materials. Further engagement with targeted community groups will take place in future rounds.

Economic Development Considerations

It is estimated that participating households will save 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

Should the proposed Special Charge scheme proceed, Council will pay \$1,584,165.96, for the supply and installation of the solar PV systems on the properties listed in **Appendix A**. 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 February 2019. Council is expected to receive \$158,416.60 in Special Charge repayments annually for this scheme over the 10 year period. Some households will pay the total amount in the first year. It should be noted that the Special Charge scheme is effectively an interest free loan to the households.

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.

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. These are required to be provided to Council before invoices for works are paid. 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 from the first week of installations. Ten year warranties are required on panels, inverters and installation.

DISCUSSION

Progress of Solar Saver Scheme

Early rounds of the Solar Saver program were limited to 2kW systems, and last year's round was limited to 5kW. In this current round households have been able to install systems up to 10kW. Larger systems now have a much better payback with the current Victorian Solar Feed-in-Tariff of 9.9 cents per kilowatt hour.

With the introduction of the Victorian Government Solar Homes Rebate (see below), most residents are opting for larger sized systems averaging around 6kW, up from 4.3 kW. As a result we estimate that this round of the program will install approximately 2,800kW compared with approximately 2,000 kW in the last round (which was double the total of previous programs).

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 of 31 January 2019, the total amount of solar power installed is 28.4 MW which means that Council is 58% of the way to doubling solar capacity by June 2021 and on track to meet its target. If 90% of households in this round go through with their installations, approximately 2,600kW will be installed over the rest of this financial year. This means we would have achieved approximately 70% of our target by the end of this financial year.

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. A funding agreement has 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).

The Owner 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 has been established by Solar Homes for this purpose) and Council receives the relevant rebate from Solar Homes Victoria, the rebate amount will be deducted from the final Solar Saver Special Charge amount.

Council is likely to receive in the order of \$800,000 in rebates from Solar Homes Victoria for this round by 30 June 2019.

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 \$1,584,165.96 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 A**.

E. Determine Properties to Include

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

It is accepted that only those properties at which the solar energy systems are installed will receive a special benefit from the scheme. Accordingly, it is proposed to include only those 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:

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

- **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 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:

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

Where:

$$\begin{aligned} TSB_{(in)} &= \$1,584,165.96; \\ TSB_{(out)} &= 0 \\ TCB &= 0 \\ R &= 1 \end{aligned}$$

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.

Therefore **S** = 1 * \$1,584,165.96

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 A**.

Statutory Process

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

OPTIONS FOR CONSIDERATION

If Council were not to proceed with the Declaration of the Special Charge, 232 households would miss out on the opportunity to:

- Reduce their electricity costs and the risks of further electricity price escalation;
- Reduce greenhouse gas emissions;
- Reduce risks associated with heat wave stress– households with solar PV are more able to afford operating their air-conditioning; and
- Contribute to a more resilient electricity grid through the removal of some peak electricity demand during daylight hours on hot summer days.

IMPLEMENTATION STRATEGY

Details

Council's installation contractor Solargain has developed an Implementation Plan in line with Council's requirements for this round of the Solar Saver program. The Implementation Plan:

- Establishes how Solargain will manage procurement activities, suppliers, and subcontractors during the installation phase of the Darebin Solar Saver Program.
- Describes potential risks and associated mitigation measures and monitoring approaches associated with installing solar PV systems under the program.
- Outlines the requirements and expectations regarding the installations.
- Describes how Solargain will manage the induction of sub-contractors with particular regard to the Occupational Health and Safety requirements of the program.

Communication

Solargain will communicate with the proposed 232 Solar Saver households regarding scheduling and confirmation of installation dates.

Timeline

Installation of this round of Solar Saver will commence immediately following Council's declaration of the Special Charge and conclude before June 30 2019.

RELATED DOCUMENTS

- Council Minutes:
 - 23 November 2015
 - 18 July and 16 May 2016
 - 30 April and 23 July 2018
 - 4 February, 25 February, 18 March, 8 April 2019

- *Local Government Act 1989*
- Climate Emergency Plan 2017
- The Macquarie Special Rates and Charges Manual 2012
- 2018 - 2019 Budget
- Notice of Intention to Declare a Special Levy for Solar Saver Scheme (**Appendix B**)

Attachments

- Solar Saver - Special Charge Declaration - Property List (**Appendix A**) [↓](#)
- Advertised Public Notice - Proposal to Declare and Levy a Special Charge for the Solar Saver Scheme in Preston and Northcote Leaders 5 and 6 March 2019 (**Appendix B**) [↓](#)

DISCLOSURE OF INTEREST

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

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

APPENDIX A

Table of properties intended to be subject to the Solar Saver special charge scheme

Each listed property has been assessed as to the size of solar panel and installation costs and the owner has been provided and agreed to the following quotation to have a solar energy system installed at their property.

FULL LIST OF ADDRESSES AND COSTS

Address	Cost
9 Miller Street ALPHINGTON VIC 3078	\$7,185.13
9 Arbor Street ALPHINGTON VIC 3078	\$9,531.22
5 Broomfield Avenue ALPHINGTON VIC 3078	\$6,739.03
56 Grange Boulevard BUNDOORA VIC 3083	\$6,211.25
14/1089 Plenty road Road BUNDOORA VIC 3073	\$5,858.71
13 Springwood View BUNDOORA VIC 3083	\$5,874.75
108 Elizabeth Street COBURG NORTH VIC 3058	\$5,476.75
2/9 Chingford Street FAIRFIELD VIC 3078	\$5,342.13
42 Darling Street FAIRFIELD VIC 3078	\$8,235.13
11 Rushall Street FAIRFIELD VIC 3078	\$11,438.63
157 Perry Street FAIRFIELD VIC 3078	\$5,914.75
42 Mc Gregor Street FAIRFIELD VIC 3078	\$9,297.43
192 Arthur Street FAIRFIELD VIC 3078	\$3,693.51
20 Station Street FAIRFIELD VIC 3078	\$9,733.36
4/10 Rushall Street FAIRFIELD VIC 3078	\$7,074.19
100 Rathmines Street FAIRFIELD VIC 3078	\$5,832.75
54 Browning Street KINGSBURY VIC 3083	\$5,874.75
53 The Fairway KINGSBURY VIC 3083	\$8,857.88
16 The Common MACLEOD VIC 3085	\$6,548.40
93 Ernest Jones Drive MACLEOD VIC 3085	\$9,257.57
4/1C Bower Street NORTHCOTE VIC 3070	\$8,425.77
19 Rucker Street NORTHCOTE VIC 3070	\$7,195.24
8 Thomson Street NORTHCOTE VIC 3070	\$5,592.75
2 Stanley Street NORTHCOTE VIC 3070	\$6,434.75
60 James Street NORTHCOTE VIC 3070	\$6,056.75
19 Mc Cracken Avenue NORTHCOTE VIC 3070	\$9,211.63
32 Oamaru Street NORTHCOTE VIC 3070	\$5,784.75
54A Eastment Street NORTHCOTE VIC 3070	\$9,060.77
187 Westgarth Street NORTHCOTE VIC 3070	\$8,463.36
98 St Georges Road NORTHCOTE VIC 3070	\$8,932.57
11 Veronica Street NORTHCOTE VIC 3070	\$7,716.15
85 Beaconsfield Parade NORTHCOTE VIC 3070	\$8,655.13
27 Sumner Avenue NORTHCOTE VIC 3070	\$5,230.07

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21B Ellesmere Street NORTHCOTE VIC 3070	\$7,474.19
2 Gracie Street NORTHCOTE VIC 3070	\$7,234.75
215 St Georges Road NORTHCOTE VIC 3070	\$10,414.15
2A Burt Street NORTHCOTE VIC 3070	\$6,330.51
14 Russell Street NORTHCOTE VIC 3070	\$4,800.71
126A Emmaline Street NORTHCOTE VIC 3070	\$7,792.71
50 Victoria Road NORTHCOTE VIC 3070	\$5,996.75
22/25 Veronica Street NORTHCOTE VIC 3070	\$3,457.51
15 Hawthorn Road NORTHCOTE VIC 3070	\$6,999.42
102 South Crescent NORTHCOTE VIC 3070	\$6,848.40
77 Jenkins Street NORTHCOTE VIC 3070	\$5,874.75
35 Leinster Grove NORTHCOTE VIC 3070	\$10,523.45
8 Farnan Street NORTHCOTE VIC 3070	\$12,895.27
1/161-163 Clarke Street NORTHCOTE VIC 3070	\$7,285.74
42 Charles Street NORTHCOTE VIC 3070	\$7,162.42
7/10-12 Mc Cracken Avenue NORTHCOTE VIC 3070	\$4,178.89
2/10-12 Mc Cracken Avenue NORTHCOTE VIC 3070	\$4,424.89
212A Victoria Road NORTHCOTE VIC 3070	\$5,887.71
3 Slater Street NORTHCOTE VIC 3070	\$8,123.85
33 Gordon Grove NORTHCOTE VIC 3070	\$9,830.58
24 Lawry Street NORTHCOTE VIC 3070	\$5,309.46
63 Derby Street NORTHCOTE VIC 3070	\$7,382.09
51 Charles Street NORTHCOTE VIC 3070	\$8,149.13
22 Knowles Street NORTHCOTE VIC 3070	\$11,838.32
30 Darebin Road NORTHCOTE VIC 3070	\$5,370.75
43 Auburn Avenue NORTHCOTE VIC 3070	\$7,402.98
16B French Avenue NORTHCOTE VIC 3070	\$9,701.25
4 Tobin Avenue NORTHCOTE VIC 3070	\$6,753.24
43 Bird Avenue NORTHCOTE VIC 3070	\$6,240.98
58 Barry Street NORTHCOTE VIC 3070	\$4,715.03
37 Gadd Street NORTHCOTE VIC 3070	\$5,969.72
14 Alphington Street NORTHCOTE VIC 3070	\$9,961.48
8 Little Bakers Lane NORTHCOTE VIC 3070	\$7,139.88
1/42 Andrew Street NORTHCOTE VIC 3070	\$6,301.75
31 Claude Street NORTHCOTE VIC 3070	\$6,794.75
1 Munro Street NORTHCOTE VIC 3070	\$5,476.75
53 High Street NORTHCOTE VIC 3070	\$5,860.51
3/157 Murray Road PRESTON VIC 3072	\$5,912.61
3 Leopold Street PRESTON VIC 3072	\$7,656.53
88 Miller Street PRESTON VIC 3072	\$7,610.98
94 Madeline Street PRESTON VIC 3072	\$13,484.17
235 Raglan Street PRESTON VIC 3072	\$4,437.51
29 Dundas Street PRESTON VIC 3072	\$7,795.13

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31 Milton Crescent PRESTON VIC 3072	\$6,608.75
99 Cramer Street PRESTON VIC 3072	\$5,922.75
135 Wood Street PRESTON VIC 3072	\$7,264.75
51 Robeson Street PRESTON VIC 3072	\$5,469.75
261 Wood Street PRESTON VIC 3072	\$5,874.75
21 Hope Street PRESTON VIC 3072	\$7,536.42
32 Mary Street PRESTON VIC 3072	\$2,712.01
75 Regent Street PRESTON VIC 3072	\$5,370.75
23 Cooper Street PRESTON VIC 3072	\$4,019.89
8 Willow Street PRESTON VIC 3072	\$6,434.75
60 Miller Street PRESTON VIC 3072	\$4,670.71
67A Wood Street PRESTON VIC 3072	\$5,157.71
3 George Street PRESTON VIC 3072	\$5,346.75
15 May Street PRESTON VIC 3072	\$6,364.75
1/169-171 Raglan Street PRESTON VIC 3072	\$10,448.22
42 Goodwin Street PRESTON VIC 3072	\$5,223.75
47 Madeline Street PRESTON VIC 3072	\$7,292.09
2/18 Belmont Street PRESTON VIC 3072	\$4,019.89
303 Gilbert Road PRESTON VIC 3072	\$6,871.65
2 Beauchamp Street PRESTON VIC 3072	\$7,709.98
13 James Street PRESTON VIC 3072	\$5,716.75
640 Murray Road PRESTON VIC 3072	\$6,234.75
4 Union Street PRESTON VIC 3072	\$4,903.71
5 Parker Street PRESTON VIC 3072	\$9,842.15
3/42 Garnet Street PRESTON VIC 3072	\$6,123.64
8 Mount Street PRESTON VIC 3072	\$12,408.32
1/110 Albert Street PRESTON VIC 3072	\$5,065.03
39 Cooper Street PRESTON VIC 3072	\$5,860.51
12 Tennyson Avenue PRESTON VIC 3072	\$6,256.75
30 Penola Street PRESTON VIC 3072	\$4,178.89
8 Ivy Street PRESTON VIC 3072	\$6,932.09
17 Morgan Street PRESTON VIC 3072	\$5,236.82
4/16 Sussex Street PRESTON VIC 3072	\$4,502.73
232 Wood Street PRESTON VIC 3072	\$9,829.13
12 Breffna Street PRESTON VIC 3072	\$13,186.90
2A Jacka Street PRESTON VIC 3072	\$8,424.42
2/2 Empire Street PRESTON VIC 3072	\$5,083.71
8 Tennyson Avenue PRESTON VIC 3072	\$4,577.07
12 Carthew Grove PRESTON VIC 3072	\$6,234.75
66 Madeline Street PRESTON VIC 3072	\$6,733.75
508 Gilbert Road PRESTON VIC 3072	\$5,591.51
6 Hope Street PRESTON VIC 3072	\$5,801.75
59 Wilcox Street PRESTON VIC 3072	\$7,613.30

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19 James Street PRESTON VIC 3072	\$7,865.45
2/39 Belgrove Street PRESTON VIC 3072	\$5,912.75
248 Murray Road PRESTON VIC 3072	\$8,507.57
1/36 Spratling Street RESERVOIR VIC 3073	\$5,598.06
2/23-25 Epstein Street RESERVOIR VIC 3073	\$6,928.40
1/12 Evans Crescent RESERVOIR VIC 3073	\$12,797.38
49 Gilbank Street RESERVOIR VIC 3073	\$7,546.45
24 MacArtney Street RESERVOIR VIC 3073	\$12,486.07
2 Cameron Street RESERVOIR VIC 3073	\$8,679.13
118 Edwardes Street RESERVOIR VIC 3073	\$5,223.75
69 Botha Avenue RESERVOIR VIC 3073	\$4,308.89
24 Pickett Street RESERVOIR VIC 3073	\$5,729.75
10/30 Ashley Street RESERVOIR VIC 3073	\$9,331.25
11 Frankston Street RESERVOIR VIC 3073	\$14,586.07
12 Enderly Avenue RESERVOIR VIC 3073	\$13,006.07
3/16 McComas Street RESERVOIR VIC 3073	\$6,132.61
64C Queen Street RESERVOIR VIC 3073	\$7,460.74
38 Hobbs Crescent RESERVOIR VIC 3073	\$8,536.95
7 Thrower Street RESERVOIR VIC 3073	\$5,646.75
42 Corben Street RESERVOIR VIC 3073	\$6,388.77
60 Whitelaw Street RESERVOIR VIC 3073	\$7,995.77
61 Lawley Street RESERVOIR VIC 3073	\$8,725.13
9 Clark Street RESERVOIR VIC 3073	\$6,969.42
1/16 Yarra Avenue RESERVOIR VIC 3073	\$4,916.71
20 Walsal Avenue RESERVOIR VIC 3073	\$5,606.75
173 Spring Street RESERVOIR VIC 3073	\$7,995.77
30 Daleglen Street RESERVOIR VIC 3073	\$5,774.75
10 Dyson Street RESERVOIR VIC 3073	\$12,796.11
57 Cheddar Road RESERVOIR VIC 3073	\$4,634.89
3/97 Rathcown Road RESERVOIR VIC 3073	\$3,941.34
3/74B St Vigeons Road RESERVOIR VIC 3073	\$4,884.89
13 Kerang Avenue RESERVOIR VIC 3073	\$6,546.75
21A St Vigeons Road RESERVOIR VIC 3073	\$4,431.89
1/48 Chaleyer Street RESERVOIR VIC 3073	\$7,128.40
13 Glenvale Road RESERVOIR VIC 3073	\$5,599.75
1 Luke Street RESERVOIR VIC 3073	\$5,742.93
47 Arundel Avenue RESERVOIR VIC 3073	\$5,599.75
67 Banff Street RESERVOIR VIC 3073	\$5,606.75
85 Glasgow Avenue RESERVOIR VIC 3073	\$8,101.13
11 Lochnorries Grove RESERVOIR VIC 3073	\$4,424.89
11 Cameron Street RESERVOIR VIC 3073	\$8,885.75
34 Cameron Street RESERVOIR VIC 3073	\$8,709.13
2/18 Kelsby Street RESERVOIR VIC 3073	\$3,786.80

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6/14-16 George Street RESERVOIR VIC 3073	\$4,554.89
11 Lambassa Grove RESERVOIR VIC 3073	\$5,964.42
1/26 Foch Street RESERVOIR VIC 3073	\$6,597.42
109 Glasgow Avenue RESERVOIR VIC 3073	\$5,600.75
2/78 Purinuan Road RESERVOIR VIC 3073	\$4,423.64
1/155 Rathcown Road RESERVOIR VIC 3073	\$6,244.75
181 Broadway RESERVOIR VIC 3073	\$5,171.71
602 Gilbert Road RESERVOIR VIC 3073	\$5,561.71
21 Mendip Road RESERVOIR VIC 3073	\$6,608.98
91 Henty Street RESERVOIR VIC 3073	\$5,646.75
26 Rosenthal Crescent RESERVOIR VIC 3073	\$3,846.32
1/93 Whitelaw Street RESERVOIR VIC 3073	\$4,233.44
20 Lucille Avenue RESERVOIR VIC 3073	\$5,039.71
80 Broadhurst Avenue RESERVOIR VIC 3073	\$5,169.71
3/66 Darebin Boulevard RESERVOIR VIC 3073	\$6,794.19
5 Elizabeth Court RESERVOIR VIC 3073	\$5,696.82
18 Dyson Street RESERVOIR VIC 3073	\$6,287.45
1/3 Arcadia Avenue RESERVOIR VIC 3073	\$5,476.75
8 Locher Avenue RESERVOIR VIC 3073	\$5,700.71
861 High Street RESERVOIR VIC 3073	\$6,087.42
32 Liston Avenue RESERVOIR VIC 3073	\$8,307.57
236 Albert Street RESERVOIR VIC 3073	\$4,341.19
22 Nocton Street RESERVOIR VIC 3073	\$5,230.75
1 Roff Street RESERVOIR VIC 3073	\$6,541.25
592 Gilbert Road RESERVOIR VIC 3073	\$7,574.43
3 Dyson Street RESERVOIR VIC 3073	\$6,004.55
1 Barwon Avenue RESERVOIR VIC 3073	\$8,537.57
16 Butters Street RESERVOIR VIC 3073	\$4,808.71
3/9 Lake Street RESERVOIR VIC 3073	\$5,039.71
15 Beenak Street RESERVOIR VIC 3073	\$5,544.89
98 Massey Avenue RESERVOIR VIC 3073	\$7,685.13
30 Clyde Street THORNBURY VIC 3071	\$7,424.75
215 Mansfield Street THORNBURY VIC 3071	\$12,500.22
12 Ethel Street THORNBURY VIC 3071	\$3,711.51
121 Keon Street THORNBURY VIC 3071	\$6,538.75
6/21 Comas Grove THORNBURY VIC 3071	\$6,526.30
166 Harold Street THORNBURY VIC 3071	\$10,385.45
14/44-48 Strettle Street THORNBURY VIC 3071	\$7,282.61
288 Flinders Street THORNBURY VIC 3071	\$5,751.75
6A Fyffe Street THORNBURY VIC 3071	\$5,683.75
22 Keon Street THORNBURY VIC 3071	\$7,925.13
402 St Georges Road THORNBURY VIC 3071	\$7,400.75
126 Rossmoyne Street THORNBURY VIC 3071	\$5,508.75

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63B Clyde Street THORNBURY VIC 3071	\$5,033.71
1/36 Pender Street THORNBURY VIC 3071	\$5,922.75
1 Bradley Avenue THORNBURY VIC 3071	\$9,548.57
6/79 Normanby Avenue THORNBURY VIC 3071	\$6,073.71
2/79 Normanby Avenue THORNBURY VIC 3071	\$6,073.71
58 Ballantyne Street THORNBURY VIC 3071	\$8,999.45
4/20 Woolton Avenue THORNBURY VIC 3071	\$6,713.40
122 Smith Street THORNBURY VIC 3071	\$6,274.75
4/48A Clyde Street THORNBURY VIC 3071	\$5,802.71
2 Alston Street THORNBURY VIC 3071	\$7,109.42
184 Gooch Street THORNBURY VIC 3071	\$6,694.75
168 Harold Street THORNBURY VIC 3071	\$5,868.75
116 Clarendon Street THORNBURY VIC 3071	\$7,200.32
36 Lewis Street THORNBURY VIC 3071	\$5,756.82
154 Hutton Street THORNBURY VIC 3071	\$6,412.75
4/79 Normanby Avenue THORNBURY VIC 3071	\$6,073.71
1/79 Normanby Avenue THORNBURY VIC 3071	\$6,073.71
3/79 Normanby Avenue THORNBURY VIC 3071	\$6,073.71
27 Harry Street THORNBURY VIC 3071	\$5,874.75
80 Clarendon Street THORNBURY VIC 3071	\$7,019.30
51A Pender Street THORNBURY VIC 3071	\$4,325.40
3 Riley Street THORNBURY VIC 3071	\$7,782.42
9 Ethel Street THORNBURY VIC 3071	\$5,809.89
101 Ballantyne Street THORNBURY VIC 3071	\$6,614.75
3/125 Fyffe Street THORNBURY VIC 3071	\$5,035.03
171 Mansfield Street THORNBURY VIC 3071	\$8,819.57
50 Hutton Street Street THORNBURY VIC 3071	\$8,539.67
Total cost	\$1,584,165.96

General Notices



the place to live

PROPOSAL TO DECLARE AND LEVY A SPECIAL CHARGE FOR THE SOLAR SAVER SCHEME.

In accordance with the provisions of the *Local Government Act 1989 (Act)* notice is hereby given that the Darebin City Council (Council) at its meeting on 25 February 2019 resolved to give notice of its intention to declare and levy a special charge under Section 163 of the Act. The special charge is for the purposes of defraying the expenses incurred by Council relating to the provision of solar energy systems on residential properties participating in the Solar Saver scheme (Scheme). The Scheme arises out of Council's function 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.

A copy of the proposed declaration, known as '*Proposed Special Charge Scheme for Solar Saver Program*', is available for inspection at Council's Offices at 274 Gower Street, Preston, during normal office hours until 4 April 2019.

The special charge is to be declared in relation to the properties listed in Appendix B to the report titled 'Intention to Declare a Special Charge - Darebin Solar Saver', considered by Council at its ordinary meeting on 25 February 2019. A copy of the Appendix forms part of the documents available for inspection at Council's Offices.

The Scheme has been prepared on the basis that the participating property owners will receive 100% of the benefit. The total cost of the scheme is \$1,618,520.51 and a special charge will be imposed on each property participating in the Scheme in respect of which a Householder Agreement has been executed applies, for a period of 10 years from July 2019. The special charge has been calculated according to the size of the solar energy system being installed and the particular costs of installation at each property.

Each participating property owner has agreed to the special charge to be levied for their property and will receive notice when the first quarterly payment is due (from July 2019). Owners will make quarterly payments, or alternatively may request to pay their full amount in a single lump sum, or by other approved arrangements.

Any person may make a submission under Section 223 of the Act in relation to Council's proposal to declare the special charge under Section 163 of the Act. Any person who has made a written submission may also request that they (or a person acting on their behalf) be heard in support of their written submission. Such persons should indicate in their submission if they wish to be heard by Council. Council will consider and, if requested, hear support for all written submissions received before **5pm on Thursday 4 April 2019**.

Submissions should be addressed to:

Sally Moxham
 Manager Environment and Sustainable Transport
 Darebin City Council
 PO Box 91 PRESTON VIC 3072
 sally.moxham@darebin.vic.gov.au

In addition to the right to make a submission, participating property owners have the right to object to the proposed declaration in accordance with section 163B of the Act. Such persons may object in writing to Council by **5pm on Thursday 4 April 2019** by sending their objection to the above postal or email address. If participating property owners simply wish to withdraw from the program, they can do so by informing Council in writing.

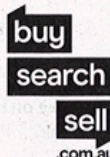
Submissions must clearly state whether the author wishes to be heard by Council, and whether the submission is a submission of support or comment only, or a formal objection to the scheme as proposed.

It is proposed that Council will consider this matter at its Ordinary Meeting of 29 April 2019. Further information on this Scheme may be obtained from **Gavin Mountjoy**, Coordinator Energy and Adaptation on **8470 8535**.

Sue Wilkinson
 Chief Executive Officer

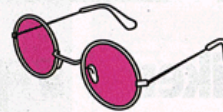
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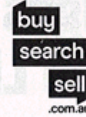
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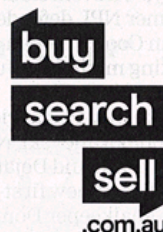
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8.4 INTENTION TO DECLARE A SPECIAL RATE LEVY FOR PRESTON CENTRAL BUSINESS PRECINCT**Author:** Coordinator Economic Development**Reviewed By:** General Manager City Sustainability and Strategy

PURPOSE

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

EXECUTIVE SUMMARY

A special rate for the purposes of marketing, promotion and development of the Preston Central 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 Preston 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 Preston Central 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* (the Act) to reintroduce a special rate to and for the properties defined in the Preston Central Business Precinct for the encouragement of business and commerce (**Appendix A – Map**). This special rate will commence on 1 July 2019 and end on 30 June 2024, and raise an amount of \$110,000 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) Applies 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 0.00031815 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).

- ii. 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) Gives public notice in the Preston and Northcote Leader newspapers, of Council's intention to declare a special rate at its ordinary meeting to be held on 22 July 2019; in accordance with the proposed declaration of the special rate (**Appendix C**).
- (4) Sends 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 22 July 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) Authorises the appropriate members of Council's staff to carry out any and all other administrative procedures necessary to enable Council to carry out its functions under the Act.

BACKGROUND / KEY INFORMATION

A special rate for the purposes of marketing, promotion and development of Preston Central has been in place for 20 years. In 2008 Council sought to support the businesses in Preston Central by managing and administering the special rate levy, and established the Preston Business Advisory Committee (PBAC) as a mechanism to support this.

Over the past 10 years the levy has funded various promotional and marketing activities, events and programs. These have showcased the diverse range of businesses, helped to attract visitors and activated the precinct. The previous scheme allowed for PBAC to raise the profile of the precinct through promotional activities and place making activities such as family events, place making activities Lunar New Year celebrations; and promoting local businesses on social media. The current Preston Central special rate levy expires at 30 June, 2019.

In order to allow the businesses that pay the special rate levy to have more control over their aspirations for Preston Central, Council decided to disband the advisory committee and is assisting the business community to establish a business led association.

A new scheme is proposed to run for five years from 1 July 2019 to 30 June 2024 and is proposed to raise \$110,000 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.

Previous Council Resolution

At its meeting held on 18 March 2018 resolved:

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.'*

In line with the resolution Council officers are working towards a establishing a business led Association.

COMMUNICATIONS AND ENGAGEMENT

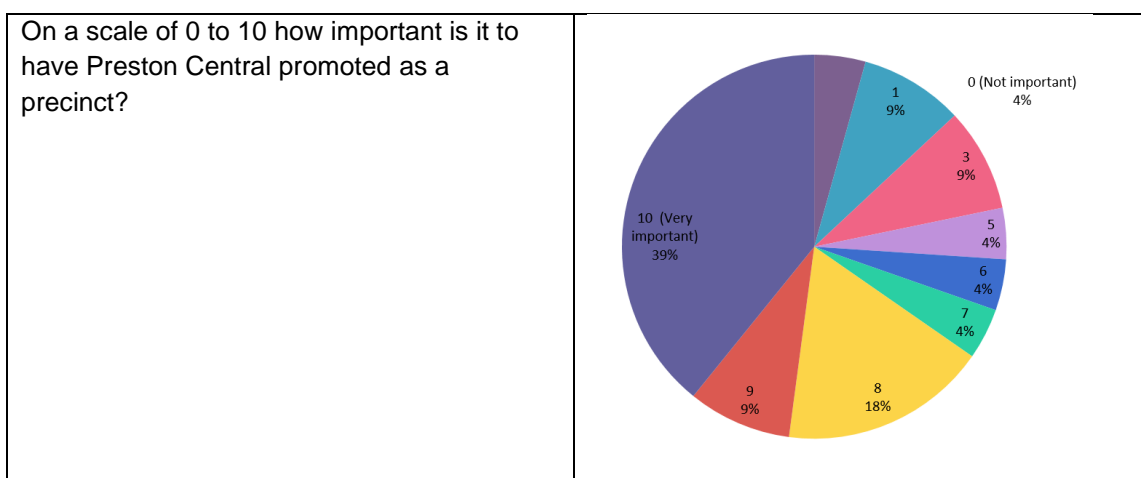
Consultation

Survey of businesses

Prior to the commencement of any formal process, a survey has been conducted with the business operators in Preston Central. 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 (8.3%) were received with the majority (60%) 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 assist in the preparation of a five year business plan. The key results can be found below:



On a scale of 0 to 10 how do you rate the effectiveness of the current promotion of Preston Central?	Not effective 0-3	Moderately effective 4-6	Very effective 7-10
	Responses 6	Responses 8	Responses 7
Would you support the renewal of the special rate scheme for a further five year period?	Yes: 12 No: 8		

Communications

In addition to the survey the Centre Manager on behalf of the Preston Business Advisory Committee 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 Preston businesses and community. In Preston Central these include Lunar New Year and co-organised events with the Preston Market.

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 2019/20 amount to be raised is \$110,000. The total amount proposed to be raised over 5 years is \$550,000 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 \$15,000 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

In 2018, Council endorsed the Darebin Electronic Gaming Machine Policy 2018-2022. The policy outlines that Council will maintain independence from the gambling industry and that Council will not accept financial contributions from gambling venues and will not promote community grants or initiatives offered by local poker machine venues. The policy also stipulates that any sporting club, community group, organisation or association that operates or owns gaming machines will be ineligible for community grants, financial assistance or in kind support from Council.

Cramers Hotel is located within the Preston Central Business Precinct and currently has 80 electronic gaming machines.

Legal advice received, suggests that Council can decide to remove the hotel from the area for which the special rate is proposed. Based on this advice, and in line with the Darebin Electronic Gaming Machine Policy 2018-2022, officers have not included Cramers Hotel within the proposed special rate calculations.

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 Preston Central 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 Preston Central

For the past 20 years, Preston Central 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 \$119,791.

The funds raised by the Special rate have been used by the PBAC 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

Seeking a special rate levy for marketing and promotion

The special rate should be implemented because:

- Preston Central is a strategic priority for stimulating future economic development and employment opportunities.
- It is one of Darebin's Principal Activity Centres and one of the largest traditional, culturally diverse precincts in Melbourne's north, forming a major focus for business, shopping, community and culture.
- Preston Central will be further enhanced through increase economic activity facilitated by a renewed special rate that will continue collective marketing and promotion of the Preston Central as a whole.
- It will assist to create a greater awareness of the area, including what it has to offer to the community and its customers.
- All businesses will benefit from the continuation of activities.
- The rate will support the overall strategic direction of the Centre.

Establishment of a business led association

Council has managed a special rate scheme with the assistance of the PBAC for the past 10 years and has recently decided to disband the advisory committee. In line with the resolution, officers are working towards the establishment of a business led association. Officers recommend that Council continue to manage the budget, develop a five year business plan and deliver actions from this plan until a business led association is established which is expected within six months. The association and the levy will allow Preston Central businesses to unite and respond to external opportunities and provide a holistic approach to marketing and promotion of the precinct.

Preston Market

The Preston Market plays an important role in Preston Central. The market also plays a significant role in the local economy as an anchor and attractor for visitors from Darebin and wider Melbourne.

For the past 20 years the Preston Market has contributed to and supported the special rate levy while participating in and benefiting from various annual marketing and promotional activities. There are 131 individual rateable occupancies in the Preston Market (not all under the same ownership) and are included in the proposed special rate. As part of the proposed levy the market businesses will contribute \$17,152 (15.6%). Officers recommend for the long term viability of Preston Central that the properties within the Preston Market continue to be included in the business precinct.

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 Preston Central 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 Preston Central 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 \$550,000 (\$110,000 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 \$15,000 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 Preston Central 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 Rates, 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 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:

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

Where:

$$\text{TSB}_{(\text{in})} = \$330,000 \text{ plus CPI increase for every subsequent year until 2024.}$$

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

$$\text{TCB} = 0$$

$$R = 1$$

I. Calculate the Maximum Total Levy

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

$$S = R \times C$$

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 $S = 1 * \$550,000 = \$550,000$ 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 special benefit (as shown below) - will be subject to a special rate of 0.00031815 cents in the dollar of the CIV of the property.

- 317-509 High Street, Preston (inclusive)
- 274-444 High Street, Preston (inclusive)
- 241A-251 Murray Road, Preston (inclusive)
- 2-26 Cramer Street, Preston (inclusive).
- 25 Preston Street, Preston (inclusive)
- 14-32 The Centreway, Preston (inclusive)
- 1-12 The Strand, Preston (inclusive)
- 1 Cook Street, Preston (inclusive)
- 19-29 Mary Street, Preston (inclusive)
- 267-275 Gower Street, Preston (inclusive)
- 88 Roseberry Avenue, Preston (inclusive).

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

Council will administer the proposed levy until the newly established Business Association is established. Once this occurs, Council will develop a funding agreement transferring the requirements to the Association. Payment of the special rate will be conditional on entering into such an agreement.

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 Preston Central 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.
- Council would continue to work towards the establishment of a business led association.

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 Preston 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 Preston Central 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 at least 28 days to receive submissions.
- 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 17 June 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
- Preston Business Advisory Committee 'Terms of Reference 2017
- Darebin Council Plan 2017 – 2021

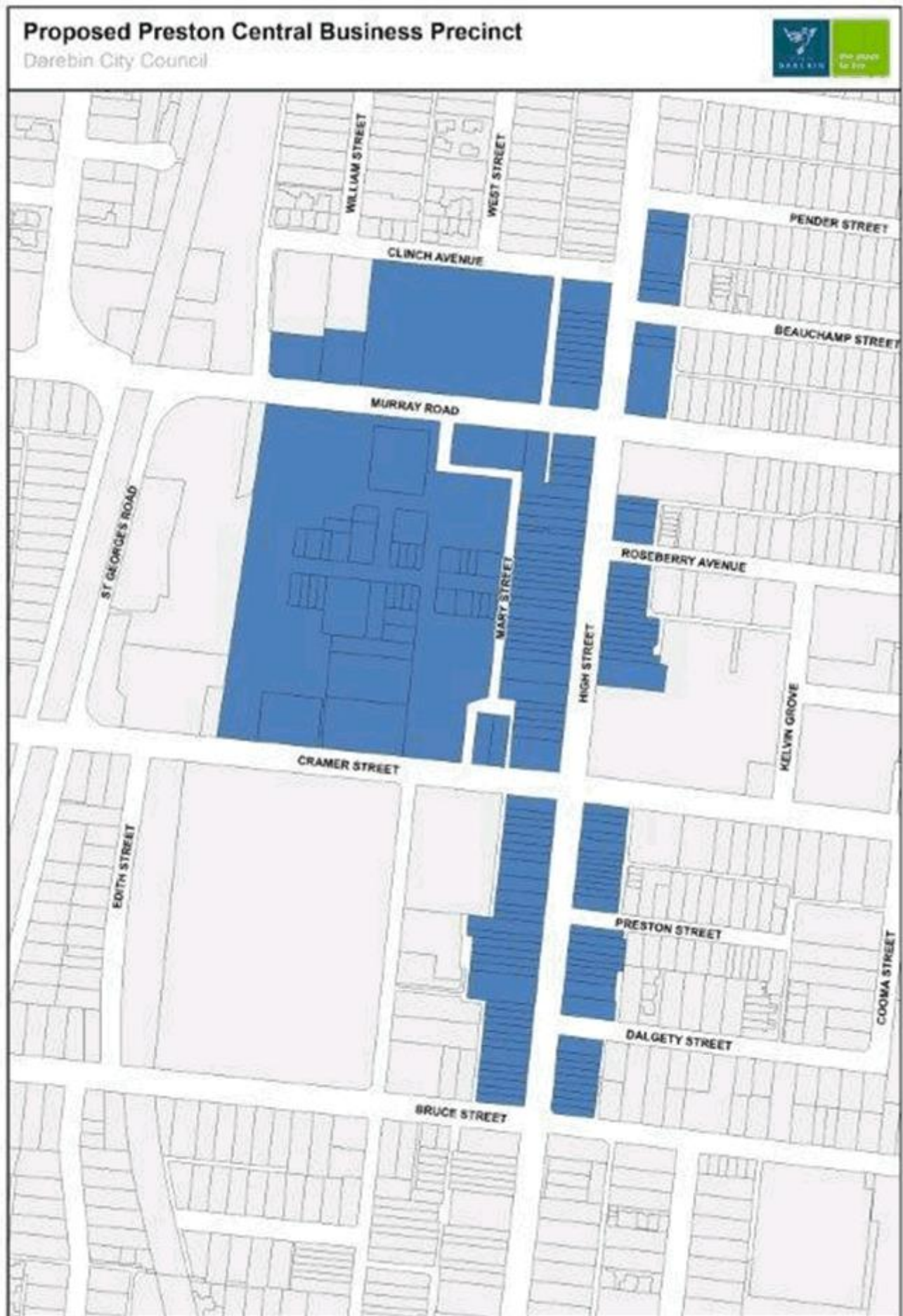
Attachments

- Proposed Map of Preston Central Business Precinct (**Appendix A**) [↓](#)
- List of proposed assessments for Preston Central Business District Special Rate Levy (**Appendix B**) [↓](#)
- Proposed Preston Central Business Precinct Public Notice (**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.



Preston Central Business District Proposed Property Assessment Schedule 2019/20 (year one)

Assessment number	Amount payable (19/20)	Assessment number	Amount payable (19/20)	Assessment number	Amount payable (19/20)	Assessment number	Amount payable (19/20)	Assessment number	Amount payable (19/20)
614	1,590.75	614	1,590.75	614	1,590.75	614	1,590.75	614	1,590.75
615	550.40	615	550.40	615	550.40	615	550.40	615	550.40
616	524.95	616	524.95	616	524.95	616	524.95	616	524.95
617	544.05	617	544.05	617	544.05	617	544.05	617	544.05
618	531.30	618	531.30	618	531.30	618	531.30	618	531.30
619	572.65	619	572.65	619	572.65	619	572.65	619	572.65
620	547.20	620	547.20	620	547.20	620	547.20	620	547.20
621	445.40	621	445.40	621	445.40	621	445.40	621	445.40
622	464.50	622	464.50	622	464.50	622	464.50	622	464.50
625	378.60	625	378.60	625	378.60	625	378.60	625	378.60
626	544.05	626	544.05	626	544.05	626	544.05	626	544.05
627	811.30	627	811.30	627	811.30	627	811.30	627	811.30
629	645.85	629	645.85	629	645.85	629	645.85	629	645.85
630	426.30	630	426.30	630	426.30	630	426.30	630	426.30
632	375.40	632	375.40	632	375.40	632	375.40	632	375.40
634	1,622.55	634	1,622.55	634	1,622.55	634	1,622.55	634	1,622.55
636	257.70	636	257.70	636	257.70	636	257.70	636	257.70
637	276.80	637	276.80	637	276.80	637	276.80	637	276.80
641	160.65	641	160.65	641	160.65	641	160.65	641	160.65
645	292.70	645	292.70	645	292.70	645	292.70	645	292.70
646	747.65	646	747.65	646	747.65	646	747.65	646	747.65
647	213.15	647	213.15	647	213.15	647	213.15	647	213.15
648	410.40	648	410.40	648	410.40	648	410.40	648	410.40
15714	257.70	15714	257.70	15714	257.70	15714	257.70	15714	257.70
15715	219.50	15715	219.50	15715	219.50	15715	219.50	15715	219.50
15716	442.25	15716	442.25	15716	442.25	15716	442.25	15716	442.25
15717	429.50	15717	429.50	15717	429.50	15717	429.50	15717	429.50
15719	369.05	15719	369.05	15719	369.05	15719	369.05	15719	369.05
15720	365.85	15720	365.85	15720	365.85	15720	365.85	15720	365.85

Preston Central Business District Proposed Property Assessment Schedule 2019/20 (year one)

Assessment number	Amount payable (19/20)	Assessment number	Amount payable (19/20)	Assessment number	Amount payable (19/20)	Assessment number	Amount payable (19/20)	Assessment number	Amount payable (19/20)
15721	649.05	15721	649.05	15721	649.05	15721	649.05	15721	649.05
15722	470.85	15722	470.85	15722	470.85	15722	470.85	15722	470.85
15724	378.60	15724	378.60	15724	378.60	15724	378.60	15724	378.60
15725	381.80	15725	381.80	15725	381.80	15725	381.80	15725	381.80
15726	394.50	15726	394.50	15726	394.50	15726	394.50	15726	394.50
15728	327.70	15728	327.70	15728	327.70	15728	327.70	15728	327.70
15734	569.50	15734	569.50	15734	569.50	15734	569.50	15734	569.50
15735	540.85	15735	540.85	15735	540.85	15735	540.85	15735	540.85
15736	540.85	15736	540.85	15736	540.85	15736	540.85	15736	540.85
15737	537.65	15737	537.65	15737	537.65	15737	537.65	15737	537.65
15740	559.95	15740	559.95	15740	559.95	15740	559.95	15740	559.95
15741	388.15	15741	388.15	15741	388.15	15741	388.15	15741	388.15
15742	429.50	15742	429.50	15742	429.50	15742	429.50	15742	429.50
15743	429.50	15743	429.50	15743	429.50	15743	429.50	15743	429.50
15744	614.05	15744	614.05	15744	614.05	15744	614.05	15744	614.05
15745	439.05	15745	439.05	15745	439.05	15745	439.05	15745	439.05
15746	518.60	15746	518.60	15746	518.60	15746	518.60	15746	518.60
15747	550.40	15747	550.40	15747	550.40	15747	550.40	15747	550.40
15748	470.85	15748	470.85	15748	470.85	15748	470.85	15748	470.85
15749	804.90	15749	804.90	15749	804.90	15749	804.90	15749	804.90
15750	442.25	15750	442.25	15750	442.25	15750	442.25	15750	442.25
15752	375.40	15752	375.40	15752	375.40	15752	375.40	15752	375.40
15753	540.85	15753	540.85	15753	540.85	15753	540.85	15753	540.85
15754	636.30	15754	636.30	15754	636.30	15754	636.30	15754	636.30
15756	151.10	15756	151.10	15756	151.10	15756	151.10	15756	151.10
15757	151.10	15757	151.10	15757	151.10	15757	151.10	15757	151.10
15758	151.10	15758	151.10	15758	151.10	15758	151.10	15758	151.10
15759	151.10	15759	151.10	15759	151.10	15759	151.10	15759	151.10
15760	464.50	15760	464.50	15760	464.50	15760	464.50	15760	464.50

Preston Central Business District Proposed Property Assessment Schedule 2019/20 (year one)

Assessment number	Amount payable (19/20)	Assessment number	Amount payable (19/20)	Assessment number	Amount payable (19/20)	Assessment number	Amount payable (19/20)	Assessment number	Amount payable (19/20)
15761	372.25	15761	372.25	15761	372.25	15761	372.25	15761	372.25
15762	579.05	15762	579.05	15762	579.05	15762	579.05	15762	579.05
15763	588.60	15763	588.60	15763	588.60	15763	588.60	15763	588.60
15764	559.95	15764	559.95	15764	559.95	15764	559.95	15764	559.95
15765	1,288.50	15765	1,288.50	15765	1,288.50	15765	1,288.50	15765	1,288.50
15766	206.80	15766	206.80	15766	206.80	15766	206.80	15766	206.80
15767	85.90	15767	85.90	15767	85.90	15767	85.90	15767	85.90
15768	109.75	15768	109.75	15768	109.75	15768	109.75	15768	109.75
15769	92.25	15769	92.25	15769	92.25	15769	92.25	15769	92.25
15770	108.15	15770	108.15	15770	108.15	15770	108.15	15770	108.15
15771	109.75	15771	109.75	15771	109.75	15771	109.75	15771	109.75
15772	108.15	15772	108.15	15772	108.15	15772	108.15	15772	108.15
15773	127.25	15773	127.25	15773	127.25	15773	127.25	15773	127.25
15774	125.65	15774	125.65	15774	125.65	15774	125.65	15774	125.65
15775	108.15	15775	108.15	15775	108.15	15775	108.15	15775	108.15
15776	90.65	15776	90.65	15776	90.65	15776	90.65	15776	90.65
15777	163.85	15777	163.85	15777	163.85	15777	163.85	15777	163.85
15778	932.20	15778	932.20	15778	932.20	15778	932.20	15778	932.20
15785	604.50	15785	604.50	15785	604.50	15785	604.50	15785	604.50
15786	629.95	15786	629.95	15786	629.95	15786	629.95	15786	629.95
15787	601.30	15787	601.30	15787	601.30	15787	601.30	15787	601.30

**DAREBIN CITY COUNCIL
NOTICE OF INTENTION TO DECLARE A SPECIAL RATE
PRESTON CENTRAL 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 **29 April 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 be used for the purposes of promotional, marketing, business development, contracted support, and other incidental expenses 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 **\$110,000** or the first year of the Scheme, raising in total an amount of **\$550,000** 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 receive a 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 enjoying a special benefit will be the subject of a special rate of 0.00031815 cents in the dollar of the CIV of the property including the area and the land for which the Special Rate will be declared as follows:

Proposed properties within Preston Central Business Precinct	
Street Name	Street number (inclusive)
Murray Road	241A to 251
Cramer Street	2 to 26
High Street	317 to 509; 274 to 444
Preston Street	25
The Strand	1 to 12
The Centreway	14 to 32
Mary Street	19 to 29
Cook Street	1
Gower Street	267 to 275
Roseberry Avenue	88

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 7 June 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 22 July 2019. Further information on this Scheme may be obtained from Wendy Dinning Economic Development Coordinator on 84708888 or wdinning@darebin.vic.gov.au

8.5 MONUMENTS AND MEMORIALS POLICY - PROPOSAL TO ERECT A MEMORIAL TO WILLIAM RUTHVEN VC AT RUTHVEN RESERVE

Author: Planning Landscape Architect

Reviewed By: General Manager City Sustainability and Strategy

PURPOSE

To recommend that Council support a proposal submitted by Darebin RSL, to erect a memorial stone and plaque commemorating William Ruthven Victoria Cross (VC) and his contributions to the community, at the Ruthven Reserve.

EXECUTIVE SUMMARY

On 16 May 2016, Council endorsed in principle a proposal by the Darebin RSL to erect a memorial stone and plaque of William Ruthven VC at the Ruthven Reserve, subject to further details being provided including design details, engineering certificates and insurances. The Darebin RSL have submitted to Council the final requirements and now seek final endorsement to proceed with implementation of the memorial stone and plaque.

The memorial is intended to commemorate William Ruthven's VC actions leading to his award of the Victoria Cross medal, as well as his political contributions for the City of Preston and Reservoir as a local member of State Parliament, following his return from service. The Darebin RSL propose the memorial stone and plaque be installed near the recently refurbished pavilion, at Ruthven Reserve, in an existing garden bed. The proposal meets the physical requirements of the existing *Civic Recognition (Memorials and Monuments) Policy 2011* and would be fully funded and maintained by the RSL.

This report recommends support for the proposal. The proposal has been assessed against Council's *Civic Recognition (Memorials and Monuments) Policy 2011*. In this location, the proposed memorial stone and plaque would play an interpretive function in Ruthven Reserve.

Recommendation

That Council:

- (1) Approves the proposal from Darebin RSL to erect a memorial to William Ruthven VC at Ruthven Reserve on the basis that:
 - a) It is located on the northern side of the pavilion in the adjacent garden bed
 - b) That the image and wording are as proposed by Darebin RSL in Option 2 of their proposal (**Appendix A**)
 - c) All necessary funding for the implementation and ongoing maintenance of the proposed monument, including decommission at such time in the future, will be borne by the Darebin RSL.
 - d) Decommissioning at a future time is at the discretion of Council.
- (2) Authorises Council's CEO (or delegate) to finalise an agreement with Darebin RSL.

BACKGROUND / KEY INFORMATION

- The Darebin RSL propose a memorial stone and plaque to commemorate William Ruthven VC at Ruthven Reserve, near the recently renovated pavilion, in an existing garden bed.
- In 2016, Council endorsed in principle the proposal, subject to further details being provided, including design and engineering certificates, insurances and proof of plaque content. Darebin RSL have submitted this information and now seek Council's final endorsement.
- The memorial will be informational and outline the significant contributions made by William Ruthven VC to the community: *"The proposal is to create an etched black granite plaque incorporating an image of William Ruthven in his World War 1 uniform alongside a summary of the action that saw him awarded the Victoria Cross (VC) for King George V in 1918. The plaque would also recognise the significant post war contribution by William Ruthven VC to the then City of Preston and Reservoir as the longest standing local member of the Victorian Parliament."*
- The Darebin RSL will provide all necessary funding for implementation, ongoing conservation (maintenance) and decommission in the future. After 10 years, determination of the future of the memorial will be at Council's discretion, in accordance with existing Policy.
- The full proposal, as submitted by Darebin RSL, is included in **Appendix A**.

Darebin's Civic Recognition (Memorials and Monuments) Policy

Council Policy is embodied in the document '*Civic Recognition (Memorials and Monuments) Policy March 2011*' adopted March 2011. This policy governs the way that memorials and monuments are implemented, managed and maintained throughout the municipality. Council Policy stipulates that proposals for new monuments or memorials must be approved by a motion of Council (6.7).

Previous Council Resolution

At its meeting held on 16 May 2016, the previous Council resolved:

'That Council:

- (1) *Endorse in principle the proposal to erect a memorial to William Ruthven VC at Ruthven Reserve and liaise with the Darebin RSL in relation to:*
 - a. *Site and engineering assessments and certifications.*
 - b. *Achieving written permissions from any above or below ground asset owners*
 - c. *Installation Plan.*
 - d. *A proof of the image and proposed wording for the plaque and monument.*
 - e. *Consultation with stakeholders, residents and user groups of Ruthven Reserve.*
- (2) *Receive a further report at the conclusion of the planning and consultation stages that provides a final proof of the image and then proposed wording for the plaque and monument.*
- (3) *Note that the Darebin RSL will provide the necessary funding for the proposal. There is no cost to Council.'*

COMMUNICATIONS AND ENGAGEMENT

Consultation

- Darebin RSL have consulted with the sporting clubs operating at Ruthven Pavilion, who have provided verbal support for the proposal.
- No wider user consultation has been undertaken regarding this proposal as it is to sit within an existing garden bed and is not expected to affect users or access to the park.

ANALYSIS

Alignment to Council Plan / Council policy

Goal 5 - Involving our diverse community

Environmental Sustainability Considerations

The proposal to install a new memorial stone and plaque has little impact on environmental sustainability considerations. The proposed stone is of natural material and will complement the landscaping of the reserve. The plaque would be set into rock located in an existing garden.

Equity, Inclusion and Wellbeing Considerations

There is no suggestion of community sensitivities in Council approving the proposed memorial, as it is providing an interpretive role within the Reserve of the same name.

The Darebin RSL are a community organisation, who receive monetary funding from many streams including some electronic gaming revenue. In this case, Darebin RSL's representative has advised that funding for the monument has come from private donors, not revenue from gaming.

Cultural Considerations

Council's '*Civic Recognition (Memorials and Monuments) Policy 2011*' seeks to over time celebrate a more diverse segment of the community including through memorials and monuments. While endorsing this memorial does not broaden diversity of public monuments, it also doesn't prevent an opportunity to broaden diversity and also does not draw on Council funds. In this location, as a monument within a reserve of the same name, the proposed memorial stone would play an interpretation role by providing context and information, rather than introducing an additional instance of memorialisation.

Economic Development Considerations

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

Financial and Resource Implications

There is no cost implication to Council. Darebin RSL will purchase, install and conserve the memorial as per Darebin's *Civic Recognition (Memorials and Monuments) Policy 2011*. At such time that decommission is determined, the Darebin RSL will provide all necessary funding as required.

Legal and Risk Implications

Engineering certification and relevant liability insurances have been provided by Darebin RSL for the construction of the memorial. (**Appendix A**). As per Civic Recognition Policy (2011), the Darebin RSL will undertake maintenance of the memorial for a 10 year period. After 10 years, determination of the future of the memorial will be at Council's discretion.

There are no scheduled works within the Reserve and it is not expected that the stone or plaque would require relocation within 10 years.

DISCUSSION

Assessment against the Civic Recognition (Memorials and Monuments) Policy

The Policy classifies the proposed memorial to be a '*monument*' which is described as '*a substantial and enduring physical object created in memory of a person or event or place*'. The policy goes further to describe the Darebin RSL proposal as: '*5.2 Monuments and larger memorials are for the purposes of this policy are specifically design objects or structures commemoration a person, event, or place.*'

The proposal meets the following criteria for a memorial under the policy:

- *Criteria 6.1: The subject of a monument or larger memorial in the City should be able to demonstrate a high level of significance: ie. The person or group has made an outstanding contribution to the cultural political or social development of the City of Darebin.*
- The Policy provides guidelines for physical memorials. The Darebin RSL proposal is compliant with the Policy's physical requirements.
- Regarding 'Artistic Merit' the proposed memorial stone and plaque meets the '*Criteria 6.10 Proposed materials will be of low maintenance construction*'.
- All costs associated with establishing a memorial stone and plaque will be met in full by the donor. Darebin RSL have proposed the memorial stone and plaque with the understanding that they will meet all costs concerning establishment and conservation (maintenance).
- After 10 years, determination of the future of the memorial will be at Council's discretion, in accordance with existing Policy.

In order to increase recognition in Darebin of our diverse community, Council's policy sets out Criteria 6.2 which states *that new monuments will not commemorate a person, event or place that is already memorialised in the City*. However in this case, as a monument within a reserve of the same name, it plays an interpretation role by providing context and information, rather than creating a new monument. The memorial stone will provide context and information regarding the contributions made by William Ruthven VC.

Site location

Darebin RSL nominated two sites for consideration within the Ruthven Reserve. The first, at the entrance to the reserve, is outside of fencing and not recommended due to sequencing of park signage. The second location, on the northern side of the pavilion in the adjacent garden bed, is a suitable location for the memorial and recommended by officers.

OPTIONS FOR CONSIDERATION

Option One - Recommended

Approve the proposal from Darebin RSL to erect a memorial to William Ruthven VC at Ruthven Reserve on the basis that:

- a. It is located on the northern side of the pavilion in the adjacent garden bed.
- b. That the image and wording are as proposed by Darebin RSL in Option 2 of their proposal (**Appendix A**).
- c. All necessary funding for the implementation and ongoing maintenance of the proposed monument including decommission at such time in the future will be borne by the Darebin RSL.
- d. Decommissioning at a future time is at the discretion of Council.

Option Two: Reject the proposal from the Darebin RSL for a commemorative stone and plaque in William R Ruthven VC Reserve.

IMPLEMENTATION STRATEGY

Timeline

- Notify Darebin RSL representative of Council's decision.
- If Council should support the proposal:
 - Council officers will establish an agreement with Darebin RSL.
 - Officers will notify local residents and park users of any minor disruption during installation.
 - It is expected the memorial will be implemented in the calendar year of 2019.
 - After ten years, determination of the future of the memorial will be at Council's discretion.

If Council were to reject the proposal, officers would advise the Darebin RSL.

RELATED DOCUMENTS

- Civic Recognition (Memorials and Monuments) Policy March 2011.

Attachments

- Darebin RSL Application (**Appendix A**) [↓](#)
- Proposed Location of Monument (**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.

**SUBMISSION TO ERECT A MEMORIAL TO WILLIAM RUTHVEN VC AT RUTHVEN RESERVE
DEVELOPMENT SPONORED BY DAREBIN RSL**

Darebin RSL have commissioned Laserform Creative to develop a fitting granite commemorating William RUTHVEN VC at Ruthven Reserve, named after the aforementioned, in the city of Darebin. This memorial would coincide with the new pavilion development at the reserve.

The proposal is to create an etched black granite plaque incorporating an image of William Ruthven VC in his World War 1 uniform alongside a summary of the action that saw him awarded the Victoria Cross (VC) by King George V in 1918. The plaque would also recognize the significant post war contribution by William RUTHVEN VC to the then City of Preston and Reservoir as the longest standing local member of the Victorian parliament.

The plaque would be either set into a natural rock or recreated rock from stoneware that could be situated in the natural gravel and native grass garden bed alongside the pavilion. The granite and rock would tie in with the natural setting and other rocks scattered throughout the landscape at the reserve. If a suitable rock cannot be located, a rock will be recreated out of stoneware that is the approximate colour of the gravel garden bed and path. Refer attached photograph of the preferred location.

It is envisaged that the plaque would be approximately 600 x 400mm and set into a rock that would accommodate the size of the plaque and which would set it about approximately 600 - 700mm above the ground.

The RSL will provide the necessary funding for the proposal.

There would be no ongoing maintenance required as all materials are designed to withstand a lifetime in an external environment.

The plaque proposal conforms to the City of Darebin's memorial policy as follows:

5.2 "Monuments and larger memorials are for the purposes of this policy are specifically designed objects or structures commemorating a person, event, or place.

1. *Council's Leisure, Public Realm and Venues Unit will coordinate the application review process and provide information to the Memorials and Monuments Committee*
 - *the application will include all relevant details including the nature and intent of the proposed memorial or monument; site preference (location) and analysis; design concept to scale; text or images to be included; and any other information including maintenance costs that will provide Council with a full understanding of the intended outcome of the proposed memorial. Design will not be commissioned at this stage – a concept will be sufficient.*
 - *All plaques must conform to City of Darebin plaque and memorial design specifications. Any wording on plaques or memorials must be approved by Council. A maximum number of words are stipulated for each category of plaque or memorial (see design specifications). Text should be brief and in a language accessible to the public and should avoid use of jargon or acronyms. Text should be written following research from a wide range of authoritative sources and be verified by a qualified historian. Proofing and checking will be undertaken by Council. If a graphic image is utilised the amount of text will be reduced."*

Given the significance and nature of the commemoration, reference has to be directly linked to the awarding of the Victoria Cross, therefore it is not possible for the text component to be brief. The VC citation has been reduced by virtue of a precis of William RUTHVEN's service and post war contribution to Preston and Reservoir.

There is also scope for the monument to not even fall under this policy as it is connected with the opening of a new building (Ruthven Pavilion) that is directly related and named after William Ruthven VC.

Attachment 1: Draft proposal of the engraved granite plaque

Example of the type of rock to be incorporated into the memorial or colour of the recreated stoneware rock.



Image only for purposes of the colour of a stoneware rock

The preferred location at the reserve (Person represents approximate location of the rock and plaque)





OPTION ONE (#1) – Plaque proof. (Images are not accurately recreated due to media used.
Proof is only for wording and recommended layout)

VICTORIA CROSS





AUSTRALIA

WORLD WAR 1

William "Rusty" RUTHVEN (1893 - 1970), was born in Collingwood and was a mechanic in the timber industry before enlisting as a Private in the Australian Imperial Force (AIF) in April 1915. He landed at Gallipoli in October 1915 as a reinforcement for the 22nd Battalion. In March 1916 he arrived in France, where he served on the Western Front for the remainder of the First World War. During his service he was wounded on several occasions. He was promoted several times, eventually attaining the rank of second lieutenant in 1918.

On 19 May 1918, sergeant RUTHVEN took part in an attack near Ville-Sur-Ancre in France where he performed outstanding acts of bravery. When his company commander was wounded, he assumed command, but the advance was held up by heavy machine-gun fire. With total disregard for his own safety he ran at the machine-gun post, bombed it, and captured the gun. Then, encountering enemy coming out of a shelter, he wounded two and captured six. RUTHVEN reorganised his men and then noticed further enemy movement in a nearby sunken road. Armed only with a revolver, he wounded two men and captured thirty-two prisoners single handedly. He spent the rest of the day, under fire, supervising consolodation and encouraging his men.

Throughout the whole operation he showed the most magnificent courage and determination, inspiring everyone by his fine fighting spirit, his remarkable courage, and his dashing action and was awarded the Victoria Cross (VC) by King George V in 1918, the highest award for bravery.

POST WAR

During World War II, he served with the 3rd Australian Garrison Battalion and other garrison units reaching the rank of Major.

He was elected to the Victorian Legislative Assembly in 1945 and was the local member for Preston until 1955, then following a redistribution represented Reservoir until his retirement in 1961.

"Rusty" RUTHVEN retained close links with other Victoria Cross winners. In 1956 he attended the Victoria Cross centenary celebrations in London. He was president of the Werrimull and Collingwood RSSILA's (RSL) and was a life member of the Preston sub branch and a trustee of Melbourne's Shrine of Remembrance.

He died on 12 January 1970.




DONATED BY DAREBIN RSL
CREATED BY LASERFORM CREATIVE

OPTION TWO (#2) – Plaque proof. (Images are not accurately recreated due to media used.
 Proof is only for wording and recommended layout)



William “Rusty” Ruthven VC
 21 May 1893 - 12 January 1970

An Australian soldier and State Labor Politician.

*Awarded VC during action on 19 May 1918
 at Ville-suc-Ancre, France
 For most Conspicuous Bravery and Initiative in Action.
 Displaying Courage, Determination and Leadership.
 No. 1946 Sgt William Ruthven A.I.F.*

Finished his AIF deployment as Lieutenant 11 Dec 1918

*During World War 2 served in the 3rd Australian Garrison,
 retiring as Major in Aug 1944.*

*As a Collingwood councillor was elected Mayor in 1945.
 Victorian MLA for Preston and later Reservoir 1945 - 1961.
 and the local member of State Parliament serving Preston.*

Life member Preston RSSILA (RSL) Sub Branch.

Lest We Forget



Marcon Tedesco O'Neill Pty. Ltd.
Structural – Civil – Hydraulic Consulting Engineers
ABN: 8209 321 49 87

Building Act 1993
BUILDING INTERIM REGULATIONS 2017



REGULATION 1507: CERTIFICATE OF COMPLIANCE - DESIGN

To: Relevant Building Surveyor:

Postal Address:

From: Building Practitioner: Glenn Tedesco

Postal Address : 94 Elgin Street, Carlton 3053

Property Details:

Proposed Memorial Plaque at Wiliam Ruthven VC at Ruthven Reserve, at corner of Malpas Street and Donald street, Preston..

I did prepare the design and I certify that the part of the design described as:

Proposed Memorial Plaque at Wiliam Ruthven VC at Ruthven Reserve, at corner of Malpas Street and Donald street, Preston..

Complies with the following provisions of the Regulations* BCA 2016 sections relevant to the structural discipline AS 2870-2011, AS/NZS1170.0-2002, AS/NZS 1170.1 -2002 , AS/NZS 1170.2 - 2011, AS 4100 - 1998, AS 1720.1 - 2010, AS 1684.2 - 2010, AS 3700 - 2011, AS 3600-2009

(* includes BCA 2016 and Relevant Australian Standards)

DESIGN DOCUMENTS


Drawings: 18-04-33 S1 and S2 Prepared by GT Date: 27/04/2018

Signed Building Practitioner

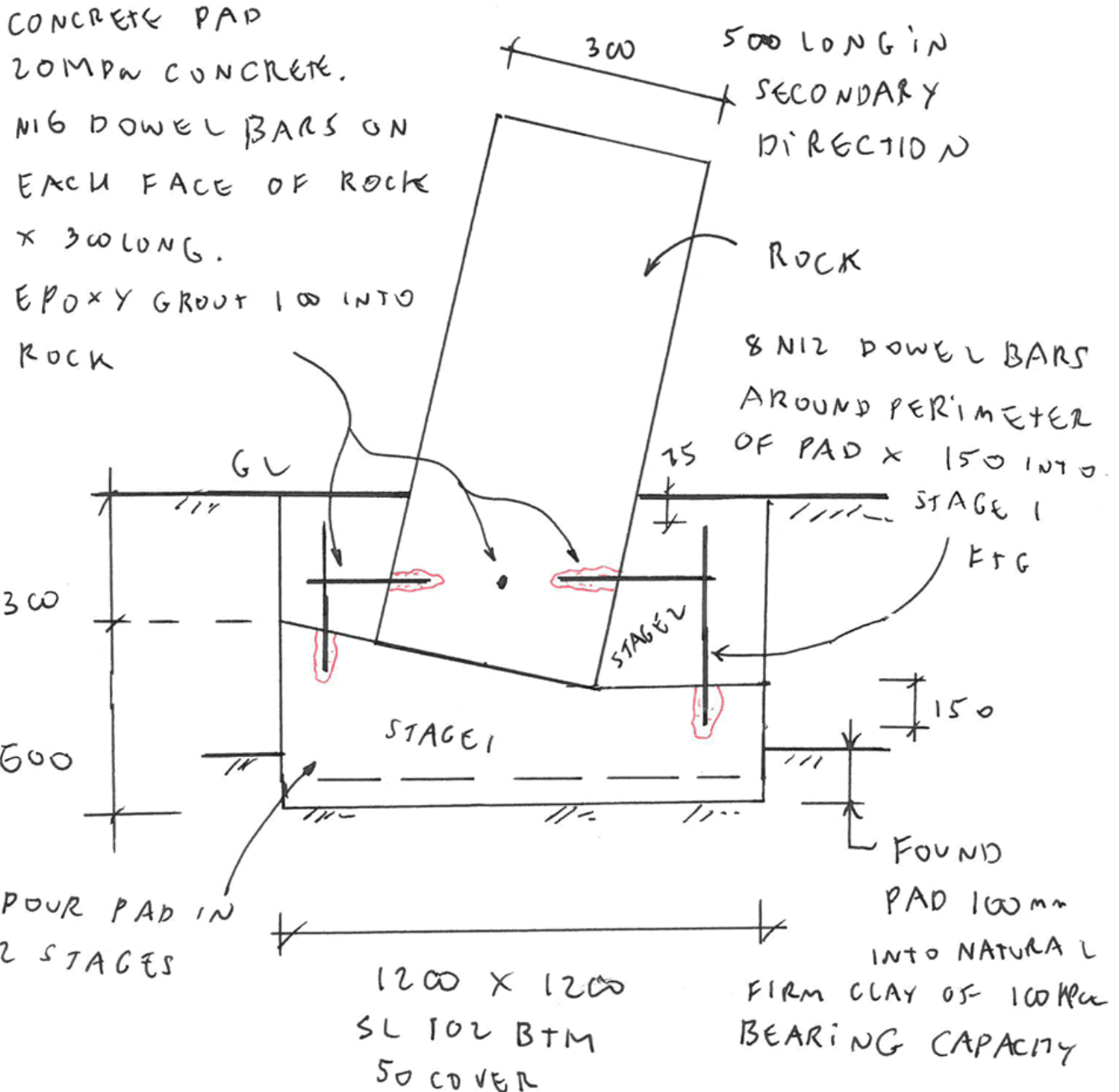
Glenn Tedesco

Date: 27/04/2018

Registration No. EC-1164

	MARCON TEDESCO O'NEILL PTY. LTD. CONSULTING ENGINEERS 94 ELGIN STREET CARLTON 3053 STRUCTURAL - CIVIL - HYDRAULIC TELEPHONE: 9347 9266 FAX: 9347 8788	File No. 18-4-33 Date: 27/4/18 Designed: G.T. Sheet No. S.1.
	PROJECT MEMORIAL TO WILLIAM RUTHERN VC AT RUTHERN RESERVE	

RESERVE



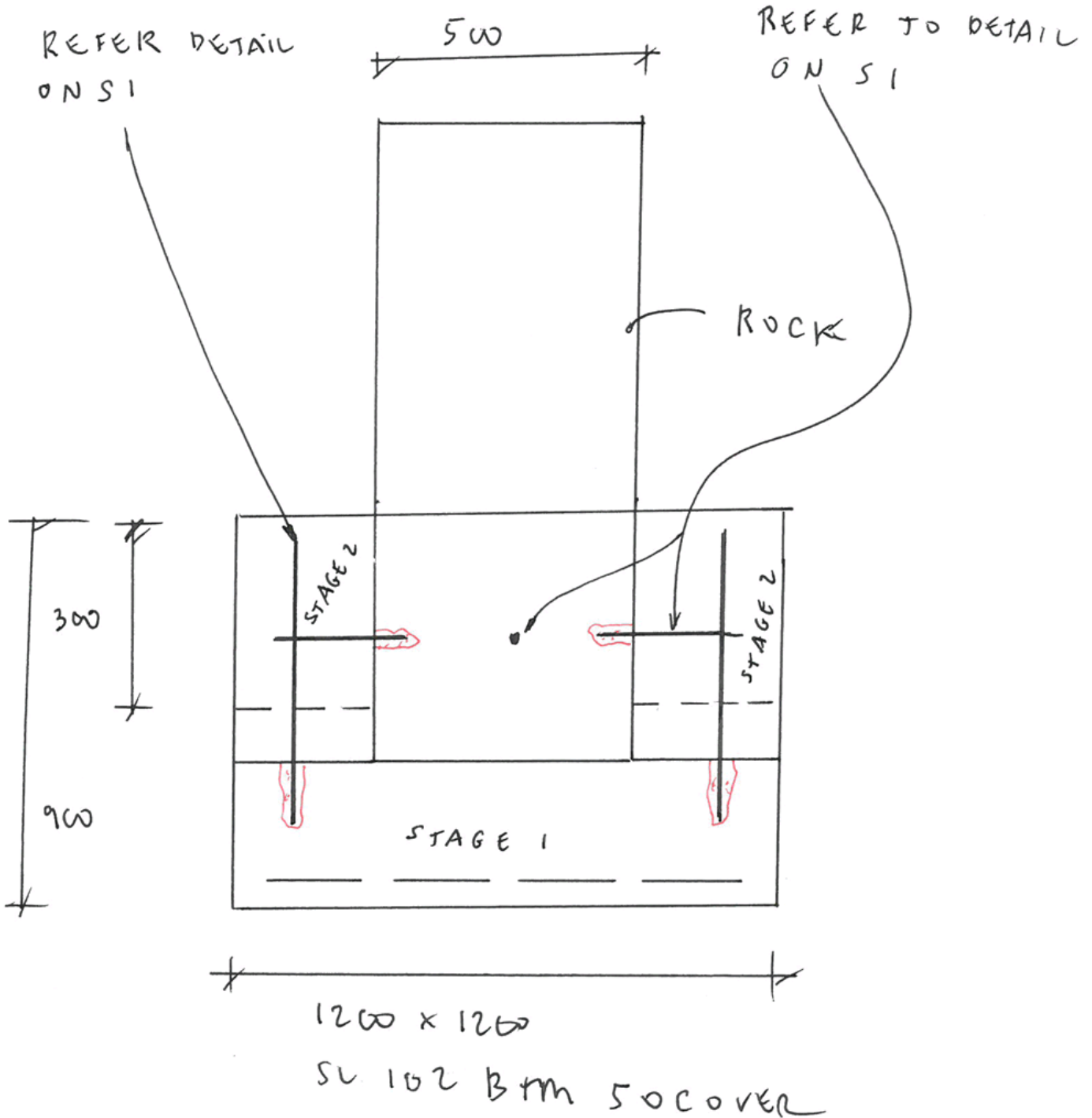
mto
ENGINEERS

MARCON TEDESCO O'NEILL PTY. LTD.
CONSULTING ENGINEERS
94 ELGIN STREET CARLTON 3053
STRUCTURAL - CIVIL - HYDRAULIC
TELEPHONE: 9347 9266 FAX: 9347 8788

PROJECT MEMORIAL TO WILLIAM
RUTHVEN VC AT RUTHVEN

File No. 18-4-33
Date: 27/4/18
Designed: G.T.
Sheet No. 52

RESERVE





A.A. Turner Pty. Ltd.

BUILDERS • PROJECT MANAGEMENT

ACN 006 258 475 ABN 79 843 096 332

EMAIL: aaturner@bigpond.com

Factory 4
6-8 Macquarie Drive
Thomastown Vic 3074

PHONE: 9465 7477
FAX: 9465 7180
MOBILE: 0419 939 777

DATE: 1/3/2018
TO: Alison Breach
Co Ordinator Public Places

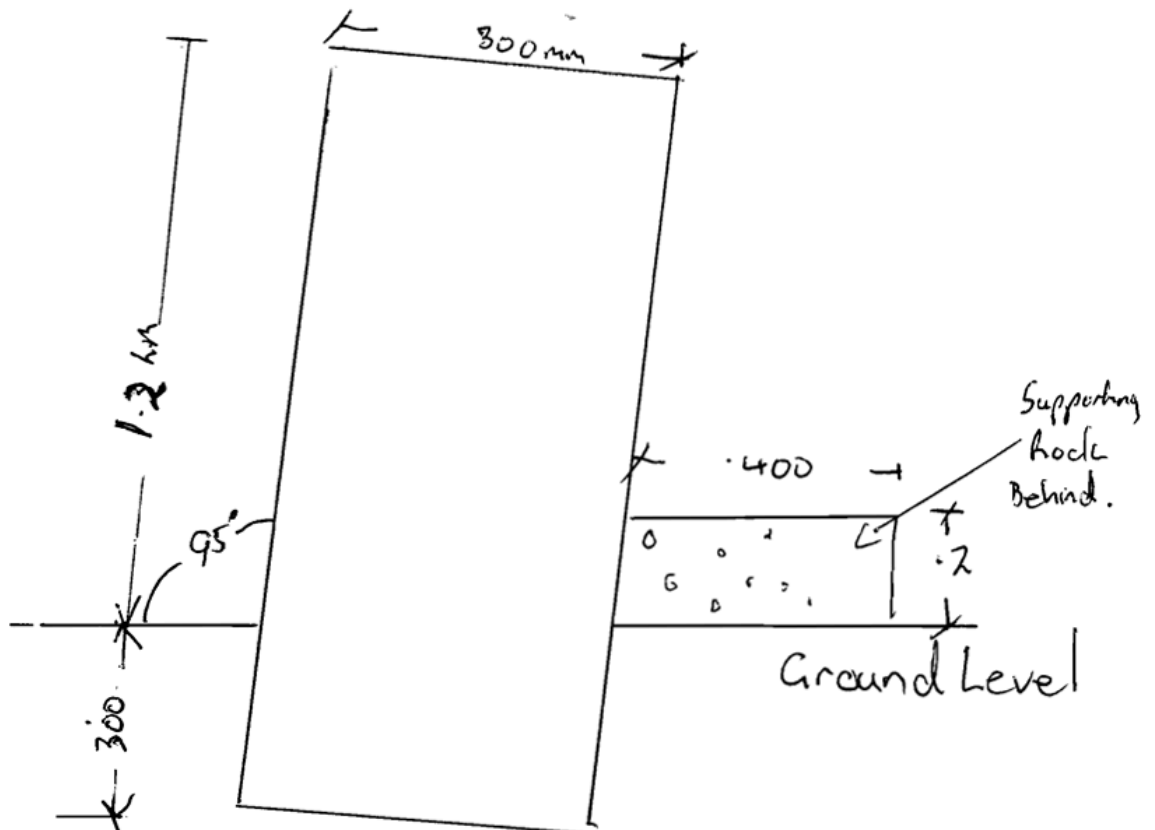


NO. 6573



Commercial No.
CB - U 5650
Domestic No.
DB - U16328

ATT: RE. Memorial to William Ruthven VC at
Ruthven Reserve



Side Elevation



A.A. Turner Pty. Ltd.

BUILDERS • PROJECT MANAGEMENT

ACN 006 258 475 ABN 79 843 096 332

EMAIL: aaturner@bigpond.com

Factory 4
6-8 Macquarie Drive
Thomastown Vic 3074

PHONE: 9465 7477
FAX: 9465 7180
MOBILE: 0419 939 777

DATE: 1/3/2018
TO:

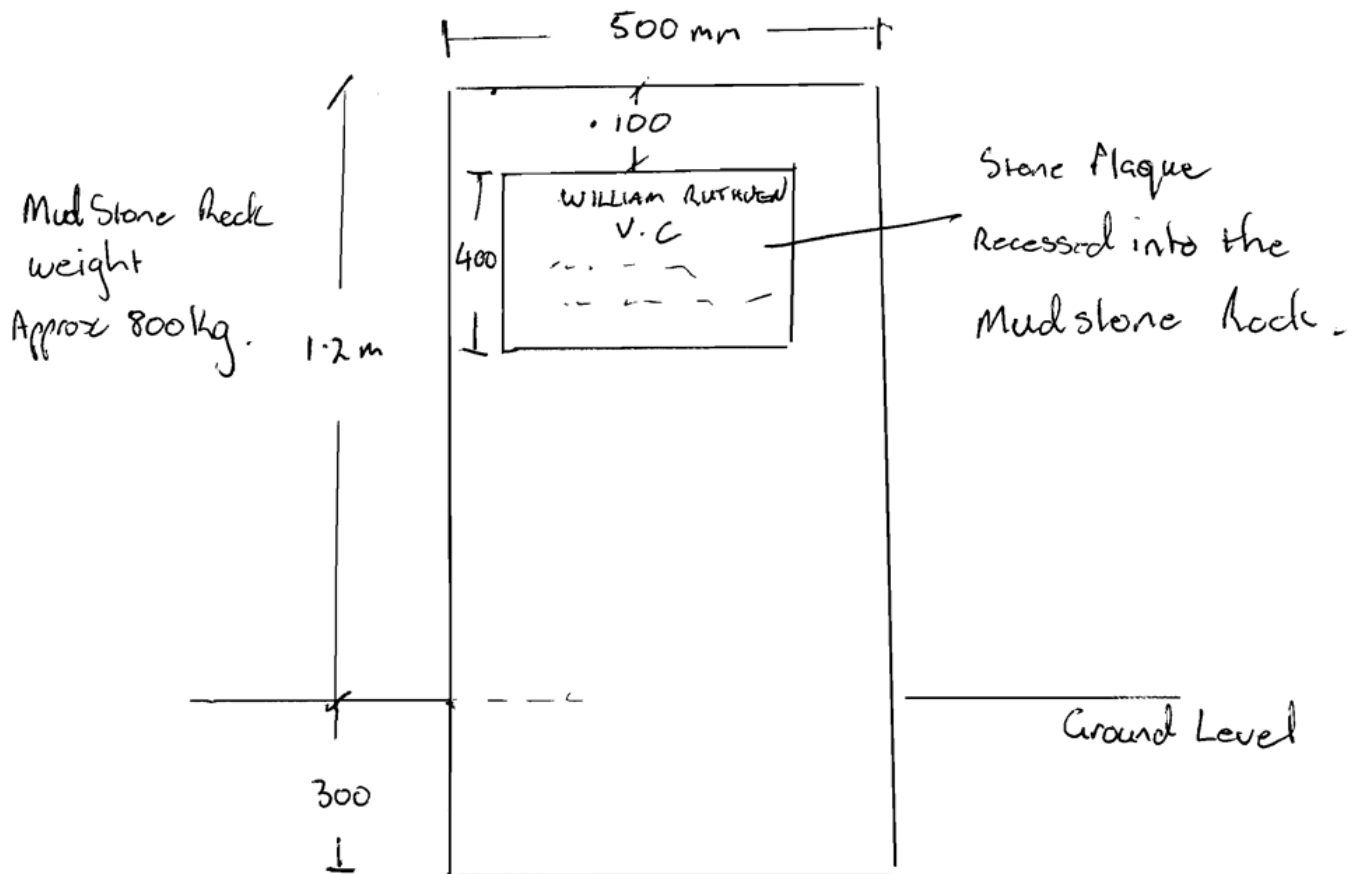


NO. 6573



Commercial No.
CB - U 5650
Domestic No.
DB - U16328

ATT: Re Memorial to William Ruthven VC at
Ruthven Reserve Preston.



Front Elevation





MBA Insurance Services Pty Ltd
Phone 1800 150 888
Website mbais.com.au

Date: Monday, 15 May 2017

CERTIFICATE OF INSURANCE CONSTRUCTION WORKS AND PUBLIC & PRODUCTS LIABILITY

This certificate of insurance is issued for information purposes only. In all instances insurance coverage is strictly in accordance with the Policy Document executed by Insurers.

POLICY CLASS: Construction Works and Public & Products Liability Insurance

POLICY NO: 01D1165810

INSURER: CGU Insurance Limited ABN 27 004 478 371 AFS Licence 238291

INSURED NAME: AA Turner Pty Ltd Builders **ABN:** 79 843 096 332
As Principal and others as defined as Insured together with other interested parties as may be required to be insured by Insured Contracts for their respective rights, interests and liabilities.

SITUATION: Construction Site anywhere in Australia and elsewhere as provided in the Policies.

ACTIVITIES: All activities of construction in connection with residential and/or commercial building works.

PERIOD OF INSURANCE: 1/05/2017 to 1/05/2018 at 4:00pm

CONSTRUCTION PERIOD: 18 Months

SUMS INSURED:

Maximum Project Value	\$1,400,000
<i>Any one Insured Project or Stage</i>	
Public Liability	\$20,000,000
<i>Any one claim or number of claims arising out of the one Occurrence</i>	
Products Liability	\$20,000,000
<i>Any one claim and in total for all claims during the Period of Insurance</i>	

Subject always to the terms, conditions and exclusions of the policy.

Yours Faithfully,

For and on behalf of MBA Insurance Services Pty Ltd

Melbourne
332 Albert Street
East Melbourne VIC 3002
Phone 03 9411 4555
Fax 03 9417 7931

Adelaide
47 South Terrace
Adelaide SA 5000
Phone 08 8461 8288
Fax 08 8211 8566

Darwin
11/396 Stuart Highway
Winnellie NT 0820
Phone 08 8984 4742
Fax 08 8984 4391

Hobart
116 Bathurst Street
Hobart TAS 7000
Phone 03 6210 2000
Fax 03 6210 2050

Newcastle
165 Lambton Road
Broadmeadow NSW 2292
Phone 02 4953 9400
Fax 02 4953 9433

Perth
35-37 Havelock Street
West Perth WA 6005
Phone 08 9476 9800
Fax 08 9486 7021

Sydney
52 Parramatta Road
Forest Lodge NSW 2037
Phone 02 8586 3555
Fax 02 9571 9940

TURNE396485



MBA Insurance Services Pty Ltd
Phone 1800 150 888
Website mbais.com.au

Date: Friday, 27 April 2018

CERTIFICATE OF INSURANCE CONTRACT WORKS & PUBLIC LIABILITY

This certificate of insurance is issued for information purposes only. In all instances insurance coverage is strictly in accordance with the Policy Document executed by Insurers.

POLICY CLASS: Contract Works & Public Liability

POLICY NO: 01D1165810

INSURER: Insurance Australia Limited trading as CGU Insurance
ABN 11 000 016 722 AFS Licence 227681

INSURED NAME: AA Turner Pty Ltd Builders

ABN: 79 843 096 332

SITUATION: Construction Site anywhere in Australia and elsewhere as provided in the Policies.

ACTIVITIES: All activities of construction in connection with residential & commercial building works.

PERIOD OF INSURANCE: 1/05/2018 to 1/05/2019 at 4:00pm

CONSTRUCTION PERIOD: 24 Months

SUMS INSURED:	Material Damage	\$1,500,000
	<small>Any one Insured Project or Stage</small>	
	Public Liability	\$20,000,000
	<small>Any one claim or number of claims arising out of the one Occurrence</small>	

Subject always to the terms, conditions and exclusions of the policy.

Yours Faithfully,

For and on behalf of MBA Insurance Services Pty Ltd

TURNE754051



WR RUTHVEN RESERVE
Proposed location of memorial to WR Ruthven V.C.

LEGEND

- memorial location

8.6 APPOINTMENT OF DAREBIN WOMEN'S ADVISORY COMMITTEE MEMBERS

Author: Acting Coordinator Community Wellbeing

Reviewed By: General Manager Community

PURPOSE

To seek Council's endorsement of the successful applicants for the Darebin Women's Advisory Committee as recommended by the expression of interest (EOI) panel.

EXECUTIVE SUMMARY

This report details the EOI process undertaken to recruit committee members for the 2019-2021 two year term of the Darebin Women's Advisory Committee (DWAC).

Following an extensive promotion process between the 1 – 25 February 2019, 11 applications were received for the 10 community member positions. An internal assessment panel convened on 4 March 2019 to consider the EOIs with recommendations attached in **Appendix A**.

This recruitment process has been undertaken as the current two year membership period for DWAC ceased in February 2019.

The Darebin Women's Advisory Committee will be reviewed as part of the broader review of Council advisory committees which will take place in 2019. However, it is recommended that members be appointed to this Committee in the meantime. The Terms of Reference require a term of two years' membership.

Recommendation

That Council:

- (1) Endorses the following people as the 10 community members in the Darebin Women's Advisory Committee: _____
-

BACKGROUND / KEY INFORMATION

The Darebin Women's Advisory Committee (DWAC) aims to contribute to Darebin City Council's aspiration of seeing gender equality become a lived reality. The committee supports Council's strong and sustained commitment to gender equity. This includes addressing the barriers to women's participation in Darebin and the causes behind them, including poverty and violence and other dis-enablers of equity.

The current Committee TOR requires members to be recruited each two-years with endorsement of new members by Council. The current membership period for DWAC ceased in February 2019. Further to this with the committee having eight vacancies, recruitment was required to ensure the committee could meet quorum.

The Darebin Women's Advisory Committee will be considered as part of the broader review of Council advisory committees which will take place in 2019. The terms of reference for the Women's Advisory Committee do require updating, however no changes have been recommended at this stage pending the advisory committees review.

Previous Council Resolution

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

COMMUNICATIONS AND ENGAGEMENT

Consultation

- Darebin Women's Advisory Committee
- Women's Health In the North
- Relevant internal stakeholders

Communications

A communications plan was developed to support the promotion of recruitment for the Darebin Women's Advisory Committee.

ANALYSIS

Alignment to Council Plan / Council policy

Goal 5 - Involving our diverse community

Environmental Sustainability Considerations

There are no environmental sustainability considerations pertaining to this report.

Equity, Inclusion and Wellbeing Considerations

The Committee and TOR strongly reflects Council's commitment to promoting equity, inclusion, human rights and wellbeing.

The Committee recognises the impact that gender inequality and violence against women has on health and wellbeing outcomes for Darebin's community, particularly for women. It seeks to contribute to the wellbeing and equity objectives of Council.

Cultural Considerations

The Committee is an opportunity to reflect the full diversity of Darebin women in terms of age, ability, Indigenous status, cultural and linguistic background, sexuality, sex characteristics and gender identity, education and income levels, employment status, carer role, etc. This is a key consideration in the selection and recruitment of members. The Committee will seek to build and reflect diversity within membership and be inclusive in practice.

Economic Development Considerations

The committee has a focus on improving the economic independence of women across Darebin. Improving gender equity and preventing violence against women has a significant economic benefit for the entire community.

Financial and Resource Implications

There are no financial or resource implications pertaining to this report.

Legal and Risk Implications

There are no legal or risk implications pertaining to this report.

DISCUSSION

Expression of interest process

The Expression of Interest process (EOI) was undertaken from 1 – 25 February 2019. It was promoted through a range of mediums, including Council social media, Darebin Community News, ethnic media with translation across seven language groups, women's networks and the Mayors Column. The TOR provides for 10 community member positions on the committee.

The EOI encouraged applications from people who identify as one or more of the following:

- From Aboriginal or Torres Strait Islander heritage
- From a background of cultural and linguistic diversity
- Identify as gender non-binary
- Identify as lesbian, queer or trans (femme)

Following the EOI process, 11 applications were received and assessed by a panel of three officers against criteria based on the purpose of the committee. The recommendations following this assessment process are outlined in **Appendix B**. Six of the 10 applicants recommended are new applicants to this committee.

Terms of reference

The DWAC terms of reference as attached as **Appendix A** remains unchanged and will be referred to the broader review of advisory committees.

OPTIONS FOR CONSIDERATION

Option one (recommended)

Council endorses the membership recommendations following the EOI process for community representation on the Darebin Women's Advisory Committee.

Option two

Council does not endorse membership recommendations.

IMPLEMENTATION STRATEGY

Details

Applicants will be notified of the outcome of their EOI following Council endorsement.

Communication

A communication plan has been developed, which will include the notification of outcome to all EOI applicants.

Timeline

- April 2019: Once appointed new members will receive a welcome letter and induction pack. The unsuccessful applicants will be notified in writing and invited to participate in the Darebin Women's Leadership Program and Women's E-list.
- May 2019: The first Darebin Women's Advisory Committee meeting will be held with new members on 30 May 2019, with subsequent meetings for 2019 scheduled for 29 August and 28 November.
- Darebin Women's Advisory Committee will be considered part of the broader review of Council advisory committees which will take place in 2019, and be considered by Council.

RELATED DOCUMENTS

- N/A

Attachments

- DWAC Terms of Reference (**Appendix A**) [↓](#)
- Darebin Women's Advisory Committee Confidential Attachment - Community Members Selection Report and applications (**Appendix B**) Confidential - enclosed under separate cover

DISCLOSURE OF INTEREST

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

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



DAREBIN WOMEN'S ADVISORY COMMITTEE

Terms of Reference

1. Introduction and background

Darebin Women's Advisory Committee (DWAC) aims to contribute to Darebin City Council's aspiration of seeing gender equality become a lived reality. This implies addressing the barriers to women's participation in Darebin and the causes behind them, including poverty and violence, dis-enablers of equity. The committee supports Council's strong and sustained commitment to gender equity.

DWAC was initially established in 2009 as a way to:

- contribute to the development of a healthy and inclusive local democracy by acting as a conduit between women in Darebin and Council in a way that engaged and empowered women and
- enhance Council's capacity to explore and take account of women's issues across all of its services & activities.

With the *Equity and Inclusion Policy 2012-2017* and *Women's Equity Strategy 2012-2015* and related action plans, DWAC's role and format evolved to better support and influence this consolidation of Council's work in gender equity. This allows for streamlined input from DWAC into Council's work on gender equity and support to women's leadership, ultimately leading to better outcomes for all women in the Darebin community. Although the policies and strategies are set to evolve with the development of a new Council Plan 2017-2021, gender equity remains a key commitment for Council and a key guiding principle in all of its work.

2. Purpose and objectives of the Darebin Women's Advisory Committee

The purpose of DWAC is to advise Council on issues and barriers to equality affecting women in their diversity in the City of Darebin, notably by providing a gender lens on issues, policies, services or programs.

DWAC will also promote and advocate for gender equity and women's full and equal participation within the wider context of the Darebin community, and raise awareness about gender as a key social determinant that Council and community should take into account.

In that respect, DWAC's role revolves around the four key themes of advice, advocacy, action and accountability.

2.1. Policy context

DWAC supports Darebin City Council's long-standing promise to the community to:

“promote gender equity, prevent violence against women and support the right of women to engage and participate fully and equally in all aspects of community life”.

DWAC also supports Council's commitment to operate in accordance with the *Victorian Charter of Human Rights and Responsibilities Act 2006* and the *Victorian Equal Opportunities Act 2010*.

The aims and objectives of DWAC are underpinned by Council's rights-based equity and inclusion principles, which mean that Council is committed:

Work with and for the Darebin community in a way that recognises and acts to change the multiple and complex ways in which discrimination and poverty create barriers that limit people's rights and abilities to achieve their full potential and a life of dignity and well-being.

Finally, DWAC directly supports and contributes to the aim of Council's policies, strategies and plans to “increase women's participation, wellbeing and leadership in Darebin”.

2.2. Guiding Principles

The guiding principles of DWAC are grounded in a social inclusion and human rights based framework, affirming:

- That all women who live, work or study in Darebin have the right to equal access to services, projects and programs initiated by Darebin City Council and to participate in all aspects of community life,
- The right of all women in Darebin to live without fear of violence, discrimination or any form of social disadvantage,
- The need for continued awareness raising, advocacy and community-based action to address barriers to equality facing women in their diversity in Darebin.

2.3. Objectives

The objectives of Darebin's Women's Advisory Committee are:

- To provide **advice and guidance** on issues and barriers to equality affecting women in their diversity in the City of Darebin by:
 - supporting Council to develop and apply a 'gender lens' across all of its activities (including policy development, planning, advocacy & service delivery), notably through advice on Council's policies, plans, program and service reviews, discussion papers, events & celebrations as required,
 - assisting Council to identify & remove barriers to women's full and equal participation in the social, cultural, economic & political life of the city and advising on ways to strengthen the democratic participation of all women in Darebin,
 - providing advice on the implementation of gender equity principles, policies and plans where required.

- To **advocate for gender equity**, promote recognition of women's contributions to our community and enhance understanding about gender and barriers to equality facing women, including by supporting Council's strategic advocacy at the local, state & Federal levels.
- To provide **support in engaging Darebin women** and notably to provide Council and other local community-based service providers with an effective channel of communication to reach women by:
 - exploring and representing the concerns & aspirations of women in Darebin,
 - endeavouring to create two-way connections between Council & women in the community.
- To **contribute to the monitoring and evaluation** of Council policies, projects and services that impact or that may potentially impact women, notably by receiving progress reports on the implementation of gender equity policies and plans where appropriate.

3. Membership

DWAC comprises women who live, work or study in Darebin.

Membership will comprise of:

- At least one nominated female Darebin Councillor,
- One Council officer, and others as required, whose role supposes understanding the specific challenges and barriers to equality facing women and who can implement actions to address issues raised by the Committee,
- Up to twelve community members representing the diversity of Darebin women.

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

With exception of casual staff, permanent Employees of Darebin City Council are ineligible to apply for membership.

3.1. Membership diversity

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

3.2. Reimbursement of members' expenditures

To allow diverse participation, and taking into account the multiple responsibilities women often have to juggle including carer's responsibilities, Council will support women's participation through provision of assistance for childcare as required.

Assistance with transport or other specific needs (interpreting, assistant support...) may also be provided.

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

3.3. Role of members

DWAC members will fulfil their role by:

- Providing input, views and advice on the implementation of strategies, policies and plans related to gender equity,
- Providing advice to Council on the development of a broad array of new policies and strategies using a gender lens and highlighting potential barriers to equality for women,
- Assisting in shaping and promoting a range of projects, notably Council's celebrations of International Women's Day,
- Facilitating Council's engagement with the community and assisting Council to connect with Darebin women and to take into account and balance the different perspectives and requirements of Darebin's diverse women.

4. Terms and method of nomination

4.1. Method of nomination

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

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

4.2. Terms of appointment

Appointments to the Committee will be for a period of two years, except when arising through a vacancy. Three months prior to the end of this term, a new expression of interest will be invited (as per the process outlined in 4.1. above). Current members will have the option to reapply for a further two years (once only).

5. Meetings and procedures

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

Dates and times of the meetings will be determined by Council, taking into consideration members' constraints and the need to allow participation from a wide range of women across the municipality. Assistance with attendance might be offered (see 3.2. above) to allow diversity in participants.

5.1. Chairperson

A Councillor (s), appointed at the yearly statutory meeting, chairs the Committee or, in her absence, the Councillor appointed as proxy. In the absence of Councillors at the meeting, the Committee members will determine to appoint a Chair for the purposes of conducting the meeting.

The responsibilities of the Chair include:

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

5.2. Officer support

An officer from the Equity and Diversity Unit of Darebin City Council will take responsibility for providing executive support to the Committee including provision of meeting agendas and minutes.

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

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

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

5.3. Recommendations to Council

The role of the Darebin Women's Advisory Committee is to provide **advice** to Council. As such it does not have any decision-making powers.

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

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

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

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

5.4. Conduct of Committee members

Members will:

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

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

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

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

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

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

6. Monitoring and evaluation

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

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

8.7 COUNCIL DAYTIME MEETING - 20 MAY 2019

Author: Coordinator Governance, Council Business and Civic Services
Coordinator Youth Services

Reviewed By: General Manager Governance and Engagement

PURPOSE

The purpose of this report is to provide an overview of the engagement with schools in preparation for the 20 May 2019 daytime Council meeting and to seek Council's endorsement to amend the deadline for the submission of public questions for daytime meetings from 3.00pm to 10.00am on the day of the meeting.

EXECUTIVE SUMMARY

Children and young people play an important part of the social and cultural makeup of Darebin. Their voices and opinions are at times forgotten due to the traditional structures in place that disempower and inhibit children's and young people's rights and responsibilities to be active community members.

We know children and young people are passionate change makers who are at the forefront of progressive thinking and policy ideas, and can provide positive contributions to local conversation on key issues that affect them and their local community through the democratic process.

This report outlines the work that has been undertaken to engage children and young people for the Council meeting on 20 May 2019.

Recommendation

That Council:

- (1) Notes the engagement process with schools for the 20 May Council daytime meeting.
 - (2) Endorses a 10.00am deadline on the day of the meeting for public questions to be submitted for the Council daytime meetings scheduled for 2019.
-

BACKGROUND / KEY INFORMATION

On 25 July 2018, Council stated their commitment to increase school student involvement in the local democratic process and resolved to hold daytime meetings in 2019 to enable attendance by school students. Two daytime meetings have been scheduled for 2019:

- 20 May and 2 September.

This initiative challenges Council's traditional structures and increases the accessibility of the democratic process through local Council meetings. It will open the participation channels for children and young people, while exposing them to local democratic systems that build their capacity and awareness. This will be achieved through a series of pre- and post-Council meeting sessions in schools designed to ensure the Council meeting experience is supported and that learning opportunities are maximised.

The goal of the project is to ensure children and young people are better resourced to understand the democratic process while reinforcing that they have rights and a voice and can be active contributors to their local community.

Previous Council Resolution

At its meeting of 7 November 2018, Council resolved:

'That Council resolves:

(2) To hold Ordinary Meetings of Council in the Council Chamber at Darebin Civic Centre (or other venues as determined) at 1.00 pm on 20 May 2019 and 2 September 2019.'

COMMUNICATIONS AND ENGAGEMENT

Consultation

- A meeting has been held with the Victorian Electoral Commission regarding their program 'Passport to Democracy'. Content from this program is supporting our program development.
- Discussions took place with a number of schools at the November 2018 meeting of the Darebin Education Committee meeting.
- Project design and content has been shared with the Young Citizen Jury, to seek feedback and their involvement. Jury members have expressed an interest in co-delivering the pre- and post- meeting sessions with Council officers in schools.

Communications

A communications plan has been developed to outline the engagement with schools, details of which include:

- Correspondence to all schools inviting them to express an interest in attending the meetings.
- Schools completing an electronic expression of interest form.
- Individual meetings scheduled with schools to discuss their participation and the Council meeting details.
- Post-meeting sessions delivered to schools in May and June.

ANALYSIS

Alignment to Council Plan / Council policy

Goal 5 - Involving our diverse community

Environmental Sustainability Considerations

There are no specific environmental sustainability considerations arising from this report.

Equity, Inclusion and Wellbeing Considerations

Participation of children and young people in the local democratic process has profound impacts on the equity, inclusion and wellbeing of young people. The initiative directly and consciously aims to empower young people to ensure they are included and are active participants in the democratic process.

Cultural Considerations

Opportunities will be sought to engage young people in the pre- and post-meeting sessions using cultural and creative practices that are appropriate for the target audience.

Economic Development Considerations

Members from the Young Citizen Jury will be engaged to support the co-delivery of the pre- and post-meeting sessions within schools. As part of this process, members will be engaged and remunerated as expert consultants on student voice. This approach recognises young people's skills, attributes and lived experience through a strengths-based model. It also illustrates Council's commitment and its visible leadership role in improving pathways to employment for young people.

Financial and Resource Implications

Costs associated with the 20 May meeting have been absorbed into existing operational budgets. Additional resources are required to ensure the ongoing sustainability of this initiative and this has been put forward for consideration through the 2019–20 budget process.

Legal and Risk Implications

A risk assessment has been undertaken, with risks discussed regularly with the project working group and advice sought from the appropriate units and teams.

DISCUSSION

School Engagement

The goal of the initiative is to ensure children and young people are better informed to understand the democratic process, while reinforcing that they have rights and a voice and can be active contributors to their local community.

Informed by research and stakeholder discussions, a pilot program has been developed that will build on the experience of attending the Council meeting. The program will deliver two sessions, one prior to the meeting and one after the meeting. The purpose of these sessions is to introduce the concept of Council meetings and more broadly to address the idea of local democratic processes.

In the post-meeting sessions, officers and schools will be able to examine what representative democracy looks like locally for them within their own school governance structure. It is anticipated that opportunities will be explored after the meeting with student leadership functions such as Student Representative Councils (SRC) that currently exist within school structures. Feedback from schools received in the initial scoping of the project have reinforced that programs and opportunities that enhance student voice and create agency in students are critical in all students' growth and development.

Consideration has also been given to including items on the agenda for the 20 May meeting that may be of interest to the young people attending, such as reports that relate to social and environmental initiatives.

Based on the outcome of the expression of interest process, it is anticipated that approximately 40 students from six local Darebin primary and secondary schools will attend the Council meeting on 20 May. The meeting will be held in the Shire Hall to accommodate the estimated numbers.

Public Question Time

Council's Governance Local Law 2017 includes a provision for members of the public to submit questions up to 3.00pm on the day of a meeting (Clause 53(3)). The two daytime meetings scheduled for 2019 will commence at 1.00pm, so it is proposed that the deadline for public questions be revised to 10.00am for these meetings.

The six participating schools are being invited to submit up to two questions each to be addressed during public question time.

OPTIONS FOR CONSIDERATION

Option 1 (Recommended)

That Council notes the school engagement process and endorses the revision to the public question deadline.

Option 2 (Not recommended)

That Council does not note the school engagement process and does not endorse the revision to the public question deadline. The public question deadline of 3.00pm in the Governance Local Law is not achievable, given the scheduled start time of the daytime meetings, and this is therefore not a recommended option.

IMPLEMENTATION STRATEGY

Details

In preparation for the first daytime meeting on 20 May, a project plan has been developed, which includes the following key milestones.

April 2019	EOI closes and confirmation of schools attending
April–May 2019	Pre-meeting sessions with schools
20 May 2019	Council meeting
May–June 2019	Post-meeting sessions with schools
June 2019	Evaluation and pre-planning for 2 September meeting

Communication

A communications plan has been developed in consultation with the communications unit. The communication unit will support proactive communications in the lead up to the 20 May meeting.

Key elements of the communication plan include:

- Distribution of a media release prior to the 20 May meeting. The media release will reinforce council's commitment to involving children and young people in the local democratic process.
- An updated website page that details information about the initiative.
- An update via Councillor E-bulletins and social media platforms.

Timeline

The timeline is outlined above. A project plan for the 2 September meeting will be developed once the evaluation for the 20 May meeting has been completed.

RELATED DOCUMENTS

- Nil

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.

8.8 DELIVERED MEALS SERVICE CONTRACT**Author:** Manager Aged and Disability**Reviewed By:** General Manager Community

PURPOSE

To seek Council endorsement for the extension of the current contract with Regional Food Kitchen (RFK) to 30 June 2020, with a further option to extend for two additional years until 30 June 2022.

EXECUTIVE SUMMARY

Darebin Council offers delivered meals service to clients eligible for Commonwealth Home Support Programme (CHSP) and Home and Community Care Program for Young People (HACC PYP). Council sources the meals from an external supplier and Council staff deliver the meals locally.

For the following reasons it is recommended the current contract be extended to 30 June 2020 (with a further two year option to June 2022) is agreed with the current supplier of the meals for the Delivered Meals program:

- The contract with the current supplier of meals expires on 31 May 2019 and should be extended to ensure continuity of services to the community.
- Council has previously resolved to continue existing Commonwealth Home Support Program aged care services while block funding from the Commonwealth continues.
- It's expected that Commonwealth Home Support Program block funding will be extended until 30 June 2022, and perhaps beyond.

The estimated cost of the meals contract for the additional 2019-20 financial year is \$389,340, but the actual cost depends upon the number of meals purchased.

At the time of writing the Delivered Meals program is assisting 170 individuals.

Recommendation

That Council:

- (1) Extends the current contract with Regional Food Kitchen (RFK) to 30 June 2020, with the option to extend for an additional two years to 30 June 2022, for the supply of delivered meals.
 - (2) Authorises the CEO to approve the extension of the current contract to 30 June 2020 with Regional Food Kitchen (RFK).
 - (3) Authorises the CEO to exercise further options for extensions if and when required.
-

BACKGROUND / KEY INFORMATION

This report is in response to the pending expiry of the contract with Regional Food Kitchen (RFK) to supply delivered meals for council's CHSP and HACC PYP service recipients. In March 2019 there were about 170 residents who are recipients of the service.

Regional Food Kitchen (RFK) is a joint venture, and Darebin City Council is one of 18 Victorian shareholder Councils. As a founding shareholder Darebin holds 24 shares in Regional Food Kitchen. Darebin Council is subject of a ministerial exemption in relation to all tendering requirements under section 186 of the *Local Government Act*.

Previous Council Resolution

At its meeting held on 15 May 2017, Council resolved:

'That Council:

- (1) Enters a contract with Regional Kitchen for a period of one year to 31 May 2018, with the option to extend for another year, for the supply of delivered meals.*
- (2) Authorises the Chief Executive Officer to negotiate and execute the contract.*
- (3) The Council resolution be made public but the report remain confidential.'*

At its meeting on 21 May 2018, Council resolved:

'That Council:

- (1) Establish the Review Panel on Creating an Age Friendly Darebin, with terms of reference as attached as Appendix B.*
- (2) Appoint Rhonda Galbally AO and Peter Allen as members of the Review Panel.*
- (3) Add a point 10 to the principles of the Terms of Reference to read "Is committed to open and transparent decision making processes and will therefore bring any recommendations emanating from the review process back to an open Council meeting for a decision by Councillors.'*

At its meeting on 3 September 2018, Council resolved:

'That Council:

- (1) Acknowledges that if the Commonwealth ceases block funding for aged care services as currently planned, this will inevitably affect how Council will provide services to older people.*
- (2) Notes that because of the Commonwealth's plan to cease block funding, Council has commissioned an independent 'Creating an Age Friendly Darebin' review for the express purpose of ensuring our older people continue to receive quality services they need.*
- (3) Calls on the federal government to extend block funding for the Commonwealth Home Support Program to provide certainty for community and staff, and writes to relevant ministers, shadow ministers and members of parliament requesting that a moratorium be put in place till such time the government conducts a comprehensive review of block funding to Councils.*
- (4) Encourages community members to participate in the independent panel review commissioned by Council, to help plan our services in the longer term.*
- (5) Notes that this Council commits to continue its annual \$6 million investment into the longer term in facilities, programs and services promoting the health and wellbeing of older people.*
- (6) Notes that the independent review terms of reference will investigate expansion of Council's services including the potential for Darebin Council to provide home care packages.*

- (7) *Continues to provide commonwealth home support program services while in receipt of any block funding from the Commonwealth Government.'*

COMMUNICATIONS AND ENGAGEMENT

Consultation

One hundred and seventy clients are currently receiving council’s Delivered Meals service. Darebin conducts an annual client satisfaction survey regarding home support services.

In the most recent survey, conducted in May and June 2018, 42 clients of the meals service provided feedback. 33 respondents (78.5%) rated the service as either Very Good or Good, and one client of the 42 (2.38%) respondents rated Delivered Meals as Very Poor or Poor. These results are comparable with findings from 2017.

The sample represents about a quarter of the total clients of the meals service, and variation in the responses would produce a variety of results. However, the survey scores indicate Delivered Meals is the lowest performing Aged & Disability service type, the only service with less than 80% of respondents rating the service as Very Good or Good.

The majority of feedback and comments clients made in the survey or through the client feedback system, is about the quality and types of meals which are supplied by the contractor. There are divergent views expressed about preference and taste of meals.

The following table contains quotes from some respondents describing their experience of the service:

Positive feedback	Where we can improve
<ul style="list-style-type: none"> • Soup is excellent. Desserts – good. Main meal very good • Love meals and service • Much better to what they used to be • The meals are fine for me. Also we have a wide choice. • Satisfied with service • The people who deliver my meals are very affable, pleasant to talk to and well mannered. I look forward to seeing them 	<ul style="list-style-type: none"> • More choice of soups and desserts • I find the meals overcooked • The quality of the meals was much better last year, the vegetables are overcooked • Pieces of pork were all fat. • Too much potato. Too many pieces of potato, only used as filler. Too much sweet potatoes and carrots • The fish doesn’t have much taste • Please get steak that old people can eat. Steak is very hard to chew • Don’t understand a lot of the descriptions of the meals • Would be good if we had the same person delivering meals all the time

Staff have shared these findings and client feedback with RFK. RFK advises that client feedback is used to drive quality improvement in their meals.

More recently, the Age Friendly Darebin project undertook a large public consultation following the release of a discussion paper about how Darebin could be more age friendly, including thoughts about current and future services. Only a few responses made comments about meals. Seven indicated satisfaction, four were negative (appeal/cost). Others spoke of broader aspects of food/meals issues such as social connection and food security that they advocated be considered. Representatives from RFK also presented at the Panel Hearing highlighting the role of RFK in the Delivered Meals service.

Communications

If council decides to extend the existing contract, the key communications will be relevant only to staff involved in meals administration. If council opts to undertake a tender and, as a result, there is a change in meals provider, then clients, delivery staff and other staff would also need to be informed of the outcome.

ANALYSIS

Alignment to Council Plan / Council policy

Goal 2 - Opportunities to live well

Environmental Sustainability Considerations

Sustainability team members were consulted particularly around plastic minimisation. The meals service in its current model, and with related OH&S constraints, has numerous aspects that present challenges regarding sustainability principles. This includes use of plastic packaging. Council officers have raised concerns with RFK who advised that they are investigating packaging alternatives.

Other sustainability considerations include:

- Energy consumption for storage.
- Fuel consumption for delivery to distribution site and then to clients homes.
- Sourcing of use of environmentally sustainable products and processes.

RFK claims its production and operation “*utilises cutting-edge technology to maximise efficiencies and environmental benefits, including passive and active energy saving systems and water saving systems.*”

Equity, Inclusion and Wellbeing Considerations

Equity, inclusion and wellbeing are core considerations for all clients and potential clients. Continuing with current arrangements until the outcome of council’s Age Friendly Darebin review is known will offer stability for current clients.

If council decided to instead undertake a tendering process for the provision of meals, equity, inclusion and wellbeing considerations would inform the assessment and ranking of candidates.

Cultural Considerations

Cultural considerations are relevant to the choices and variety that meals meet cultural expectation of the diverse client group and to the larger outcome of the Age Friendly Darebin Review and what occurs beyond the requested contract extension.

Economic Development Considerations

No factors in this report impact upon local economic development as the provider is not based in Darebin, however, as a shareholder Council have an interest in RFK’s mission and viability as a business.

Financial and Resource Implications

The anticipated contract value for 2019/2020 is \$389,340. The overall cost to Council for the operation of the Delivered Meals service is \$690,326.

Council receives block funding from the Commonwealth and State through the CHSP and HACC PYP programs. The project total grant amount for 2019/20 is \$212,814. It is also anticipated that council will collect \$260,000 in client fees.

The table below provides details of draft budget for the 2019-2020 financial year:

Source	Amount
INCOME	
CHSP grant	\$192,660
HACCPYP grant	\$20,154
Client fees	\$260,000
Other income	\$11,200
Total income	\$484,014
EXPENDITURE	
Direct program costs	\$785,000
Contractor cost	\$389,340
Total expenditure	\$1,174,340
Net Council contribution	\$690,326

Legal and Risk Implications

As a shareholder in The Regional Food Kitchen, Council has a ministerial exemption from all tendering requirements under section 186 of the Local Government Act.

Risk Management

Risk	Mitigation
Service disruption	<ul style="list-style-type: none"> Extension of existing arrangements allows time for a planned approach. Clear communications and individual approach to client support.
Reputational risk	<ul style="list-style-type: none"> Maintain continuity of service to clients. Communicate changes in a timely fashion.
Safe and nutritious meals	<ul style="list-style-type: none"> Supplier adheres to agreed nutritional standards. Food safety practices are inherent in the production and delivery of meals.

DISCUSSION

Regional Food Kitchen (RFK) is a joint venture, and Darebin City Council is one of 18 Victorian shareholder Councils. Regional Food Kitchen and Community Chef were formerly separate entities, but following a company restructure in 2016 the two entities were brought together to form one company.

As a founding shareholder Darebin holds 24 shares in Regional Food Kitchen. Darebin Council is subject of a ministerial exemption in relation to all tendering requirements under section 186 of the *Local Government Act*.

Since February 2011 Darebin City Council has sourced meals from Regional Food Kitchen. Originally, Darebin City Council had a three year contract with Community Chef. At the end of the original contract in 2014 Council authorised the extension of the contract until 2017, and then subsequently until 31 May 2019.

The delivered meals service is available for eligible CHSP and HACC PYP clients in Darebin. Older residents' need for the service is determined via the My Aged Care (MAC) contact centre screening, and assessment by a Regional Assessment Service (RAS) outlet or Aged Care Assessment Service (ACAS). Clients under 65 are assessed for eligibility by the RAS.

The Federal Government's stated purpose for delivered meals under CHSP is "to provide frail older people access to meals" and the funding is to "assist in paying for the production and distribution of the meal....it is expected that the cost of the ingredients of the meal will be covered by the client..."

The Federal Government's 2 April announcement indicates an extension of current funding arrangement for CHSP services by a further two years to the end of June 2022.

Year to date 2018-2019, the average numbers of individual clients assisted per month is 165, with 170 clients receiving the service when the report was prepared.

Clients' feedback shows that the delivered meals are not to everyone's preference. This feedback continues to be provided to RFK, who continue to explore new products that meet the safety and nutritional standards whilst responding to consumer preferences. Currently RFK employs nutritionist(s) to make sure meals meet the previous HACC standards (as CHSP doesn't specify minimum standards).

RFK has a quality assurance process to ensure food safety, handling and production standards. In light of recent events that led to the suspension of another major provider's production (iCook) due to food safety concerns, RFK offers a safe and viable option to supply meals based on the current delivered meals service model.

The independent Panel appointed by Council to undertake the Age Friendly Darebin Review has released a draft report for consultation and is scheduled to submit its final report to council in June/July 2019. The draft report includes Recommendation 14:

14. *That DCC's meals service is re-designed to:*

- a) *Further emphasise assisting older residents to prepare their own meals and to share meals;*
- b) *Provide meals that better match the dietary and cultural preferences of residents;*
- c) *Consider the addition of alternative providers, including the recent growth of home delivery services from a wide range of culturally appropriate local food retailers; and*
- d) *Increase the numbers of residents attending meals outside their home, possibly with expanded use of volunteers supplied by the proposed volunteer service.*

OPTIONS FOR CONSIDERATION

Option One – Approve the extension of the current contract to 30 June 2020 with the option to extend for an additional two years to 30 June 2022.

The recommended option is for Council to approve the extension of the current contract for supply of Delivered Meals.

The recommendation to extend the current contract allows time for Council to consider the Age Friendly Darebin Review Panel final report, and to determine the outcome. The additional time also permits officers to explore potential alternative providers and execute a tender process if required for the remainder of CHSP contract period (end of June 2022) or plan for changes in service models based on Council directions following the Age Friendly Darebin review.

Option Two – Officers to explore other providers of meals service and award contract via tender process.

This option allows Council to explore other potential providers and current options available to supply meals, however it requires a tender scope to be prepared immediately, before Council has considered the findings and recommendations of the Age Friendly Darebin Review. This is a more resource intensive option. A tender process at this time may not necessarily result in better outcomes for community members using the delivered meals service, and may result in similar or greater prices for Council.

If this option is selected the current contract will need to be extended for one year from the expiry date of 31 May 2019 to ensure continuity of services to the community while commencing planning for a new tender process.

IMPLEMENTATION STRATEGY

Details

If Council decides to approve the extension, the Project Officer will work with Procurement staff to undertake procedures and formal process relevant to the contract extension.

Communication

Relevant staff will be notified. All clients were written to in April 2019 explaining that existing home support services including meals delivery will continue until at least June 2020 and possibly beyond to June 2022.

Timeline

If approved, the contract extension will be formalised prior to expiry of the existing term (31 May 2019).

RELATED DOCUMENTS

- Towards An Age Friendly Darebin - Draft Report April 2019

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.

**8.9 NORTHERN COUNCILS COLLABORATIVE SECURITY
TENDER FOR DAREBIN - CONTRACT NO. CT 201885****Author:** Building Strategy Advisor**Reviewed By:** General Manager Operations and Capital

PURPOSE

To seek Darebin City Council's approval to award Contract CT201885 for the provision of Security Services for Darebin's facilities.

EXECUTIVE SUMMARY

Currently the Security Services to Darebin Council contract is due to expire on 30 June 2019 and there are no extension options.

In October 2017, the Northern Region (Melbourne's north) Group of Councils entered into a collaboration to deliver economic, social and value for money benefits for the residents and businesses in the region. As part of this joint effort, a Request for Tender (RFT) for the Provision of Security Services was developed collaboratively by five of the (seven) Northern Region Councils:

- Banyule City Council;
- City of Darebin;
- Mitchell Shire Council;
- Moreland City Council; and
- City of Whittlesea.

Tenderers were also requested to submit a response that delivers social and economic initiatives to the Northern Region Community. To this end the Brotherhood of St Laurence (BSOL) and MEGT were invited to present at the Industry Briefing on the available programs in the market to increase employment for disadvantaged groups.

The Contract term sought is a seven year term, with an initial period of three years with the option to extend for further periods of any duration up to a maximum period of four years.

Banyule was appointed to act as tendering agent on behalf of Darebin, Mitchell, Moreland and Whittlesea for the purpose of seeking tenders for the Contracts.

A publicly advertised Request for Tender (RFT) was released on 18 August 2018 for the Contracts. The RFT closed on 25 September 2018 with submissions from 15 companies being received. Subsequently one tenderer withdrew leaving 14 tenders for consideration.

All tenders were evaluated by the Tender Evaluation Panel (TEP) comprising officers from each participating Council's Business and Procurement Units. During the detailed tender evaluation process, multiple shortlisting rounds and clarifications to obtain further information about the tender submissions were undertaken. Negotiations were held with shortlisted tenderers who were requested to review their submitted prices and submit their best and final offer. The TEP has finalised the evaluation and recommended awarding the contract (CT201885) to a suitable contractor for each Council.

Recommendation

That Council:

- 1) Enters into a contract with _____ for the Provision of Security Services (CT201885) for a ___ year fixed term with options for further periods (up to a maximum of ___ years) bringing the total contract to ___ years at an estimated cumulative amount of \$ _____. This amount includes GST and includes CPI (no CPI for initial term). The contract is to commence on _____ and expire on _____ if all options are exercised.
- 2) Authorises the Chief Executive Officer to finalise and execute the contract documentation on behalf of Darebin Council.
- 3) Authorises the Chief Executive Officer to exercise the extension options if and when required.

BACKGROUND / KEY INFORMATION

Currently the Security Services to Darebin Council contract is due to expire on 30 June 2019 and there are no extension options. Tenders have been called for the Provision of Security Services to Darebin Council. The services where required involve:

Table 1 – Service Area

Service Description	No of Sites: 72
Security Equipment Maintenance Services - maintaining of all security equipment including security panels, access control gear, sensors, CCTV cameras, monitors, wiring and links.	✓
Routine Security System Monitoring Services - monitor all security alarms, (monitor CCTV if required), fridge alarm systems at all buildings and facilities and any personal alarm devices twenty four 24 hours / 365 days.	✓
Security Alarm Response Service - 24 hours / 365 days - alarm response service, attend Site, dispatch patrol, conduct investigation and locate cause of alarm, reset, rectify, call Police if required, carry Council keys /security cards to enable access into the facilities.	✓
Lock and Unlock Service (if required) – routine and ad-hoc lock and unlock services 24 hours / 365 days.	✓
Security Guard Services – routine / ad-hoc security guards – patrol sites, perimeter check, check locked / unlocked doors, attend to urgent situations, control entry to events, assist crowd control, monitor and manage disorderly behaviour, coordinate emergency management and liaise with Police.	✓
New Security Installations / project works – supply and install security equipment - CCTV cameras, security alarm equipment and security access cards, professional services, etc.	✓

Previous Council Resolution

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

COMMUNICATIONS AND ENGAGEMENT

Consultation

The following stakeholders have been consulted:

- General Manager Operations and Capital
- Manager Assets and Capital Delivery
- Coordinator Facilities Maintenance
- Senior Procurement Officers
- Darebin Council Site Managers
- Darebin Department Service Managers

Communications

In October 2017 the Northern Region (Melbourne's north) Group of Councils entered into a collaboration to deliver economic, social and value for money benefits for the residents and businesses in the region. As part of this joint effort, a Request for Tender (RFT) for the Provision of Security Services was developed collaboratively by five of the seven Northern Region Councils and the Tender was advertised in The Age on 18 August 2018.

ANALYSIS

Alignment to Council Plan / Council policy

Goal 6 - A well governed Council

The provision of security services including routine maintenance of the security equipment, security alarm responses and guarding services is necessary to maintain a safe workplace for the staff and visitors and to maintain the efficient functioning of security and safety equipment.

The direct result of deliberate cyclic maintenance under a Service Agreement is the reduction of the level of Security and Occupational Health and Safety risk and the Asset life cycle cost risk faced by Council.

Environmental Sustainability Considerations

The recommended Contractor will develop and implement an Environmental Management Plan (EMP) in accordance with the requirements of:

- AS/NZS ISO 14001:2004 Environmental Management Systems - Specification with guidance for use; and
- AS/NZS ISO 14004: 2004 Environmental Management Systems - General guidelines on principles, systems and supporting techniques

All services under this contract will be in line with Council ESD Policy.

Occupational Health and Safety (OH&S) Considerations

The recommended Contractor has systems in place in compliance with current OH&S legislations and AS AS/NZS 31000: 2009 Risk Management and AS 4801:2001 OH&S Management. This meets the OH&S requirements of Darebin Council.

Equity, Inclusion and Wellbeing Considerations

The recommended Contractor has an apprentice scheme in place and possess strong social procurement program and established connections. The recommended Contractor is involved in the Brotherhood of St Lawrence Cadetship program and has indicated that they will employ workers from the cadetship program once they complete the traineeship. They have offered a minimum commitment of 1 EFT for the Darebin Council contract.

Cultural Considerations

The objective of the Tender was to seek service providers for the provision of security services and the maintenance of security equipment and systems at Darebin Council buildings. All services under this contract will be subject to applicable Heritage considerations and where required Council's Heritage Consultant will be engaged for advice.

Economic Development Considerations

Darebin Council recognises it has a role in the economic development of the community and is committed to assisting local industry to do business with Darebin Council. Darebin Council is committed to developing an inclusive and diverse city by buying locally and supporting the business community and encouraging its involvement in procurement processes.

A local business assessment was carried out for each tenderer as part of the evaluation process in accordance with the tender guidelines. As part of the Northern Region Collaborative Tender, assessments were considered based on contractors who have business addresses in Darebin Council and the northern region.

Financial and Resource Implications

The preferred tender cost is within Darebin Council's budget allocation for the services. (Refer to **Appendix A** - Confidential)

Legal and Risk Implications

Probity

In accordance with Darebin's Procurement guidelines, an external Probity Advisor was appointed as probity oversight for Darebin Council's evaluation of tenders and contribution to consensus scoring and tender negotiations. (Refer to **Appendix D** - Confidential)

Security Services

The nature of the services is considered low to medium risk with respect to Occupational Health & Safety. The contractor is required to undertake a risk assessment of each task and have measures in place to reduce or eliminate those risks. The contractor is required to provide evidence that all insurances are in place before commencing services.

Financial check

A financial check was completed as noted below which indicates that the Contractor has financial capacity: (Refer to **Appendix A** – Confidential for details)

DISCUSSION

Request for Tender

A publicly advertised Request for Tender (RFT) was released on 18 August 2018 for the Security Services Contract. The RFT closed on 25 September 2018 with submissions from 15 companies being received. Subsequently one tenderer withdrew leaving 14 tenders for consideration. (Refer to **Appendix A** – Confidential for details)

Tender Evaluation Criteria

The RFT submissions were evaluated by the TEP against the evaluation criteria detailed in the table below for Darebin.

Table 4 – Tender Evaluation Criteria:

Ref	Weighted Evaluation Criteria:
1	Price
2	Capacity of Tenderer to undertake Services
	- Operational resources including technicians, guards & Sub-Contractors, patrol vehicles on duty 24/7.
	- Office staffing helpdesk, admin levels, number of people back of house to run this contract. (Including sub contract management and staff)
	- Appropriate Management staffing to be able to supervise contract execution, daily work.
3	Capability of Tenderer to undertake Services
	- Demonstrated technical ability and previous experience
	- Skills, qualifications and experience of staff and Sub-Contractors nominated
	- Appropriate Reporting Systems, Customers Service systems/processes & Asset Lifecycle Management
4	Environmental, Local and Social Sustainability
	- Environmental Sustainability
	- Economic Sustainability
	- Social Sustainability
5	Systems (Accredited Management Systems and Procedures – Quality, OH&S)
	- Quality
	- Management Systems
	- OH&S

The weighted scoring and evaluation methodology used in this process was based on:

- Compliance Assessment - Each tender was assessed against the compliance criteria, all tenders were deemed to be compliant, and were progressed to the next stage of evaluation.

- Comparative Criteria – Panel members for each Council undertook individual scoring assessments and then submitted an agreed set of scores per Council to TEP Chairperson for collation and overall assessment. Post each round of clarifications and negotiations, the Panel members re-scored the criteria and the TEP met to agree consensus scores.
- Comparative Price Assessment - Price analysis of the tenders received was undertaken on behalf of all the Councils.
- Referee Checks - The Panel undertook reference checks of the shortlisted tenderers, post reference checks and the TEP the rescored criteria.
- Risk Assessment - After all post-tender negotiations were finalised an overall assessment was made of the risks associated with the resultant contracts to be entered into with the preferred tenderers.
- Financial Viability - A financial due diligence (Corporate Scorecard assessment) was undertaken of the preferred tenderers as agreed by the TEP.

(Refer to **Appendix A** - Confidential)

Financial check

A financial check was completed on the Contractor. (Refer to **Appendix A** - Confidential)

Probity

The procurement policy mandates that a probity advisor be engaged for all projects greater than \$1,000,000. An independent Advisor was engaged to provide an overview of the probity tasks and to provide findings and conclusion in relation to the evaluation process. It is concluded that all probity requirements had been met. (Refer to **Appendix D** - Confidential)

OPTIONS FOR CONSIDERATION

Refer to **Appendix A** - Confidential report for options for Council's consideration.

IMPLEMENTATION STRATEGY

Details

Once awarded, the Contractor will be advised and required to provide all preliminary documentation. It is expected that initial works will involve data gathering with the outgoing Service Provider and ensure required programming and protocols are put in place for effective transition to be implemented.

Communication

The Darebin Council service and site managers will be consulted and kept informed of the transition arrangements.

Timeline

The following timeline is proposed for this Tender:

No.	Description	Date
1	Darebin Council approval	29 April 2019

No.	Description	Date
2	Contract Finalisation	31 May 2019
3	Transition – Incoming Contractor / Outgoing Contractor	1 June 2019 – 30 June 2019
4	Contract Commencement	1 July 2019

RELATED DOCUMENTS

Previous documents related to Contract No. CT201885 – Provision of Security Services to Darebin.

- Strategic Procurement Plan
- Risk Assessment
- Request for Tender
- Conflict of Interest Declaration
- Evaluation Endorsement
- Evaluation Matrix

Attachments

- Northern Councils Collaborative Security Tender Report (**Appendix A**) Confidential - enclosed under separate cover
- Tender Evaluation Panel Report (**Appendix B**) Confidential - enclosed under separate cover
- Tender Evaluation Summary (**Appendix C**) Confidential - enclosed under separate cover
- Probity Advisor Report (**Appendix D**) 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.

8.10 CONTRACT AWARD CT201873 - DAREBIN MULTI-SPORTS STADIUM PRINCIPLE DESIGN CONSULTANT**Author:** Project Manager**Reviewed By:** Manager City Works

PURPOSE

To seek approval to award Contract CT201873 for the Darebin Multi-Sports Stadium Principle Consultant Services.

EXECUTIVE SUMMARY

Council is seeking to appoint a qualified and experienced principle consultant to prepare the architectural and engineering designs for the Darebin Multi-Sports Stadium (MSS) Project. The scope of the design services includes but not limited to architectural, engineering (structural, civil, traffic, services etc.), environment and sustainable design services.

The Principle Design Consultant will be required to prepare the design and contract documentation for the MSS project.

Council sought tenders from a select group of Consultants registered on the Construction Supply Register (CSR). The CSR is a pre-qualification scheme for construction works and services established by the Department of Treasury and Finance. Local Governments and other State Departments can access this scheme for the purpose of procuring works and services. The CSR operates in accordance with the Ministerial Directions and Instructions for Public Construction Procurement in Victoria.

The Request for Tender (RFT) was advertised on 24 of December 2018 and closed on 31 January 2019. The Evaluation Panel has evaluated the tenders and recommends awarding the contract to the preferred tenderer.

The proposed contract arrangement is a lump sum contract with the services to be completed by March 2020.

Recommendation

That Council:

- (1) Awards Contract No. CT201873 for the Darebin Multi-Sports Stadium Principle Design Consultant Services to _____ for the contract sum of \$_____ (Incl. GST).
 - (2) Approves a contingency amount of \$_____ (incl. GST), being approximately ___% of the Contract amount, to be used if required for variations and other unforeseen items as part of Contract No. CT201873.
 - (3) Authorises the Chief Executive Officer to finalise and execute the contract documentation on behalf of Council.
-

BACKGROUND / KEY INFORMATION

This report deals with the award of contract CT 201873 – Darebin Multi-Sports Stadium Principle Design Consultant.

Previous Council Resolution

At its meeting held on 12 June 2018, Council resolved:

'That Council:

- (1) Endorse the project scope for the Darebin Women's Multi-Sports Stadium (WMSS) which includes a community standard facility consisting of four (4) indoor and four (4) outdoor multipurpose courts, entry and intersection works, car park and landscape elements;*
- (2) Note that the preliminary estimated cost is \$33,400,000 (Excl. GST);*
- (3) Note that Council has allocated \$5,989,000 in the draft 2018 / 19 budget to commence the design of the WMSS facility, car park, entry and the construction of the outdoor courts; and*
- (4) Commence procurement for the engagement of a principal architect and subconsultants to commence the design of the WMSS facility, car park, entry and intersection works.'*

COMMUNICATIONS AND ENGAGEMENT

Consultation

The following stakeholders will be engaged throughout the design documentation process to ensure the facility meets the community's needs and expectations:

- Leisure Services Department
- Facilities Department
- Environment and Sustainable Transport
- Public Realm
- Parks and Open Space
- Creative Culture
- Equity and Wellbeing
- Information Services

Other key stakeholders include:

- Darebin Community Members
- Local Sports Clubs and Associations
- John Cain Memorial Park Tenants
- Sports and Recreation Victoria
- Project Steering Group
- Local Residents located within 500m radius of John Cain Memorial Park

Communications

A project communications plan has been prepared which details the stakeholder engagement and project communications required during the design phase of the project. Key engagement activities during the design phase will include community drop in sessions and stakeholder meetings with JCMP tenants.

ANALYSIS

Alignment to Council Plan / Council policy

Goal 2 - Opportunities to live well

The overall objective of the MSS projects is to expand opportunities for participation and social connection outcomes by providing a multi-sports stadium at John Cain Memorial Park. At present there is an undersupply of indoor court facilities within the southern region of the municipality. There is also high demand from clubs and community members to access indoor court facilities. The delivery of the MSS is one of Council's key actions under the Council Plan 2017-21.

Environmental Sustainability Considerations

The MSS facility aims to be certified with a 5 star rating under the Green Building Council of Australia's independent certification scheme. Obtaining Green Star certification will ensure the MSS facility incorporates sustainability outcomes.

Equity, Inclusion and Wellbeing Considerations

An Equity, Inclusion and Wellbeing Planning and Audit Tool (EIWPAT) has been completed for the outdoor courts works package. The Equity and Inclusion team will be consulted during the design process and an EIWPAT will be completed to ensure the facility provides a safe and accessible space for all facility users and community members.

Cultural Considerations

The Creative Culture team will be consulted during the design phase to ensure the MSS facility creates opportunities for other social and cultural activities. The MSS facility will incorporate multi-use spaces that can be used for a range of activities and community groups. The construction budget has an allowance to provide social and cultural elements within the design and scope of the MSS.

Economic Development Considerations

The MSS is expected to generate significant economic benefit to the local region by providing a diverse range of sports, events and activities. An economic impact report prepared by Michael Connell and Associates in August 2018 indicates this project will generate a total of 101.4 direct jobs (FTE), 82 on-site construction jobs; 5.6 professional jobs in design and project management and 13.8 industrial jobs in materials and equipment supply. These employment outcomes during the design and construction phase will generate significant local and regional income generation.

Financial and Resource Implications

Refer to the confidential report **Appendix A** for the details of the budget and the tender evaluation.

Legal and Risk Implications

Risk Management

A Risk Management Assessment Plan has been prepared for the MSS project and included as part of Strategic Procurement Plan. The risk controls in place identified low to medium residual rating classifications

Probity

As the project was over \$1M an external Probity Adviser was engaged at the start of the procurement process and retained through to the completion of tender evaluation. The Probity Advisors report confirmed that all probity requirements have been met, and there were no probity issues (material or otherwise) which remain outstanding or unresolved that have the potential to undermine the integrity of the procurement process.

For further details, refer to confidential report **Appendix C** for the probity auditors report.

Financial check

A financial check was completed on the shortlisted contractor through Illion Direct. The financial check (undertaken on 4 April 2019) verified there are no financial risks associated with the shortlisted consultant for this contract. Refer to confidential **Appendix B** for the Illion Direct report.

DISCUSSION

Tenders were sought for Contract No. CT201873 Darebin Multi-Sports Stadium – Principle Design Consultant through the CSR Panel. The form of contract is based on a bespoke consultancy agreement.

The Request for Tender RFT closed on 31 January 2019. Details of consultants that submitted tender responses before the closing date and time are provided in Confidential **Appendix A**, circulated to Councillors under separate cover.

Tender Evaluation

The RFT submissions were evaluated by the panel against the evaluation criteria detailed in the table below. The evaluation criteria were established prior to the RFT being advertised, and was included in both the Strategic Procurement Plan and the RFT documentation.

Table 1 – Evaluation Criteria

EVALUATION CRITERIA
Price
Experience completing similar scale and scope projects acting as the Principle Design Consultant.
Depth of skill and experience of nominated staff and sub-consultants including experience in Green Star Building Design Process and Inclusion/Disability Access Standards.
Capability including business structure, size of company, available resources, working history and experience working with sub-consultant team, demonstrated ability to service this contract as well as existing contract commitments.
Demonstrated Quality Management systems for deliverables including independent quality

EVALUATION CRITERIA
assurance certifications
Environment and Sustainability Management Systems and Credentials
Proposed Project Methodology (including overall management of project, understanding of the project requirements, consultation processes and co-operation with multiple stakeholders, functional planning and design approach, DDA considerations, program management and budget management)
Commercial <ul style="list-style-type: none"> - Risk, Insurance and OH&S. - Tender Compliance (compliance to the Specification) - Compliance to the Proposed Contract. - Conflict of interest. - Financial viability

The members of the panel, evaluation details, pricing and scoring for the evaluation is provided in Confidential **Appendix A** circulated to Councillors under separate cover.

The Tender Evaluation Matrix, showing the scores of all submissions and signed by all members of the Evaluation Team, is included as Confidential **Appendix D**, for information.

OPTIONS FOR CONSIDERATION

Refer to Confidential **Appendix A** circulated to Councillors under separate cover for options for consideration.

IMPLEMENTATION STRATEGY

Details

The project will continue to be implemented in accordance with the adopted Project Implementation Plan (PIP). The PIP details the project scope, budget, funding sources, benefits, timelines, stakeholders, consultation methodology, risks / constraints, environmental initiatives, access and inclusions considerations and governance structure. The award of the Principle Design Consultant is one of the key project millstones and will allow the design phase of the project to commence.

The first stage of design will involve the development of schematic designs. A Quantity Surveyors Cost Plan will also be prepared at the concept design stage to re-affirm the project budget and inform the construction costs moving into the next stage of design of design.

Once awarded the Consultant will be advised and required to provide signed copies of the contract and preliminary documentation. It is expected that an initiation meeting will be scheduled with the Consultant and key project stakeholders to commence the consultation and design process.

Communication

The project communications plan will be amended and updated to reflect the design stage of the project.

A Project Working Team will be established that will consist of key Council Department Representatives who will meet with the Principle Design Consultant on a fortnightly basis to confirm and guide the scope requirements for the project.

Further design workshops will be facilitated by the Principle Consultant with key Council Department representatives such as Facilities Management and the Environment and Sustainable Transport Department.

The community will have an opportunity to provide their feedback on the proposed MSS design during the schematic design phase, which will involve community drop in sessions and information made available on Councils website.

Timeline

It is expected to take 10 months to develop the design to a suitable level of detail at which point the construction contract will be tendered under separate contract for a works contractor to finalise the design and complete the construction phase of the project. The following key project milestones have been established for the project:

Table 2 - Project Timelines

Milestone	Date
Schematic Design	July 2019
Design Development	September 2019
Detailed Design	November 2020
Complete Tender for Construction	February 2020
Commence Construction	April 2020
Completion of Construction	August 2021

RELATED DOCUMENTS

Previous documents related to Contract No. CT201873 – Darebin Multi-Sports Stadium principle Design Consultant include the following documents:

- Strategic Procurement Plan
- Risk Assessment
- Probity Plan
- Request for Tender
- Conflict of Interest Declaration
- Evaluation Endorsement
- Evaluation Matrix

Attachments

- Tender Evaluation Report (**Appendix A**) Confidential - enclosed under separate cover
- Financial Audit Report (**Appendix B**) Confidential - enclosed under separate cover
- Probity Auditor Report (**Appendix C**) Confidential - enclosed under separate cover
- Tender Evaluation Matrix (**Appendix D**) Confidential - enclosed under separate cover

DISCLOSURE OF INTEREST

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

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

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

9.1 PROTECT DAREBIN'S LOCAL QUIET LIFE PETITION

Author: Manager Creative Culture and Events

Reviewed By: General Manager Community

PURPOSE

The purpose of this report is for Council to review a petition to Protect Darebin's Local Quiet Life, calling on Council to remove the light installation in the seventeen trees that line High Street between Walker and Westgarth Streets Northcote and to consider this report from Council officers in response to the petition.

EXECUTIVE SUMMARY

A petition from 18 local residents was received requesting Council to remove the light installation in the seventeen trees that line High Street between Walker and Westgarth Streets Northcote. The petition says that the dynamic display emits light and noise pollution that is viewed as harmful and disruptive to wildlife who use the trees as habitat.

The petition refers to the public artwork '*Call and Response*' commissioned by Council in 2015 and created by local artist Pierre Proske. This is a computer choreographed light installation designed for the corridor of trees on High Street in Westgarth, between Walker to Westgarth Streets. It was installed in 2015, replacing existing decorative lights in the trees.

The artwork is solar powered and employs LED lighting strips and audio speakers suspended in the trees. These elements play out a complex choreography of visual and audio calls and responses.

Prior to installation of the Call and Response art installation, a risk assessment was carried out in relation to the trees and roots, however, a fauna assessment was not done at the time.

A fauna impact assessment has now been completed by consultants (see **Appendix A**). The study finds that at this point in time, and considering the highly urban setting:

- The art installation appears not to impact the movement of fauna through the area;
- The avenue of trees incorporating the art installation is comprised of non-native, introduced tree species;
- The trees provide (limited) foraging and roosting habitat; and
- The trees do not provide prime habitat for native fauna, particularly due to the proximity of a more suitable habitat within the nearby Merri Creek corridor.

The report therefore recommends that the artwork be retained until its scheduled decommissioning in 2026-27.

Recommendation

That Council:

- (1) Thanks petitioners for the petition.
- (2) Notes the Fauna Assessment Report, which states that the artwork *Call and Response* appears not to impact the movement of fauna through the area.
- (3) Continues to monitor and maintain the artwork *Call and Response*.

BACKGROUND / KEY INFORMATION

In 2013 Council funded a community driven project, working in collaboration with the Westgarth Village Traders, to invigorate the precinct at night.

LED bud lights were installed in nine of these same trees in the High street corridor; five trees on the west side and four trees on the east side. The intended outcome of the LED bud lights on High Street was to:

- Beautify the precinct
- Invigorate the precinct at night, and
- Create an 'entrance' to the Westgarth village precinct.

These precinct lights were very successful.

The *Call and Response* artwork was then commissioned in 2015 from artist Pierre Proske. The work was developed to replace the static light displays with a long-term, sustainable, innovative art work that built on this success.

Prior to installation of the *Call and Response* work, the health and structure of the existing trees was assessed by a qualified arborist. A risk assessment had also been completed to ensure that the trees (and tree root zone) were protected. However a fauna assessment was not done at that time.

Practical Ecology was engaged in October 2018 to conduct a fauna assessment. The full report is at **Appendix A**.

About the Art Work: *Call and Response*, Pierre Proske, 2015

Call and Response is triggered by audio samples of the bell bird, and the lights in the trees illuminate synchronously. The particular duration, patterns and fading of the lights is determined by the timbre and character of the bird call, resulting in a dynamic light experience driven by naturally ambient sounds.

Call and Response is a contemporary, innovative public artwork that:

- Employs sustainable technologies.
- Is inspired by the local environment and dynamics of bird calls, in particular the call of the bell bird prevalent along Darebin's creeks.
- Designed to enhance the existing forms of the trees.
- Celebrates this gateway to the municipality of Darebin.

Pierre Proske is an internationally recognised electronic media artist, specialising in interactive installations that explore the intersections of technology and nature. Alongside electronic art projects Pierre works as a sound designer and musician, and has exhibited and performed in Australia, Sweden, Canada, Iceland, Brazil, Japan, Austria and the Netherlands.

For *Call and Response*, Pierre teamed up with relevant collaborators to provide the technical supervision, installation, maintenance and quality assurance.

The original artist statement is below.

Artist statement:

'Call and Response is a solar powered lighting installation inspired by the dynamics of bird calls that employs lighting strips hung from trees lining the site and is designed so as to enhance and adapt to the existing organic forms of the host trees.

The installation consists of a large number of controllable, thin tube-shaped LED lights hung from the branches of 17 trees. Each tree hosts an audio speaker which together with the lights play out a choreography of audio-visual calls and responses. The lighting animations that play out are triggered by audio samples of local Bell Miner birds.

Each time a bird calls, corresponding lights in the trees illuminate synchronously. The result is a dynamic light experience driven by naturally ambient sounds. Half meter long waterproof tubes containing dual-sided LED strips hang from the upper branches of the larger trees of the Westgarth Corridor. Each tree is adorned by 15-20 LED tubes which when wired up are left to swing in the motion of the wind, enhancing the existing lighting behaviours with natural variation.

The LED tubes employ the DMX lighting protocol, which means that their brightness, colour and fading can be computer controlled. The audio playback system is also DMX controlled, enabling the synchronisation of light and sound.

The elegance of the system is in its fine grained control of the individual lighting fixtures, in which each LED tube can also be further divided into 8 controllable "pixel" regions. These pixels divide the tube vertically, allowing dynamic animations on a per-fixture basis. Custom software maps each of the light pixels in 3D space, enabling ripple and wave effects to be achieved.

The LED lighting system used employs RGB LEDs, meaning that the entire spectrum of colours can be used.

The overall feel of the installation is one of eerie wonder as the call and response of ghostly light blooms plays out in the tree tops above. In addition to operating as a gateway to the Darebin region and providing a welcoming and eye-catching night-time experience, the installation is intended to attract new visitors to the region. The concept of the piece is that it should be experienced both from within a vehicle but also on foot.'

Given the complexity and innovative elements of the artwork, both in terms of the technical and artistic components, Council in concert with the artist, technicians and contractors has conducted regular testing to ensure the work meets optimum operational standards. This includes assessment and monitoring of:

- Solar power infrastructure installed in 2013.
- Effectiveness of the solar power systems, specific to schedules during the 2016/17 daylight saving/non daylight saving periods.

- Upgrades and integration of software.
- Impact of the light/sound on a specific residential dwelling.
- Impact of the light/sound on the fauna in the trees.
- Compliance and certification approvals.
- Completion of Artist Operations manual and Maintenance schedule and confirmation by internal stakeholders.

This 'testing' period from mid-2016 included regular consultations with and guidance from the artist, residents, contractors and internal Darebin stakeholders.

Following the receipt of the petition from nineteen residents, a fauna impact assessment survey was commissioned. This survey was conducted by Practical Ecology, October 2018 to March 2019.

Previous Council Resolution

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

'That the petition containing 19 signatories:

"We call on the Darebin Council to remove the light installation in the 17 trees that line High Street, between Walker Street and Westgarth Street.

We respect the work of the artist involved in designing the interactive installation; however the dynamic display emits light and noise pollution that is harmful and disruptive to both day-time and nocturnally active wildlife who use the trees habitat. The beautiful trees that line our main street are unique in the area and are better suited to more aesthetically appropriate and less intrusive creative activities".

be tabled and referred to the Chief Executive Officer.'

COMMUNICATIONS AND ENGAGEMENT

Consultation

Practical Ecology consultants conducted two resident briefings as part of the Fauna Assessment Survey and resultant report:

- First pre introduction session and engagement exercise to inform residents of the Fauna Assessment process and development of the report. This was conducted on 12 November 2018. A questionnaire was circulated to those residents who attended regarding their native animal observations, particularly within the vicinity of the trees, and their feedback was incorporated into the assessment report.
- Second post –assessment session regarding the report impact and recommendations is scheduled to occur in April 2019. All local residents in the vicinity of the art work and petitioners, as well as other interested parties have been invited to participate.

At the time of the *Call and Response* public art commission in 2014, Council used a community engagement model that was central to Council's Art in Public Places Program. It entailed community consultation regarding themes the community would like the art work to refer to and reflect, leading to the development of the Artist's Brief. Community members who participated in the community consultation process were invited to join the Selection Panel. The Panel then assessed the short-listed Expressions of Interest submissions from artists/artistic teams through a tender process and selected a preferred design.

Communications

Regarding the Fauna Assessment Report the following communication activities were undertaken:

- On 2 November 2018, invitations to the community briefing session scheduled for the 15 November 2018 were directly distributed to fifty three households and businesses between Walker to Westgarth Streets.
- Practical Ecology emailed an online questionnaire specifically to the resident stakeholders who attended the briefing on the 15 November. The survey was designed to enable further input and detailed feedback from participating workshop attendees.
- Further to this Practical Ecology has also conducted follow up phone calls inviting further feedback with specific stakeholders and interested parties.

Upon publishing the Council Meeting Agenda, officers will notify all petitioners of the report.

ANALYSIS

Alignment to Council Plan / Council policy

Goal 3 - A liveable city

Environmental Sustainability Considerations

The artwork is solar powered and there is regular consultation and collaboration with the Environment team.

Equity, Inclusion and Wellbeing Considerations

There are no equity, inclusion and wellbeing considerations relevant to this matter.

Cultural Considerations

Council is responsible for open spaces, reserves and parks; it is the owner of civic infrastructure (town halls, libraries); and it is the planning authority. Therefore, Council has the power to create opportunities for artists to use public spaces, provide opportunities for partnerships with private developers, facilitate community engagement into local arts and enable community connections between people and places.

Activating Darebin's places, spaces, parks and gardens with Public Art enables a creative and thriving culture contributing to Darebin's liveability, positive reputation and improved public amenity, connectedness and sense of belonging.

Economic Development Considerations

Five key themes of public art are acknowledged within Darebin. These are:

1. Activator of Public Places – Public Art activates our civic spaces and breathes life and expression into the public realm.
2. Heritage, Infrastructure and Maintenance – allows for the historic value of public art and supports future generations to engage with our civic heritage.
3. Masterplans and Urban Design – is focussed on integrating public art into urban design and planning. Consideration of public art in early stages of renewal projects facilitates better outcomes on many levels.

4. Private developments – encourage artists to engage and collaborate in the design stage of private developments which could see Council enable developer guidelines and mandatory planning permit commitments.
5. Cultural Tourism – Public Art as a gateway and signifies our major destination precincts.

Financial and Resource Implications

There are more than forty outdoor assets in Council's Public Art outdoor collection that are maintained through a dedicated Capital Works Program budget. The collection is insured at nearly \$3 million. The assets are conserved and maintained annually through the Capital Works Program.

Legal and Risk Implications

In the testing phase of the art work, officers worked in collaboration with local residents upon notification that the light displays were impacting adversely on their dwelling. Two residents in a High street apartment, with a business operating on the ground floor and their dwelling on the first floor, contacted Council in mid-2016 with their concerns regarding the physical impact of the sound and lights installed in the tree directly opposite their apartment, identified as Tree #7 East in the operations manual.

These unintended impacts and concerns were reviewed and strategies were deployed by Council, contractor and the artist to minimise the adverse impact of the light and sound emission that were directed into their dwelling. As a result the light and sound elements specific to Tree E7 has been de-installed.

There are no other trees within the art work grid that has specific identified issues or concerns.

Officers have formally communicated with the residents of the dwellings that the light and sound displays in Tree E7 will not be reactivated.

The artist worked with Council and the impacted residents during the testing phase to resolve their concerns.

DISCUSSION

In September 2018, Council engaged Practical Ecology Consultancy to conduct an evaluation assessment in the seventeen trees regarding the possible impacts on the fauna in the habitat as a result of the artwork.

The scope of works undertaken by the consultants included the following components:

- a. Review of relevant information including: ecological databases such as the Victorian Biodiversity Atlas (VBA), BirdLife Australia's Birdata and the Atlas of Living Australia (ALA), as required and literature detailing general ecological information about the fauna species in the local area
- b. Daytime and nocturnal site assessments and fauna surveys

The Fauna Assessment Report is at **Appendix A**. Some key observations and recommendations in the report are as follows:

- *"The results of this survey did not show obvious differences in fauna use of the installation trees, compared to control trees."* (Page 21)

- “However, following our survey observations, and considering the highly urban setting of the study area, the installation appears not to impact the movement of fauna through the area. (Page 22)
- “Although the avenue of trees incorporating the art installation is comprised of non-native, introduced tree species, it provides (limited) foraging/ roosting habitat, and does not provide prime habitat for native fauna, particularly due to the proximity of more suitable habitat within the nearby Merri Creek corridor.” (Page 22)
- “Some recommendations to reduce the cumulative impacts are as follows:
 - Encourage locals to plant indigenous gardens;
 - Encourage locals to keep pets indoors (set a curfew and implement cat control actions);
 - Plant diverse, locally indigenous, understory plants within the avenue, and along service road reserves to provide floristic and structural diversity – this may enable additional native bird species to move away from the Merri Creek corridor more frequently; and
 - Consider installing fauna crossing bridges above the tram line power cables to further enhance arboreal mammal movement throughout the area, while also reducing the potential for road trauma / interaction with domestic animals.” (Page 22).

The consultants also note the short-term study, which provides a snapshot in time perspective and does not address the fluctuations in fauna activity over time and longer term seasonal periods.

The study presents to Council further recommendations that may address the cumulative impacts within the urban setting such as plant diversity, locally and indigenous, understory plants within the avenue and along service road reserves through to considering installing fauna crossing bridges above the tram line power cables to further enhance arboreal mammal movement through the area, while reducing the potential for road trauma and interaction with domestic animals.

Given the study’s conclusions that the artwork is not impacting upon the movement of fauna, this report recommends that *Call and Response* be retained. It should stay in its current location until scheduled decommissioning in 2026-2027.

The ongoing maintenance of the *Call and Response* artwork will continue to be conducted for the lifespan of the work. A biennial Fauna Assessment Report can be incorporated into the ongoing schedule and maintenance of the work.

OPTIONS FOR CONSIDERATION

Option One (Recommended)

Retain the artwork *Call and Response* until 2026-27 when it will come to the end of its lifespan. Continue monitoring of the artwork with a further fauna study if needed at a future date. Consider implementing recommendations of the study to reduce cumulative impacts.

Option Two (Not Recommended)

Decommission the artwork *Call and Response*. This option is not recommended as the artwork has positive benefits to creative culture and the local precinct, and the fauna impact survey has not identified negative impacts.

IMPLEMENTATION STRATEGY

Details

If Council adopts the officer recommendation then the artwork will be retained, and regularly monitored.

Communication

Residents will be informed of Council's decision.

Timeline

If Council adopts the officer recommendation, then no timeline is required.

RELATED DOCUMENTS

- Nil

Attachments

- Practical Ecology Fauna Assessment Report (**Appendix A**) [↓](#)

DISCLOSURE OF INTEREST

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

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



Fauna Assessment Report

Potential impacts of public art installation: *Call and Response, High Street, Westgarth*



January 2019

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Fauna Assessment Report – Potential impacts of public art installation: *Call and Response*, High Street, Westgarth

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Acknowledgments

Andrea Canzano	Practical Ecology Pty. Ltd. – assistance with project
Sophie Kahl	Darebin City Council
Bobbie Hodge	Darebin City Council

Version	Date	Reviewer/Authorised by	Notes
0.1	30/01/2019	Andrea Canzano	Draft for First Council Review
0.2	xx/01/2019		Second Draft for Circulation
0.3	21/03/2019		Final Version of Report

Cover images (L-R): Red Wattlebird *Anthochaera carunculata* roosting within Elm Tree with installation present; Elm Tree with installation actively doing visual and sound effects; High Street avenue of trees (north-west aspect). All photos taken by Andrea Canzano / Practical Ecology ©2018.

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1. Introduction

Practical Ecology Pty Ltd was commissioned by the Darebin City Council to undertake an assessment to determine fauna presence and activity within proximity of the 2015 public art installation *Call and Response* (artist: Pierre Proske), within 17 street trees along High Street, Westgarth – between Westgarth Street and Walker Street.

1.1 Scope

The objective of this project is to determine whether there are impacts on local wildlife as a result of this solar-powered sound and light art installation, which incorporates recorded calls of Bell Miners *Manorina melanocephala* – which occur along the nearby Merri Creek watercourse.

The scope of works agreed to, included the following tasks:

1. Desktop review of relevant information
 - History of art installation
 - Ecological databases
 - Other literature as appropriate
 - Development of field map
2. Field assessment (field surveys)
 - Site habitat assessment
 - Diurnal survey
 - Nocturnal survey
3. Consultation and collaboration
 - Resident briefing
 - Resident questionnaire
4. Reporting
 - Present the results from the field surveys
 - Present the results from the resident questionnaire
 - Discuss all findings
 - Present recommendations

1.2 Study area

The fauna assessment was focused on the entire strip along High Street, between Westgarth Street and Merri Creek, including the section (Westgarth Street to Walker Street) in which the Call and Response public artwork has been installed within (see Figure 1, below).

Fauna Assessment: public art installation, High Street, Westgarth



Figure 1. Study area, High Street Westgarth – shown within red polygon (aerial image source: Google Earth)

2. DESKTOP REVIEW

2.1 History of art installation

Previously, lights were present within several of the trees included in this art installation (Darebin to confirm length of time these lights were present), but during installation in 2015, these lights were replaced with the current lighting system, in conjunction with the sound and solar power systems. The current installation has been present in its entirety (within 17 Street Trees, all Elms), *in situ*, since February 2016 (a total period of almost three years).

(Excerpts are drawn directly from City of Darebin's website.

accessed 21/01/2019: <https://www.darebinarts.com.au/programs/public-art/>)

'Call and Response' by Pierre Proske

In early 2015 a new public artwork was commissioned for Westgarth under Darebin City Council's Public Art Strategy 2006-2015.

'Call and Response' by Pierre Proske is a solar-powered sound and light installation inspired by the dynamics of bird calls, in particular the call of the bell bird prevalent along Darebin's creeks. The work is a contemporary, innovative public artwork that employs sustainable technologies, engages with the local environment and celebrates this gateway to the municipality of Darebin.

The installation of this work in seventeen trees along High Street is scheduled to commence in late November, and will be a staged process. Below you will find an overview of the work, the community engagement process and details about the installation.

The Work

The artwork is a solar powered light installation inspired by the dynamics of bird calls, in particular the call of the bell bird, prevalent along Darebin's creeks. The work employs lighting strips suspended from seventeen trees lining High Street (between Walker Street and Westgarth Street), designed to enhance the existing forms of the trees and provide a welcoming gateway to the municipality. Each lit tree also holds audio speakers, which—together with the lights—play out a complex choreography of audio-visual calls and responses. Triggered by audio samples of the bell bird, lights in the trees illuminate synchronously. The particular duration, patterns and fading of the lights is determined by the timbre and character of the bird call, resulting in a dynamic light experience driven by naturally ambient sounds.

The work is a contemporary, innovative public artwork that employs sustainable technologies, engages with the local environment and celebrates this gateway to the municipality of Darebin.

When and Where

The work will be installed in seventeen trees lining High Street, between Walker Street and Westgarth Street. Installation is scheduled to commence on 23 November, and will be a staged process.

Stage 1: November-December: Installation of lights in all 17 trees. Lights in the trees on both sides of High Street, between Westgarth Street and Cunningham Street, will be lit by mid-December.

Stage 2: February: Installation of custom solar poles. Lights in all trees will be lit, extending to Walker Street. A community launch will be held once installation is complete, providing residents and traders with an opportunity to find out more about the work and hear from the artist.

At present [2014], lights are installed in several of the trees lining High Street, as part of a previous Council-funded, community driven project to invigorate the precinct at night. The existing lights have been very

successful, and this project replaces them with a long-term, sustainable, innovative work that builds on this success. During installation, the existing lights will be removed, but kept and re-used elsewhere in the municipality.

The health and structure of the existing trees has been assessed by a qualified arborist. A risk assessment has also been completed to ensure that the trees (and tree root zone) are protected during the installation process. The lights will be installed by a qualified arborist to ensure the integrity and health of the existing trees is retained.

Vic Roads has approved all aspects of the project, and no interruption to road traffic is expected during installation.

*The sound associated with this work is ambient, and both sound and light levels are fully adjustable. The work runs off solar power, and is expected to operate for **approximately four hours per evening in winter and six hours per evening in summer, or as light levels permit.***

2.2 Existing fauna records

A search of an area extending 1 kilometre from a central point of the study area, within the Atlas of Living Australia (ALA) database (accessed via www.ala.org.au on 21/01/2018), sourced 735 vertebrate fauna records (including aquatic vertebrates), however, some of these records may be duplicates from various databases, as ALA is formed by data sourced from ten different datasets; with the majority of records coming from DELWP's Victorian Biodiversity Atlas, BirdLife Australia's BirdData, and Eremaea's eBird. Other scattered records are sourced from contributions directly to ALA/OzAtlas, museum records, and several other data sources.

A summary of species from each lifeform is presented in Table 1, below. The majority of species listed in Table 2, on following pages, would occur within the Merri Creek corridor, but mobile species, largely birds and arboreal/aerial mammals, would occasionally be observed within a streetscape, if not already present as residents.

It should be noted that some species, of the 110 listed here, are vagrants and/or misidentifications (i.e. Yellow-plumed Honeyeater), or from historic records (e.g. Eastern Quoll), and are considered very rare visitors, or even extinct (in regard to the quoll) within the local region.

Table 1. . Summary of lifeforms recorded (* denotes species of introduced origin):

Lifeform	Introduced (*)	Total all species
Amphibian	0	3
Bird	10	89
Mammal	1	7
Reptile	0	10
Fish	1	1
TOTAL	12	110

Fauna Assessment: public art installation, High Street, Westgarth

Table 2. . All vertebrate species recorded within 1 km of study area (*denotes introduced origin)

Lifeform	*	Common name
Amphibian		Common Froglet
Amphibian		Spotted Grass Frog
Amphibian		Spotted Marsh Frog
Bird		Australian Hobby
Bird		Australian Ibis
Bird		Australian King-Parrot
Bird		Australian Kite
Bird		Australian Magpie
Bird		Australian Raven
Bird		Australian White Ibis
Bird		Australian Wood Duck
Bird		Bell Miner
Bird		Black Falcon
Bird		Black Swan
Bird		Black-faced Cuckoo-shrike
Bird		Brown Goshawk
Bird		Brown Thornbill
Bird		Chestnut Teal
Bird		Common Blackbird
Bird		Common Bronzewing
Bird	*	Common Greenfinch
Bird	*	Common Myna
Bird	*	Common Starling
Bird		Crested Pigeon
Bird		Crimson Rosella
Bird		Dusky Moorhen
Bird		Eastern Great Egret
Bird		Eastern Rosella
Bird		Eastern Spinebill
Bird		Eurasian Coot
Bird	*	Eurasian Tree Sparrow
Bird	*	European Goldfinch
Bird	*	European Starling
Bird		Fan-tailed Cuckoo
Bird		Galah
Bird		Garden Skink
Bird		Golden Whistler
Bird		Grey Butcherbird
Bird		Grey Currawong
Bird		Grey Fantail
Bird		Grey Shrike-thrush
Bird		Grey Teal
Bird		Grey-headed Flying-fox
Bird		Hardhead
Bird		Horsfield's Bronze-cuckoo

Fauna Assessment: public art installation, High Street, Westgarth

Lifeform	*	Common name
Bird	*	House Sparrow
Bird		Intermediate Egret
Bird		Laughing Kookaburra
Bird		Little Corella
Bird		Little Eagle
Bird		Little Raven
Bird		Little Wattlebird
Bird		Magpie-lark
Bird		Musk Lorikeet
Bird		Nankeen Night-heron
Bird		New Holland Honeyeater
Bird		Noisy Miner
Bird		Olive-backed Oriole
Bird		Pacific Black Duck
Bird		Peregrine Falcon
Bird		Pied Currawong
Bird		Purple Swamphen
Bird		Rainbow Lorikeet
Bird		Red Wattlebird
Bird		Red-browed Finch
Bird		Red-rumped Parrot
Bird		Restless Flycatcher
Bird	*	Rock Dove
Bird		Sacred Kingfisher
Bird		Shining Bronze-cuckoo
Bird		Silvereye
Bird	*	Song Thrush
Bird		Southern Boobook
Bird		Spotted Pardalote
Bird	*	Spotted Turtle-dove
Bird		Straw-necked Ibis
Bird		Striated Thornbill
Bird		Stubble Quail
Bird		Sulphur-crested Cockatoo
Bird		Superb Fairy-wren
Bird		Swift Parrot
Bird		Tawny Frogmouth
Bird		Welcome Swallow
Bird		White-browed Scrubwren
Bird		White-faced Heron
Bird		White-naped Honeyeater
Bird		White-plumed Honeyeater
Bird		Willie Wagtail
Bird		Yellow Thornbill
Bird		Yellow-plumed Honeyeater
Bird		Yellow-rumped Thornbill

Fauna Assessment: public art installation, High Street, Westgarth

Lifeform	*	Common name
Bird		Yellow-tailed Black-cockatoo
Fish	*	Oriental Weatherloach
Mammal		Australian Water Rat
Mammal		Common Brushtail Possum
Mammal		Common Ringtail Possum
Mammal		Eastern Quoll [extinct on mainland Australia]
Mammal	*	Red Fox
Mammal		Short-beaked Echidna
Mammal		Southern Myotis
Reptile		Bougainville's Skink
Reptile		Common Blue-tongued Lizard
Reptile		Eastern Blue-tongue
Reptile		Eastern Snake-necked Turtle
Reptile		Marbled Gecko
Reptile		Southern Water Skink
Reptile		Striped Legless Lizard [most likely extinct in the local area]
Reptile		Tiger Snake
Reptile		Weasel Skink
Reptile		White's Skink

3. FIELD ASSESSMENT

Two site visits were undertaken on the same day, 29th November, 2018, by Practical Ecology zoologists; Andrea Canzano and Alice Ewing.

3.1 Methods

The fauna assessment was undertaken by two of our experienced zoologists, Andrea Canzano and Alice Ewing. It focused upon the entire strip along High Street, between Westgarth Street and Merri Creek, including the section (Westgarth Street to Walker Street) in which the *Call and Response* public artwork has been installed within, and included the following components:

3.1.1 Diurnal (daytime) fauna survey

An initial daytime assessment, undertaken on a day of suitable bird-watching conditions (calm, no rain, warm conditions):

- Determination and description of habitat that actively supports, or may support fauna.
- Compilation of a list of diurnal vertebrate fauna observed and/or evidence of fauna activity (i.e. scratchings, scats, and tracks), including an assessment of their biological significance, observed in the study area.
- Quiet listening to determine any fauna response to installation playing Bell Miner call samples.
- Assess the area of street trees, incorporating the 17 Elms in which the light/sound systems are installed 'art installation trees'.
- Extended the assessment area to cover nearby surrounds, including similar street trees of the same species and age (i.e. the street trees on High Street, between Walker Street and Merri Creek), which do not have the art installation present, for comparison ('control trees').
- Undertook two short sessions (1–2 minutes) of call playback of Bell Miner calls in each of: within the High Street strip of street trees located between Walker Street and Merri Creek (no art installation present), in addition to within the nearby Merri Creek corridor – recording any fauna response (audible, or visible) within 5 minutes of quiet listening/observation after call-playback.

3.1.2 Nocturnal (night-time) fauna survey

One night of spotlighting (undertaken on the same date as the diurnal assessment):

- Using high-lumen, hand-held torches, the study area was surveyed to determine nocturnal fauna presence and activity (we notified the local police station, beforehand, to dispel any concerns).

- This was undertaken shortly after dark after a sunny day, particularly when the sound installation is actively playing audio samples / light shows.
- Quiet listening (with spotlights off) to determine any fauna response to installation playing Bell Miner call samples.
- Undertook x2 short sessions (1–2 minutes) of call playback (with spotlights off) of Bell Miner calls in each of: within the High Street strip of street trees located between Walker Street and Merri Creek (no art installation present), in addition to within the nearby Merri Creek corridor – recording any fauna response (audible, or visible) within 5 minutes of quiet listening/observation after call–playback.

3.1.3 Other observations

In addition to the above surveys, the below tasks were undertaken:

- Photographs were taken as appropriate / where feasible
- Completion of an *in situ* assessment of art installation and consideration of the potential or observed impact, in relation to fauna records obtained during the desktop literature/database review prior to site assessment
- Mapped any observations of fauna, with due regard to trees in which the art installation is present within. (Diurnal and nocturnal / installation vs. no installation area observations are clearly differentiated in our reporting/mapping).

3.2 Results

3.2.1 Light and sound installation

Map 1 shows the location of trees surveyed during the diurnal and nocturnal assessment. These include the installation trees vs. the non–installation trees. Indigenous vegetation along Merri Creek was also surveyed, both diurnally and nocturnally. During the survey, it was noted that only one tree appeared to have a fully functioning sound installation. This tree was located close to the intersection of High Street and Westgarth Street (Tree 2). The sound installation consists of a single “ping” at the time of illumination. It does not consist of a series of bird calls, as initially believed. The other trees with the installation did not appear to have functioning sound; however the light installations appeared to be functional and would illuminate at random times during the survey. It should be noted that traffic was extremely heavy on the night of the survey due to road closure on Merri Parade, which may have reduced our ability to detect sound. However the sound was easy to detect when standing under the tree, therefore we ensured sufficient time was spent at each tree waiting for the illumination in an attempt to detect the call.

It is interesting to note that we also detected a Red Wattlebird roosting in Tree 2, despite the fully functioning sound and light installation. The bird was sleeping and appeared to be unperturbed by its surroundings. The same scenario was observed in a control tree (no installation), whereby another Red Wattlebird was observed roosting at night. This tree was located at the southern end of the survey area, approximately 50m from Merri creek (opposite 6 Hales Ct, Northcote).

3.2.2 Fauna habitat

Within the avenue of street tree elms, there is limited fauna habitat available for native fauna species to forage and/or shelter within, apart from the potential shelter offered by hollows that are present in these large, mature trees. Elms are not native to Australia and are not considered prime habitat for arboreal mammals, such as the Common Brushtail Possum and Common Ringtail Possum. However, when they are located in close proximity to residential gardens, and/or patches of native vegetation, as is present within the Merri Creek corridor, there is an expectation that at times these hollows may be used by such animals. It is most likely that during the breeding season for hollow-dependent birds, such as Rainbow and Musk Lorikeets, Red-rumped Parrots, Galahs, Sulphur-crested Cockatoos, these hollows may perform an important role for breeding activity, and this is indicated by the active excavation/'chew' marks visible on the external areas of some hollows (see Figure 2 and Figure 3, below, for examples of hollows present). There is also a chance that microbats may also use hollows for roosts.



Figure 2. An example of a recently chewed/excavated (small) hollow – perhaps by Rainbow Lorikeets



Figure 3. An example of a larger hollow (medium size) which may support possums or hollow-nesting parrots

Aside from hollow habitats observed, birds are likely to use the canopy, particularly in spring-summer, for overnight roosting, however, are less likely to do so during winter, as elms are deciduous, and as such, would not provide much shelter from weather.

3.2.3 Fauna observations

In the limited survey periods, a total of 13 fauna species were observed (seen/heard), with nine species of birds (including two introduced species), and four species of mammals, with only the

domestic cat being of introduced origin. In summary, 77 % of all species recorded are native (Table 3).

Table 3. Summary of all fauna species observed (*denotes introduced origin) on 29/11/2019

Common name	Scientific name	Notes
Rainbow Lorikeet	<i>Trichoglossus moluccanus</i>	Seen perching in installation trees, as well as other trees elsewhere in broader study area
Red Wattlebird	<i>Anthochaera carunculata</i>	Observed roosting and foraging within street trees, including one bird roosting in Tree 2
Common Myna	* <i>Acridotheres tristis</i>	Seen throughout
Silver Gull	<i>Chroicocephalus novaehollandiae</i>	Flying overhead
Noisy Miner	<i>Manorina melanocephala</i>	Scattered observations throughout
Common Blackbird	* <i>Turdus merula</i>	Old nest in Tree 1, also one seen on creek bank
Chestnut Teal	<i>Anas castanea</i>	Merri Creek
Pacific Black Duck	<i>Anas superciliosa</i>	Merri Creek
Tawny Frogmouth	<i>Podargus strigoides</i>	Merri Creek corridor
MAMMALS		
Grey-headed Flying-fox	<i>Pteropus poliocephalus</i>	Flying along creek corridor, mostly, and scattered flyovers elsewhere.
Common Ringtail Possum	<i>Pseudocheirus peregrinus</i>	Within creek corridor trees/shrubs, and southern row of paperbarks on west of High St.
Common Brushtail Possum	<i>Trichosurus vulpecula</i>	Within creek corridor trees/shrubs, and also seen on ground on south-east of bridge.
Domestic Cat	* <i>Felis catus</i>	Two seen: one on either side of bridge, within northern creek corridor sections.

3.2.4 Nocturnal fauna

All the native nocturnal fauna species (possums, Tawny Frogmouth) were seen within the Merri Creek corridor, or southern end of paperbark street trees within the study area. No possums were observed in the established avenue of elms (all of being similar age, structure and health) on High Street (regardless of presence or absence of installation).

3.2.5 Other observations

Other native fauna only observed in the creek corridor were limited to just waterbirds: Chestnut Teal and Pacific Black Duck. All other species were observed across the entire study area, including the area incorporating the seventeen 'art installation' trees, and other 'control' trees.

Table 4, below, provides a summary of observations recorded during the survey.

Fauna Assessment: public art installation, High Street, Westgarth

Table 4. Summary of observations recorded during the survey. Tree locations are presented in Map 1.

Waypoint	Tree ID	Installation present	Habitat / tree hollow notes	Fauna notes
1	Tree 1	yes	No hollows visible	Blackbird nest in lower fork of tree; two Rainbow Lorikeets roosting
3	Tree 2	yes	No hollows visible	Juvenile Red Wattlebird moving through foliage, roosting (Figure 4) and foraging; (daytime/night time observations) Noisy Myna heard in nearby tree
4	Tree 3	yes	No hollows visible	2 Rainbow Lorikeets flew overhead to the west
5	Tree 4	yes	M-L hollow present	Silver Gulls flying high above; Rainbow Lorikeets flying overhead
6	Tree 5	yes	No hollows visible	
7	Tree 6	yes	No hollows visible	
8	Tree 7	yes	S (shallow) hollows x2; one has been recently chewed at entrance	
9	Tree 8	yes	M hollow low down, with possible S hollows higher up	
10	Tree 9	yes	M hollow, approx. 2 m from ground	
11	Tree 10	yes	No hollows visible	
n/a	trees between installation and Merri Creek (west)	N/A	Dense paperbarks, other native trees and shrubs	Common Ringtail Possum dreys present; Rainbow Lorikeets heard; Common Myna, Rainbow Lorikeets (many) seen flying into nearby eucalypts along creek corridor; Chestnut Teal, Pacific Black Duck in creek; Common Blackbird on creek bank. At night time, roosting Red Wattlebird (in street tree: Figure 5), and in creek corridor: Tawny Frogmouth (Figure 6), cat, Common Brushtail Possum (x2 separate) and Common Ringtail Possums (x2, separate: Figure 7) seen.
n/a	trees between installation and Merri Creek (east)	N/A	Dense paperbarks, other native trees and shrubs, large Elms (not street trees)	At night, Common Ringtail Possum, Common Brushtail Possum, and cat (Figure 8) seen; all in creek corridor.
12	Tree A	no	S hollow (looks active/excavated recently); L hollow approx. 2.5m from ground	Rainbow Lorikeets, Common Mynas present
13	Tree B	no	No hollows visible	Rainbow Lorikeets, Common Mynas present
14	Tree C	no	Only very S hollows present	Rainbow Lorikeets, Common Mynas present
15	Tree D	no	No hollows visible	
16	Tree E	no	No hollows visible	
17	Tree F	no	No hollows visible	
18	Tree G	no	No hollows visible	
19	Tree H	no	S-M hollows (shallow) present	
20	Tree I	no	No hollows visible	
21	Tree J	no	No hollows visible	
22	Tree K	no	S & M hollows present, 3m from ground	
23	Tree 11	yes	M hollow 2m from ground	
24	Tree 12	yes	Very L hollow / gap at base of tree, unlikely to host bats; L hollows x4 2.5-3m from ground	
25	Tree 13	yes	No hollows visible	
26	Tree 14	yes	L hollow 2.5m from ground (too wet for fauna); M hollow 3m from ground	
27	Tree 15	yes	No hollows visible	
28	Tree 16	yes	S hollows and fissures present	
29	Tree 17	yes	L hollow on larger branch	

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Images in relation to fauna observations outlined in Table 4 (above)



Figure 4. Red Wattlebird roosting in Street Tree (Elm, Tree 2; installation present and active)



Figure 5. Red Wattlebird roosting in Street Tree (no installation present)



Figure 6. Tawny Frogmouth, within Merri Creek corridor



Figure 7. Common Ringtail Possum, within Merri Creek corridor



Figure 8. Ginger domestic cat, within Merri Creek corridor

4. CONSULTATION AND COLLABORATION

4.1 Residents' briefing – introduction to study

Andrea Canzano delivered an introductory residents' briefing, coordinated by Darebin City Council, held at Northcote Town Hall on the evening of 29th November 2018.

Three local residents attended the session and contributed to the discussion about fauna in the urban environment.

There was a good response to the information provided, with questions from the floor, from various participants.

Main points of concern raised by attending residents were:

- Apparent decline in fauna diversity in the local area
- Unknown impacts of the art installation on local fauna
- The need for public consultation during the preliminary phase of infrastructure proposals.

4.2 Residents' questionnaire

In response to the introductory briefing, a brief questionnaire was developed to formalise and gather further input from residents, including those who may have not attended the introductory briefing.

The questionnaire, as received by residents, is attached as Appendix 1.

In total, six residents were emailed the questionnaire – and were encouraged to forward to other interested people who live in the area within proximity of the study area and/or have a long-term interest in fauna within the study area.

At the close of the questionnaire period (30th December, 2018), a total of one response was received.

Summary of questionnaire responses are detailed in Table 5, below:

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Table 5. Summary of questionnaire respondents (by closing date 30/12/2018)

Questionnaire questions and responses		
1	Since which period, below, have you been a nearby resident, or regular visitor in the area of assessment? (feel free to indicate year of arrival)	No. of respondents
	<i>Pre-1970</i>	
	<i>1971-1990</i>	
	<i>1991-2000</i>	
	<i>2001-2015</i>	1 (2013)
	<i>2015-2018</i>	
2	How confident are you in identifying fauna species?	No. of respondents
2a	<u>BIRDS</u>	
	<i>Somewhat confident</i>	
	<i>Confident</i>	
	<i>Very confident</i>	1
2b	<u>MAMMALS</u>	
	<i>Have some difficulty identifying between the two possum species present in the area</i>	
	<i>Can easily identify between the two possum species present in area</i>	1
3	What native animals do you currently observe regularly	No. of respondents
3a	In your local area (inverted commas = as identified by respondent)	
	Common Mammals	
	<i>Common Ringtail Possum</i>	1
	<i>Common Brushtail Possum</i>	1
	<i>"flying foxes"</i>	1
	<i>"bats"</i>	1
	Common Birds	
	<i>Rainbow Lorikeet</i>	1
	<i>"wattlebirds" (not species specific)</i>	1
	<i>"rosellas" (not species specific)</i>	1
	<i>"Tawny Frogmouth Owl" (not an 'owl')</i>	1
	<i>"Barking Owl" (likely to be a mis-identification of Southern Boobook)</i>	1
	<i>"ducks/waterbirds" (in Merri Creek) (not species specific)</i>	1
	Common Reptiles	
	<i>Tiger Snake</i>	1
3b	Within the avenue of street trees on High Street (between Westgarth Street and Merri Creek) (inverted commas = as identified by respondent)	
	Common Mammals	
	<i>Common Ringtail Possum</i>	1
	<i>Common Brushtail Possum</i>	1
	<i>"flying foxes"</i>	1
	<i>"bats"</i>	1
	Common Birds	

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Questionnaire questions and responses		
	Rainbow Lorikeet	1
	"wattlebirds" (not species specific)	1
4	Have you noticed any changes in native animal species diversity or numbers, since 2015?	No. of respondents
4a	In your local area	
	Yes	1
	No	
	Not sure	
	Comments:	
*	"Increase in feral / domestic cats roaming at night"	1
*	"Also sometimes foxes"	1
4b	Within the avenue of street trees on High Street (between Westgarth Street and Merri Creek)	
	Yes	1
	No	
	Not sure	
	Comments:	
*	"We used to get ringtail possums in the trees directly outside our home (26 High St Northcote) this seems to have decreased."	1
*	"We also have not seen owls in some time." (<u>unclear if this refers to Tawny Frogmouth or to specific owl species</u>)	1
5	Have you noticed any change in the behaviour of animals in the trees along High Street (between Westgarth Street and Merri Creek)?	No. of respondents
	Comments:	
*	"We have noticed a decrease in the amount of animals."	1
*	"We used to notice a lot in the evenings/night when we went for a walk, we don't spot ringtails at all in the trees anymore."	1
6	Any other comments you would like to add in relation to fauna and the street trees (between Westgarth Street and Merri Creek)?	No. of respondents
*	"The preservation of local flora and fauna was not considered by the Council when selecting a noise and light based artwork for the trees, hence this assessment being done retrospectively."	1
*	"We are pleased it is now occurring and happy to assist if you need any further information."	1

4.2.1 Discussion of responses to questionnaire

As only one response was received, it is not possible to provide a broad summary of changes in fauna, as observed by local residents / regular visitors to the area.

It is worth noting that while the respondent has indicated they are “very confident” in their identification of fauna, particularly in relation to birds and possums, we are not so confident in their ability to identify some species to species-level, and a number of more common birds known to be present in the area were not listed in either the broader area (Merri Creek) or within the art installation study area (i.e. native birds: Red-rumped Parrot, Magpie-lark, Australian Magpie, Galah, Sulphur-crested Cockatoo, Noisy Miner, and Little Raven, as well as introduced species: Common Myna, Common Starling, Rock Dove, Spotted Turtle-dove), as per data downloaded from the Atlas of Living Australia (accessed online on 21/01/2019, at: www.ala.org.au, which includes records from various databases such as BirdLife Australia’s ‘Birdata’, Eremaea ‘eBird Australia’, and DELWP’s Victorian Biodiversity Atlas (VBA)), in addition to our own observations during our assessment visits to the study area.

As a result, we cannot be confident in the respondent’s awareness of fauna species diversity. However, it is worth noting the comments in relation to cats and foxes, and the reduced observations of Common Ringtail Possums within the study area; this could also be a reflection of changes in the residential area (i.e. reduction of vegetated open space, i.e. food/shelter habitat present within gardens).

With regard to the observed changes overall, in relation to the art installation, the sole respondent commenced living in the area in 2013, which provides a limited period of time, prior to installation, with which to compare current observations.

4.3 Residents’ briefing – conclusion of study

To be completed post- briefing (TBC)

5. CONCLUSION AND RECOMMENDATIONS

This study was undertaken to assess the potential impacts of a light and sound art installation on local native fauna. This was prompted by local residents, who have been concerned about an apparent decline in fauna diversity in the local area and whether the art installation might be contributing to this decline. The survey was undertaken in late spring during suitable weather conditions in an attempt to capture the peak of fauna activity. It should be noted that our assessment occurred as a rapid, short-term study, which only provided a snapshot in time; therefore it cannot provide an assessment of fluctuations in fauna activity over time. The traffic was also very heavy during our assessment, which may have impacted fauna activity during this time. However we are confident that our survey captured an accurate representation of typical fauna diversity and abundance in the urban landscape. Our recommendations below are based on our observations, both as site assessors and our own local knowledge of the area and findings during our background review of the literature.

The results of this survey did not show obvious differences in fauna use of the installation trees, compared to control trees. Most fauna activity in this section of the study area was limited to birds flying overhead or perching for short periods of time while passing through the area. It is likely that the native trees present in the streetscape (eucalypts, paperbarks) are providing more suitable habitat; particularly for possums, as some dreys were observed in these trees. More fauna activity was detected within the trees along the Merri Creek corridor, which is to be expected as it provides more diverse and connecting habitat between other areas of suitable fauna habitat, as well as a permanent water source for terrestrial and aquatic species. The survey area appears to provide limited habitat for common fauna (foraging, perching, and roosting) in comparison to the surrounding area, which provides more suitable native habitat and a connecting corridor between other suitable areas of habitat (e.g. Yarra Bend Park and the Merri Creek and Yarra River corridor).

Incidental observations made within similar habitat in the local landscape, suggest that street trees in nearby Queens Parade, Clifton Hill, are currently providing roosting habitat for Rainbow Lorikeets, and some hollows appear to have been used by Red-rumped Parrots and Rainbow Lorikeets for breeding activity. The presence of Common Brushtail Possum scats at the base of some of these street trees indicates that some of the larger hollows present may also be providing shelter for this species (Alice Ewing and Andrea Canzano, pers. obs.). It is possible that these trees provide habitat in the absence of the art installation; however there was no evidence that the 'control trees' were being used for similar roosting or nesting behaviour. It may be that the trees in Queens Parade are a more mature stand and provide more stable or permanent habitat, but this would require further investigation.

Impacts on native fauna

The urban environment poses a wide range of challenges to native fauna in the form of pollution, unnatural noise and lighting levels. While it was difficult to determine if direct impacts to fauna are occurring during this short-term study, other studies in the literature have examined the impacts of artificial light and noise on fauna in the urban landscape, and are explained below.

Direct impacts of the art installation may be:

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- Change in bird calls by singing at higher frequencies in noisy environs, which may impact mate-attraction and/or breeding success (Parris, 2015);
- Impacts of different spectrums of light on both vertebrate and invertebrate fauna by confusing the orientation of organisms during movement (Schroer & Holker, 2017); and
- Random fluctuations in light intensity amongst the foliage may impact bird and small mammal roosting/ nesting behaviour (Schroer & Holker, 2017).

Cumulative impacts of road noise from cars, trams and the nearby train line, as well as street and shop-front lights need to be considered in the context of our findings (Westgarth/High Street intersection is a very busy part of Melbourne). These are the features of an urban landscape that have likely shaped the species composition in the local area, and the installation is unlikely to have drastically changed this composition in the past three years. Other impacts to be considered include:

- Increase in wildlife roadkill;
- Invasive predators (wandering domestic cats, foxes). A wandering cat was observed during our survey and an increase in wandering cats was also noted by our questionnaire respondent;
- Inappropriate plantings and non-indigenous gardens; and
- Air pollution or inappropriate hydrology (run-off from roads), which may impact vegetation growth.

The following recommendations provide some potential mitigation measures to assist in reducing the cumulative impacts on fauna diversity, survival and behaviour in the local area.

Recommendations

As this study is retrospective, we can only rely on local knowledge, our own observations and database records of fauna distribution and abundance, prior to the artwork installation (and prior to the earlier installation of lights). However, following our survey observations, and considering the highly urban setting of the study area, the installation appears not to impact the movement of fauna through the area. Although the avenue of trees incorporating the art installation is comprised of non-native, introduced tree species, it provides (limited) foraging/ roosting habitat, and does not provide prime habitat for native fauna, particularly due to the proximity of more suitable habitat within the nearby Merri Creek corridor.

Some recommendations to reduce the cumulative impacts are as follows:

- Encourage locals to plant indigenous gardens;
- Encourage locals to keep pets indoors (set a curfew and implement cat control actions);
- Plant diverse, locally indigenous, understory plants within the avenue, and along service road reserves to provide floristic and structural diversity – this may enable additional native bird species to move away from the Merri Creek corridor more frequently; and
- Consider installing fauna crossing bridges above the tram line power cables to further enhance arboreal mammal movement throughout the area, while also reducing the potential for road trauma / interaction with domestic animals.

6. REFERENCES

Parris, K. M. (2015). Ecological impacts of road noise and options for mitigation. In R. van der Ree, C. Grilo and D. Smith (Eds.), *Handbook of Road Ecology* (Wiley, New York).

Chroer, S & Hölker, F. (2016). Impact of Lighting on Flora and Fauna. In Karlicek, R., Sun, C.-C., Zisis, G., Ma, R. (Eds.), *Handbook of Advanced Lighting Technology*. Springer Cham.

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Map 1. Darebin fauna impact study
High St, Westgarth

Legend

- Survey area
- Parcels
- Contours (10m)
- Natural watercourse
- Railways
- Trees surveyed

Details

Date: 21/03/2019
Version: 1
Aerial photography from Nearmap (Oct 2018).
Base map data Copyright © The State of Victoria.

Scale 1:1,750 (Page size A3)

Disclaimer
Practical Ecology bears no responsibility for the accuracy and completeness of this information and any decisions or actions taken on the basis of the map. While information appears accurate at publication, nature and circumstances are constantly changing.

Map 1. Survey area, installation trees and non-installation trees surveyed for the Darebin fauna impact study

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Appendix 1. Residents' questionnaire



11th December 2018

Dear resident,

City of Darebin Art Installation Wildlife Impact Study

Practical Ecology Pty Ltd has been engaged by Darebin City Council to determine the impacts on local wildlife along High Street, Westgarth, as a result of the solar-powered sound and light art installation, *Call and Response* (Pierre Proske, 2015). The art installation is located within 17 Elm Trees *Ulmus species*, forming part of the avenue of non-native trees on the road reserve between Westgarth Street and Walker Street, Northcote (see map attached). The site is adjacent to the nearby Merri Creek watercourse and incorporates lights and recorded calls of the Bell Miner *Manorina melanocephala*, an Australian native bird species.

Practical Ecology provides ecological consultancy and land restoration and management services and has been operating since 1993. Andrea Canzano and Alice Ewing are experienced zoologists who undertake activities such as flora and fauna surveys, targeted fauna surveys, conservation management plans, threatened species monitoring, fauna salvage and relocation. They will be conducting a habitat assessment and fauna surveys at the site. This will occur during daylight hours and after dark, when the installation is activated.

As part of our Wildlife Impact Study, we would like to call upon local residents to provide their knowledge of the local area, regarding native animal observations, particularly within the vicinity of High Street, Westgarth. Your information will be valuable in understanding the site history of your local area and will be incorporated into the survey report as part of the background review. Please find included in this letter a questionnaire for your perusal. Your input will be greatly appreciated and will contribute to a further understanding of the local fauna and how the art installation may impact on their behaviour, distribution and abundance. Your feedback will be incorporated into our assessment report and submitted to Council for consideration. Please send your completed questionnaire to the email addresses below, by 30 December 2018. You are also welcome to forward this questionnaire to other interested residents. Please get in touch via email if you have any further comments or questions.

We look forward to your input.


Yours sincerely,

andrea@practicalecology.com.au

alicee@practicalecology.com.au

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Fauna Assessment: public art installation, High Street, Westgarth



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ecological restoration & consulting

Name:	Date:
<p>Since which period, below, have you been a nearby resident, or regular visitor in the area of assessment? (please tick, or circle)</p> <ul style="list-style-type: none"> • Pre-1970 (feel free to put down year you started living in area) • 1971-1990 • 1991-2000 • 2001-2015 • 2016-2018 	
<p>How confident are you in identifying fauna species (please tick most suitable statements below)?</p> <p><u>Birds</u></p> <ul style="list-style-type: none"> • Somewhat confident (have some difficulty identifying immediately, often need to refer to guidebooks to confirm species) • Confident (can easily identify straight away, or with assistance from guidebooks for confirmation) • Very confident (can easily identify straight away and don't often need to look up guidebooks) <p><u>Mammals</u></p> <ul style="list-style-type: none"> • Have some difficulty identifying between the two possum species that are present in area • Can easily tell difference between the Common Brushtail Possum and Common Ringtail Possum 	
<p>What native animals do you currently observe regularly</p> <p>a) In your local area?</p> <p>b) Within the avenue of street trees on High Street (between Westgarth Street and Merri Creek)?</p>	

2

Fauna Assessment: public art installation, High Street, Westgarth



Have you noticed any changes in native animal species diversity or numbers, since 2015?

a) In your local area?

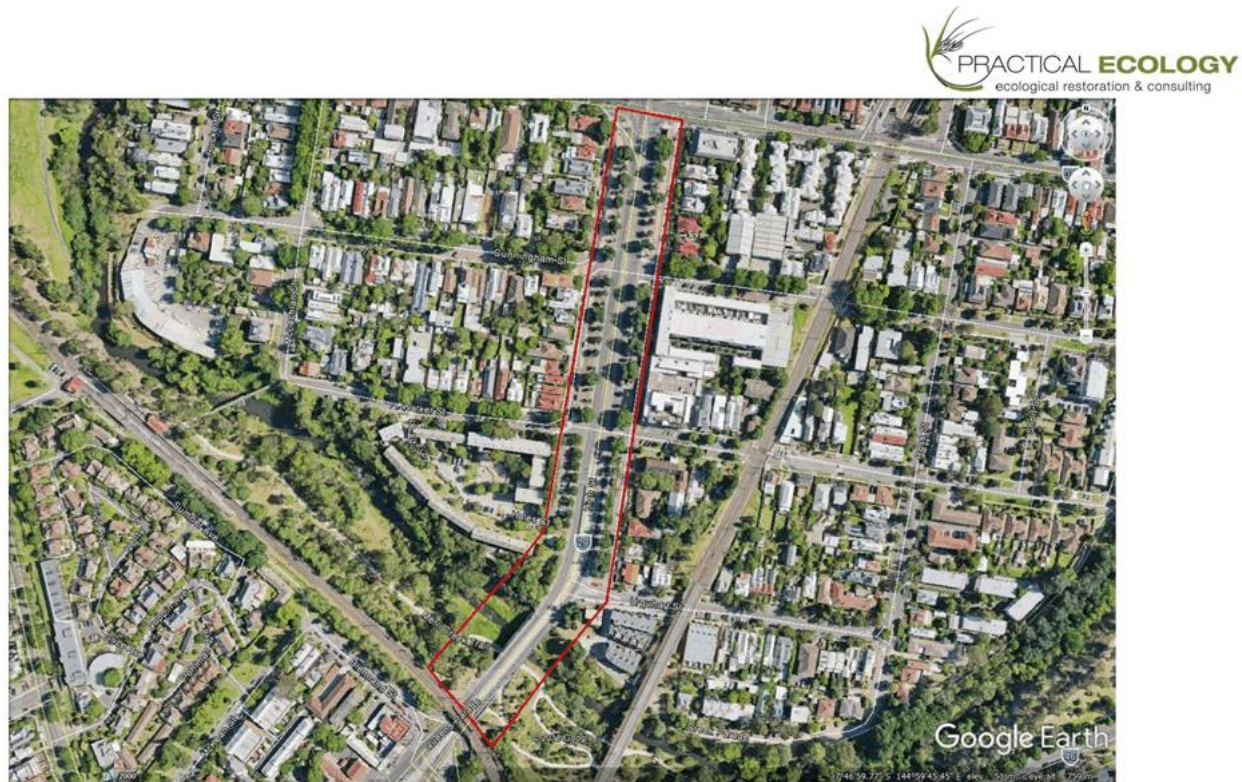
b) Within the avenue of street trees on High Street (between Westgarth Street and Merri Creek)?

Have you noticed any change in the behaviour of animals in the trees along High Street (between Westgarth Street and Merri Creek)? E.g. changes in roosting or nesting activity within these trees.

Any other comments you would like to add in relation to fauna and the street trees (between Westgarth Street and Merri Creek):

3

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Map 1. Study area for City of Darebin Art Installation Wildlife Impact Study

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Fauna Assessment: public art installation, High Street, Westgarth

10. NOTICES OF MOTION**10.1 PROTECTING PRESTON MARKET****Councillor:** Gaetano GRECO**NoM No.:** 424

Take notice that at the Council Meeting to be held on 29 April 2019, it is my intention to move:

That Council:

- (1) Notes that the first of the five guiding principles endorsed by the Minister for Planning which will inform the development of new planning control refers to "A thriving fresh food market" and not specifically to preserving and improving the existing Preston Market as a thriving fresh food market.*
- (2) Writes to the Minister for Planning requesting that the guiding principles he has endorsed be amended to specifically make reference to preserving and improving the existing Preston Market establishment as a thriving fresh food market.*

Notice Received: 16 April 2019**Notice Given to Councillors** 23 April 2019**Date of Meeting:** 29 April 2019

10.2 IMPROVING WATER QUALITY AT EDWARDES PARK LAKE**Councillor: Gaetano GRECO****NoM No.: 425**

Take notice that at the Council Meeting to be held on 29 April 2019, it is my intention to move:

That Council:

- (1) Notes the contaminated water quality of Edwardes Lake, which continues to persist making it environmentally unsustainable and consequently unsuitable for broader recreational use by the community.*
- (2) Notes that unlike Albert Park Lake, Edwardes Lake does not receive funding for its maintenance as part of the State Government's water levy.*
- (3) Resolves to receive a Council report in August 2019 addressing comprehensive financial and technical options to improve the water quality of the Edwardes Park Lake.*
- (4) Writes to the relevant state minister and water authority requesting that Edwardes Park Lake be eligible to receive appropriate funding for ongoing improvements to the water quality of the lake.*

Notice Received: 16 April 2019**Notice Given to Councillors 23 April 2019****Date of Meeting: 29 April 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:

- Darebin Disability Advisory Committee – 1 April 2019
- Councillor Briefing Session – 1 April 2019
- Climate Emergency Darebin Advisory Committee – 3 April 2019

Recommendation

That the record of the Assembly of Councillors held on 1 and 3 April, 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

- Assembly of Councillors - 29 April 2019 (**Appendix A**) [↓](#)



ASSEMBLY OF COUNCILLORS

ASSEMBLY DETAILS:	Title:	Darebin Disability Advisory Committee
	Date:	Monday 1 April 2019
	Location:	Function Room, Darebin Civic Centre
PRESENT:	Councillors:	Cr. Julie Williams
	Council Staff:	Gillian Damonze, Katherine Kiley, Zoe Howard, Ania Sieracka
	Other:	Darebin Disability Advisory Committee members – community representatives, representative of Encompass House, representative of Brotherhood of St Laurence Local Area Co-ordination
APOLOGIES:		Community Representatives

The Assembly commenced at 11:02am

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Present and apologies	No disclosures were made.
2	Matters arising from previous minutes / drop off zone items	No disclosures were made.
3	Round table check in	No disclosures were made.
4	Brotherhood of St Laurence	No disclosures were made.
5	Disability in Darebin Heritage Project idea	No disclosures were made.
6	General Business	No disclosures were made.
7	Meeting feedback	No disclosures were made.

Assembly of Councillors – Darebin Disability Advisory Committee 1st April

ASSEMBLY OF COUNCILLORS – PUBLIC RECORD (CONT)

The Assembly concluded at 12:56pm

RECORD COMPLETED BY:	Officer Name:	Katherine Kiley
	Officer Title:	Senior Team Leader, Access and Inclusion



ASSEMBLY OF COUNCILLORS PUBLIC RECORD

ASSEMBLY DETAILS:	Title:	Council Briefing Session
	Date:	Monday 1 April 2019
	Location:	Council Chamber
PRESENT:	Councillors:	Cr. S Rennie, (Mayor), Cr. L Messina, Cr. J Williams, Cr. S Amir, Cr. T McCarthy, Cr. G Greco, Cr. K Le Cerf, Cr. T Laurence
	Council Staff:	S Wilkinson, I Bishop, C Henderson, R Ollivier, V Albicini Allan Cochrane, Shadi Hanna, Darren Rudd
	Other:	Paul Robertson, Peter Allen, Rhonda Galbally
APOLOGIES:		Cr. S Newton (Deputy Mayor) (LOA)

The Assembly commenced at 5:34pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Age Friendly Darebin Draft Report A – Existing CHSP services and options	Cr. L Messina declared a conflict Cr. S Amir arrived at 5:36pm Cr. G Greco arrived at 5:42pm
2	Age Friendly Darebin Draft Report B – Housing matters, mobility, open space and IT	No disclosures were made Cr. L Messina arrived at 6.22pm
3	Age Friendly Darebin Draft Report C – Social Participation and Governance	No disclosures were made
4	Draft Planning Committee Agenda	No disclosures were made
5	Annual Budget update	No disclosures were made
6	General Business NOMs	No disclosures were made

The Assembly concluded at 7:52 pm

RECORD COMPLETED BY:	Officer Name:	I Bishop
	Officer Title:	GM Governance and Engagement



ASSEMBLY OF COUNCILLORS PUBLIC RECORD

ASSEMBLY DETAILS:	Title:	Climate Emergency Darebin Advisory Committee
	Date:	Wednesday 3 April 2019
	Location:	Function Room, 350 High Street, Preston
PRESENT:	Councillors:	Cr. Trent McCarthy (Chair), Cr. Susan Rennie, Cr. Kim Le Cerf
	Council Staff:	Sally Moxham, Samantha Green, Tiffany Harrison
	Other:	Climate Emergency Darebin Committee members
APOLOGIES:		Sue Wilkinson, Rachel Ollivier

The Assembly commenced at 7:06pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Welcome, acknowledgements, apologies	No disclosures were made
2	Assembly of Councillors	Conflict of interest raised over any matters related to decision making on project contracting -noted that Councillors would not participate in these discussions or voting
3	Agenda review	No disclosures were made
4	Minutes from last meeting	No disclosures were made
5	Council update	No disclosures were made

Climate Emergency Darebin Committee

3 April 2019

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
6	Working Group update	Conflict of interest regarding decision making on contracting for a film project – Councillors did not vote or participate in the discussion
7	Strategic Review of CED	No disclosures were made
8	Managing	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 9:31pm

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

This form is to be completed by the nominated Council Officer and returned to the Council Business Unit within 3 working days for inclusion in a register available for public inspection.

13. REPORTS BY MAYOR AND COUNCILLORS

Recommendation

That Council note the Reports by Mayor and Councillors.

14. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL

The Chief Executive Officer, pursuant to section 77(2)(c) of the *Local Government Act 1989* (the Act), has designated the following items to be confidential:

14.1 Northcote Aquatic and Recreation Centre Management Contract Extension - Contract No. CT201225

This item is designated confidential because it is a contractual matter pursuant to Section 89(2)(d) of the Act.

CLOSE OF MEETING

Recommendation

That in accordance with section 89(2) of the *Local Government Act 1989*, Council resolves to close the meeting to members of the public to consider the item designated confidential by the Chief Executive Officer.

RE-OPENING OF MEETING

Recommendation

That the meeting be re-opened to the members of the public.

15. CLOSE OF MEETING

**CITY OF
DAREBIN**

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