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AGENDA

Ordinary Council Meeting to be held at
Darebin Town Hall
284 Gower Street, Preston
on Tuesday 9 June 2020 at 6.00 pm.

Public question time will
commence shortly after 6.00 pm.

Due to the current COVID-19 health crisis and associated requirements residents and interested persons are strongly encouraged to view this meeting online. Any person attending the meeting will be required to observe appropriate social distancing requirements and adhere to the directions of Council Officers




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

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

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

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

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



English

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

Arabic

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

Chinese

这是市议会会议议程。如需协助了解任何议项，请致电8470 8888。

Greek

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

Hindi

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

Italian

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

Macedonian

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

Nepali

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

Punjabi

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

Somali

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

Spanish

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

Urdu

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

Vietnamese

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

Table of Contents

Item Number	Page Number
1. MEMBERSHIP	1
2. APOLOGIES.....	1
3. DISCLOSURES OF CONFLICTS OF INTEREST	1
4. CONFIRMATION OF THE MINUTES OF COUNCIL MEETINGS	1
5. QUESTION AND SUBMISSION TIME	2
6. PETITIONS	3
7. CONSIDERATION OF REPORTS	4
7.1 DRAFT DAREBIN LIBRARIES AND LEARNING STRATEGY 2020-24	4
7.2 WASTE AND RECYCLING STRATEGY	39
7.3 ELECTORAL ADVERTISING SIGNAGE AND ELECTIONEERING POLICY	79
7.4 OPEN SPACE LEVY PLANNING SCHEME AMENDMENT - PROJECT UPDATE AND CONSIDERATION OF NEXT STEPS.....	89
7.5 INTENTION TO DECLARE A SPECIAL CHARGE: SOLAR SAVER RESIDENTIAL (BATCH 3)	198
7.6 TRAFFIC MANAGEMENT AROUND SCHOOLS IN DAREBIN AND CHEDDAR ROAD LOCAL AREA PLACE-MAKING PROJECT.....	221
7.7 COMMONWEALTH HOME SUPPORT PROGRAM OFFER OF FUNDING EXTENSION	321
7.8 DAREBIN NATURE TRUST - TERMS OF REFERENCE.....	326
7.9 PROPOSED DISCONTINUANCE AND SALE OF ROAD REAR 182 TO 186 HIGH STREET AND ADJOINING 1 BUTLER STREET, NORTHCOTE	379
7.10 PROPOSED SALE OF DISCONTINUED ROAD REAR 75 TO 81 MALPAS STREET AND 182 TO 188 WOOD STREET, PRESTON	387
7.11 PROPOSED DISCONTINUANCE AND SALE OF ROAD REAR 100 TO 102 HUGHES PARADE AND ADJOINING 2 WELLMAN STREET, RESERVOIR ..	396
7.12 JOB KEEPER - COVID19 STATISTICS.....	404
7.13 CAPITAL WORKS UPDATE	411
8. CONSIDERATION OF RESPONSES TO PETITIONS, NOTICES OF MOTION AND GENERAL BUSINESS	418
9. NOTICES OF MOTION	419
9.1 REQUEST FOR DISCLOSURE - OFFICE OF THE VICTORIAN GOVERNMENT ARCHITECT REPORT.....	419
9.2 RESCHEDULING OF ANNUAL BUDGET SPECIAL COUNCIL MEETING	420
9.3 PUBLIC DISCLOSURE OF ROOT PARTNERSHIP CONSULTANT'S ADVICE REGARDING PRESTON MARKET.....	421

Table of Contents

Item Number	Page Number
10. URGENT BUSINESS	422
11. REPORTS OF STANDING COMMITTEES	422
12. RECORDS OF ASSEMBLIES OF COUNCILLORS.....	423
12.1 ASSEMBLIES OF COUNCILLORS HELD.....	423
13. REPORTS BY MAYOR AND COUNCILLORS	431
14. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL	432
14.1 YMCA DEED FOR COVID-19 IMPACTED OPERATIONS AT NARC	
14.2 STRATHALLAN GOLF COURSE UPDATE	
15. CLOSE OF MEETING.....	432

Agenda

1. MEMBERSHIP

Cr. Susan Rennie (Mayor) (Chairperson)
Cr. Susanne Newton (Deputy Mayor)
Cr. Steph Amir
Cr. Gaetano Greco
Cr. Kim Le Cerf
Cr. Trent McCarthy
Cr. Lina Messina
Cr. Julie Williams

2. APOLOGIES

Cr. Tim Laurence – approved leave of absence.

3. DISCLOSURES OF CONFLICTS OF INTEREST

4. CONFIRMATION OF THE MINUTES OF COUNCIL MEETINGS

Recommendation

That the Minutes of the Ordinary Meeting of Council held on 18 May 2020 be confirmed as a correct record of business transacted.

5. QUESTION AND SUBMISSION TIME

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

Due to the current COVID-19 health crisis and associated requirements residents and interested persons are strongly encouraged to view this Council meeting online. Any persons attending this meeting will be required to observe appropriate social distancing and adhere to the directions of Council Officers in relation to public question time and the making of submissions on items on the agenda.

QUESTIONS

Members of the public can ask up to three (3) 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 Council Meeting Governance Rules (Meeting Procedure & Common Seal Local Law) 2020, the Chairperson may disallow a question if it:

- a) relates to a matter outside the duties, functions or powers of Council;
- b) is defamatory, indecent, abusive, offensive, irrelevant, trivial or objectionable in language or substance;
- c) may lead to a breach of Council's statutory obligations;
- d) relates to a Notice of Motion, Petition or item of urgent business;
- e) deals with a subject matter already answered;
- f) was not received by the deadline outlined in clause 72(1) of the Local Law;
- g) is aimed at embarrassing a Councillor or an Officer; or
- h) deals with a matter that should be, or has been, considered as a confidential matter or relates to any matter in respect of which Council may close the Meeting to the public under section 89(2) of the Act.

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 may register their question or submission before 12.00 noon on the day of the meeting in one of the following ways:

- (a) online at darebin.vic.gov.au/questionsandsubmissions; or
- (b) by email to Q&S@darebin.vic.gov.au; or
- (c) in person at the Preston Customer Service Centre, 274 Gower Street, Preston; or
- (d) by mail to PO Box 91, Preston 3072.

Alternatively a member of the public may attend on the day of the meeting to ask their question or make a submission to Council.

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. CONSIDERATION OF REPORTS

7.1 DRAFT DAREBIN LIBRARIES AND LEARNING STRATEGY 2020-24

Author: Senior Coordinator Darebin Libraries

Reviewed By: General Manager Community

EXECUTIVE SUMMARY

This Report provides an overview of the development of the *Darebin Libraries and Learning Strategy 2020–24* (**Appendix A**) and seeks Council's endorsement of the draft Strategy for consultation.

Council officers worked with the Darebin Libraries Strategy Implementation Reference Group to design a comprehensive and meaningful consultation process review and renew the Darebin Libraries Strategy.

Council officers worked with the Lifelong Learning Strategy Reference Group to design a meaningful consultation process that focused on understanding key issues that lifelong learning could improve or impact, barriers to participation and Council's role in this space.

As the two separate processes of developing a Library Strategy and a Lifelong Learning Strategy progressed in parallel, an ever-increasing remit convergence across the two strategies became evident. Subsequently, the projects were combined and a draft *Darebin Libraries and Learning Strategy 2020-24* has now been developed (**Appendix A**). The new strategy builds on the previous Darebin Libraries strategic approach, focuses on access and equity, embedding lifelong learning and aligns activities to respond to the climate emergency and COVID-19.

The Strategy is a framework to focus development of a dynamic annual action plan to bring the Strategy to life, delivering on community priorities and responding to emerging issues and community feedback.

Feedback gathered through the consultation process from community members (both those who do and do not use the service), stakeholders, Councillors and Council staff has informed the draft Strategy and will inform the future annual action plans throughout the life of the Strategy.

Recommendation

That Council endorses the draft *Darebin Libraries and Learning Strategy 2020-24* for consultation.

BACKGROUND / KEY INFORMATION

In February 2015, Council endorsed the *Darebin Libraries Strategy 2014–19*, which provided a framework and action plan to deliver improved library services. The strategic intent of this document has been progressed and achieved, with oversight from the Darebin Libraries

Strategy Implementation Reference Group. The Reference Group membership comprised eight community representatives and two Council officers. Membership was renewed after two years as per the Terms of Reference.

Council officers worked with the Darebin Libraries Strategy Implementation Reference Group to design a comprehensive and meaningful consultation process to review and renew the Darebin Libraries Strategy.

In May 2017, Council was briefed on the proposed approach of a Lifelong Learning Strategy as outlined in the *Council Action Plan 2017–18*. Council endorsed the community consultation and engagement plan and the creation of the Lifelong Learning Strategy Reference Group in June 2017.

In August 2017, Council endorsed the membership of the Lifelong Learning Strategy Reference Group which comprised two Councillors (Councillors McCarthy and Williams), 15 community representatives and two Council officers.

Council officers worked with the Lifelong Learning Strategy Reference Group to design a meaningful consultation process that focused on understanding key issues that lifelong learning could improve or impact, barriers to participation and Council's role in this space.

As noted above, the two projects were combined, resulting in the draft *Darebin Libraries and Learning Strategy 2020-24* (**Appendix A**). The new draft Strategy builds on the previous Darebin Libraries strategic approach, focuses on access and equity, embedding lifelong learning and aligns activities to respond to the climate emergency and COVID-19.

Previous Council Resolution

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

COMMUNICATIONS AND ENGAGEMENT

Consultation

Consultation has been undertaken in two stages to support the development of the draft *Darebin Libraries and Learning Strategy 2020–24* (see **Appendix B and C**).

Stage 1 focused on:

- Evaluating the outcomes and impacts of the previous *Darebin Libraries Strategy 2014–19*, identifying successes, opportunities for improvement and a gap analysis.
- A literature review of current and emerging strategic direction documents at a local, national and international level.
- A data review of current and anticipated sector and demographic data and trends in Darebin to identify any potential impacts for Darebin Libraries.
- Almost 1,800 library customers responded to a short survey (online and hardcopy) focused on understanding the impact of digital and physical improvements to our libraries over the past five years.
- Interviews to understand the views on challenges, opportunities and needs when working with Darebin Libraries with the following current partners:
 - Coordinator Community Wellbeing, Equity and Wellbeing
 - Community Development Officer, Aged and Disability
 - Environment Support Officer, Environment and Sustainable Transport

- Community Engagement and Innovations Coordinator, PRACE
 - Library Manager, Reservoir High School
- Three workshops with 30 library team members, including the Library Leadership Team, to identify successes and learnings over the past five years, and future opportunities.

Stage 2 focused on:

- Identifying the current and future needs, expectations and aspirations of our community.
- Exploring barriers to use, including opening hours.
- Understanding the specific library needs of our community members from a CALD background.
- Almost 1,060 community members responded to a detailed survey (online and hardcopy) to understand community priorities and valued library services.
- Intercept surveys were undertaken with nearly 250 community members (targeting non-library users) in a range of community settings, including:
 - Preston Market
 - Bunnings Northland
 - Australian Macedonian Pensioners Group of Reservoir
 - Darebin Greek Women's Senior Citizens Group
 - Fairfield Hellenic Senior Women and Partners Group
 - PRACE
 - Reservoir High School
 - Northcote High School
 - Darebin Youth Hub
 - Northcote Aquatic and Recreation Centre
 - Reservoir Leisure Centre
 - Bundoora Homestead
 - Bundoora Park Farm
- Intercept surveys (targeting library users) were also conducted at:
 - Chess Club at Preston Library
 - In the Loop craft group at Preston Library
 - Conversation Café at Preston and Reservoir Libraries
 - Storytime at Fairfield, Northcote, Preston and Reservoir Libraries
- Keep? Change? posters were displayed in each library branch for customers to share what they value about the library and to make suggestions on things they would like the library to do differently.
- Opening hours ballot papers were provided at each branch and online through Your Say Darebin to identify proposed changes to our opening hours to best suit our customer's needs.

- A workshop was held with partners to explore further opportunities; attendees were:
 - Community Programs Coordinator, PRACE
 - Operations Manager, The Bridge
 - Teacher, Preston Primary School
- A workshop was held with Council team members to share community consultation findings and explore opportunities for collaboration through identification of shared priorities; attendees were:
 - Community Understanding and Engagement Officer, Aged and Disability
 - Metro Access Officer, Aged and Disability
 - Senior Team Leader Access and Inclusion, Aged and Disability
 - Service Sustainability Lead, Aged and Disability
 - Research Officer, Community Empowerment and Engagement
 - Civic Events and Engagement Officer, Creative Culture and Events
 - Festival and Events Officer, Creative Culture and Events
 - Safe Travel Officer, Environment and Sustainable Transport
 - Sustainable Transport Officer, Environment and Sustainable Transport
 - Diversity Policy Officer, Equity and Wellbeing
 - Preventing Violence Against Women Officer, Equity and Wellbeing
 - Coordinator Recreation and Leisure, Recreation and Libraries
 - General Manager Community
- Three workshops were held with 23 library team members, including the Library Leadership Team, to share and reflect on community consultation findings, identify future priorities and opportunities to innovate. A SWOT analysis was also undertaken by each library team.

These activities were supported by consultation undertaken as part of the Lifelong Learning Strategy project; consultation included:

- Attendance at or consultation with 20 Council Advisory Committee and community group meetings between October 2017 and March 2018.
- Three community focus groups (general, youth, seniors) in February 2018.
- A community survey (online and hardcopy) in January–February 2018.
- Interviews with 20 representatives of community organisations and local lifelong learning providers between November 2017 and April 2018.
- Two workshops with Council team members and the Library Leadership Team in February 2018.

Communications

Detailed communications plans and approaches were developed and implemented to support the consultation activities above.

ANALYSIS

Alignment to Council Plan / Council policy

Goal 2 - Opportunities to live well

- *2019–20 Council Action Plan:* Implement the Darebin Libraries Strategy Action Plan
- *2017–18 Council Action Plan:* Develop a comprehensive Lifelong Learning Strategy that incorporates both Council, community and educational services, programs and activities
- *2018–19 Council Action Plan:* Complete the Lifelong Learning Strategy that will define opportunities for residents to continuously improve their knowledge and skills and commence implementation through collaboration and partnerships
- *Towards Equality – Equity, Inclusion and Human Rights Framework 2019-29*
- *Towards an Age Friendly Darebin (July 2019)*

Environmental Sustainability Considerations

The role of the library in supporting Council's environmental sustainability focus has been heightened in the draft Strategy. A key outcome in goal 2 is to 'Help the Darebin community to meet the challenges of the climate emergency'. Key actions to support this include revising the Event Framework to include an environment target and develop services, collections and programs to support communities in this space using co-design approaches in collaboration with our community and the Climate Emergency and Sustainable Transport teams.

Library branches have undertaken regular energy efficiency upgrades and have experienced significant energy savings through this program.

Climate Emergency and Sustainable Transport team members participated in various stages of the consultation activities. The Environmental Reference Group participated in the Lifelong Learning Strategy consultation.

Equity, Inclusion and Wellbeing Considerations

Equity, inclusion and wellbeing are at the heart of the library's work and was embedded into the consultation and engagement undertaken. Each goal within the draft Strategy specifically addresses inclusion while several key actions specifically target communities at risk of exclusion.

The *Health and Wellbeing Plan 2017–21*, *Towards Equality – Equity, Inclusion and Human Rights Framework 2019-29* and *Towards an Age Friendly Darebin* were strong reference points and influenced the focus and outcomes identified in the draft Strategy.

Equity and Wellbeing team members participated in various stages of the consultation activities. The Darebin Aboriginal Advisory Committee, Active and Healthy Ageing Community Advisory Board, Disability Advisory Committee, Early Years Directors and Coordinators Network, Early Years to Primary School Transition Network, East Preston Community Action Group, East Reservoir Neighbours for Change, Education Committee, Emergency Relief Network, Health and Wellbeing Reference Group, Interfaith Council, Neighbourhood House Network, Women's Advisory Committee and the Youth Citizen's Jury participated in the Lifelong Learning Strategy consultation and interviews were held with relevant lifelong learning providers.

Cultural Considerations

As identified above, consultation activities focused on the specific library needs of community members from a CALD background. Feedback from community members from a CALD background was actively sought to understand access barriers and the need for community language collections, events and services.

Equity and Wellbeing team members participated in various stages of the consultation activities. The Darebin Aboriginal Advisory Committee and Darebin Ethnic Communities Council participated in the Lifelong Learning Strategy consultation and interviews were held with relevant lifelong learning providers.

Economic Development Considerations

Skills acquisition and lifelong learning is considered an important aspect of building community capacity and increases economic development opportunities. A key action in goal 2 is to 'Consult local businesses to identify their learning and development needs and develop collections, events and programs to support them'.

Economic Development team members participated in consultation activities related to the Lifelong Learning Strategy and suggested various local lifelong learning providers for targeted activities, including for interview.

Financial and Resource Implications

An independent report by SGS Economics and Planning found that for every \$1 invested in Darebin Libraries, \$5.60 is returned in community benefits (*Libraries Work! The socio-economic values of public libraries to Victorians*, 2018).

Most initiatives in the draft *Darebin Libraries and Learning Strategy 2020–24* and associated action plans can be achieved through current and projected future budget allocations. The introduction of new and emerging technologies will continue to be proposed for funding through the library technology capital 10-year plan and annual budget process. New library furniture and long-term planning for purpose-built or expanded libraries will be referred to future Capital Works Programs. External funding will also be sought for library infrastructure building projects and other identified project initiatives.

Two key actions will likely require increased operational funding: the outcomes of the review of library opening hours and review of library fines and charges. These will be specifically addressed through future Council reports.

Legal and Risk Implications

No legal or risk implications have been identified.

DISCUSSION

Extensive community consultation was undertaken to develop the draft *Darebin Libraries and Learning Strategy 2020–24*.

Community feedback identified that libraries continue to maintain a strong and healthy position in the community, and they are well loved. While most customers are happy with the delivery of core library services, there is room for improvement, especially as libraries constantly adapt to meet the changing community needs and expectations.

The new Strategy continues the focus on partnerships, evolving from an improved transactional approach over the past five years to delivering shared priorities through an ongoing relationship. Outcomes and actions will also be delivered in conjunction with our community, community organisations and other Council departments by integrating co-design principles and broader partnerships including local businesses.

Other key actions identified include opening hours, library late fees and fines, and volunteering.

The Strategy is a framework to focus development of a dynamic annual action plan to bring the Strategy to life, delivering on community priorities and responding to emerging issues and community feedback. Feedback gathered through the consultation process and Council briefing has informed the draft Strategy and will inform the future annual action plans throughout the life of the Strategy.

OPTIONS FOR CONSIDERATION

Option 1: Endorse the draft *Darebin Libraries and Learning Strategy 2020-24* for consultation. This is the recommended option.

Option 2: Adopt the *Darebin Libraries and Learning Strategy 2020-24* without further consultation.

IMPLEMENTATION STRATEGY

Details

- A final round of community consultation on the draft Strategy.
- A draft 2020-21 Action Plan has been developed to demonstrate how the goals, outcomes and key actions will be progressed in the next 12-18 months. The final round of community consultation will further inform the Action Plan.
- Following Council adoption, the Strategy will be implemented. Reporting on the progress of implementation will occur on an annual basis.

Communication

Darebin Libraries Strategy and Lifelong Learning Strategy Your Say pages were established to facilitate communication with our community. The draft Strategy will be available for review and feedback on both pages when endorsed for release by Council.

Council will inform and engage with the community through established mechanisms, ensuring follow-up with those who interacted with the consultation in previous stages for both projects.

Timeline

- Community consultation – 10-26 June 2020

RELATED DOCUMENTS

N/a

Attachments

- Darebin Libraries and Learning Strategy 2020-24 DRAFT (**Appendix A**) [↓](#)
- Lifelong Learning Community Engagement Report (**Appendix B**) [↓](#)
- Darebin Libraries and Learning Community Engagement Report (**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.



DRAFT Darebin Libraries and Learning Strategy 2020–24

"A whole world opens up as soon as I step into the library."
Library customer, March 2019

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

Council also 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 communities and the right to self-determination in the spirit of mutual understanding and respect.

"I'm amazed every time I come that my local community has such a wonderful free resource that allows everyone to participate in learning and sharing. I'm an immigrant and my local library has been central to my sense of belonging to my local community – from reading material when I had no money for books, to mum and bubs sessions when my son was young. Thank you."

Library customer, March 2019

Mayor's message

[pending]

Introduction

Darebin Libraries provides welcoming, inclusive and accessible spaces for our community members to connect, discover and learn.

Our libraries provide equitable and easy access to information support, facilities, technology and programs that range from improving wellbeing and meeting life's challenges to tackling climate change.

We aim to enrich the lives of our community and create opportunities for lifelong learning.

For every \$1 invested in Darebin Libraries, \$5.60 is returned in community benefits according *Libraries Work! The socio-economic value of public libraries to Victorians*. This is higher than the Victorian average of \$4.30. Community benefits include:

- Access to services, programs, information technology and safe public spaces.
- Opportunities for social interaction.
- Contribution to language and digital literacy.
- Complement to education services.
- Contribution to community health and wellbeing.
- Environmental savings through use of shared resources.

Darebin Libraries helps deliver Council's goals as outlined in the Council Plan 2017–21, the Health and Wellbeing Plan 2017–21, the Equity, Inclusion and Human Rights Framework 2019–29, the Age Friendly Darebin report and the Youth Services Strategy 2019–21.

To help us continue to provide services that benefit our community, we will use a community-centred approach and focus on four key goals that were developed together with the Darebin community:

1. Equity of access
2. A thriving community
3. Welcoming safe spaces
4. Responsive services

Our vision

By engaging with Darebin Libraries, our community will: Connect. Discover. Learn.

Our mission

Our mission is to inspire and enable our diverse community to learn and grow.

- Our libraries are welcoming, inclusive and safe places where anyone can read, study, work, relax and share.
- We provide easy access to library collections, programs, services and resources that meet the needs of our community.
- We understand, respond to and support the lifelong learning goals of our community.

“Information and knowledge are crucial to a decent society. Libraries are a social haven to allow everyone to learn, read and research. I love their availability and accessibility.” Library customer, March 2019

Our values

Darebin Libraries staff are guided by the following values:

- **Collaborative:** We are united by a common purpose to serve the community. We work together, connecting within our teams and across the organisation. We are inclusive and collaborative. We are one.
- **Integrity:** We act with integrity and transparency in conversations and decision-making. Through open and clear communication, we build trust. We're honest. We walk the talk.
- **Accountable:** We are empowered to own and take responsibility for our actions. We follow through on our commitments and deliver on our promises. We make it happen.
- **Creative:** We are bold, courageous and innovative. We try new things, experiment and continuously improve. We are open-minded, creative and forward-thinking. We are leaders.
- **Respect:** We are diverse, inclusive, respectful and caring. We encourage everyone to have a voice and we listen to each other. We recognise one another's contributions and treat people fairly. We look after each other.
- **Make a Difference:** We are driven by our desire to make a difference for the people we serve. Our work is purposeful and creates a positive impact for the community. We are proud to work here. Our work matters.

Darebin Libraries: a snapshot

Darebin Libraries has four branches in Melbourne's northern suburbs. They are in Fairfield, Northcote, Preston and Reservoir. We also offer digital resources and collections on our website (www.darebinlibraries.vic.gov.au) and our mobile app. A home delivery service is available for Darebin community members who are unable to visit our libraries because of age, illness or disability.

Our libraries offer:

- **Access to information and services.** We are a trusted community resource and we offer equitable, easy access to information and services.
- **Diverse collections.** Our collections include a variety of materials and formats to reflect the diverse needs of the Darebin community.
- **eResources.** Our digital collections are always growing and include books, audiobooks, comics, newspapers, magazines, movies, music, learning platforms, local history resources and our own Darebin Libraries app.
- **Resources in community languages.** More than 70 community languages are represented in our Languages Other Than English (LOTE) collections. We also provide access to language learning resources.
- **Free events and programs.** Every week, we hold free events and programs to provide opportunities for lifelong learning and social connection, and to support the

wellbeing of our community. Our Events Framework ensures we support those communities that need it most and helps address social isolation.

- **Digital access and support.** We provide access to digital devices, including computers, laptops and tablets, and offer digital skills training. This helps our community access the internet and fully participate in social and economic life.
- **Lifelong learning.** We provide a range of lifelong learning opportunities through our events program, our focus on digital literacy and our collections.
- **Reading and literacy development.** We provide programs and resources to help reading and literacy development. Our Early Years Literacy program supports the development of foundational skills for the youngest of Darebin's community members.
- **Spaces to work, learn, create, relax and play.** Our libraries provide free, safe and inclusive spaces for communities and individuals.
- **Opportunities for collaboration.** We work with our communities to explore different ways to meet their needs. Partnerships help us deliver a broader range of information and activities to new audiences at our libraries and other places in Darebin.

"I love the entire experience – the 15-minute walk to the library with my chatty children, the availability of books and magazines for all our ages and interests, the peaceful and happy environment, and the multicultural community of all ages that gathers there." Library customer, March 2019

What is lifelong learning?

Lifelong learning is the ongoing process of developing a person's knowledge and skills throughout their entire life for personal growth, social and civic participation, and employment.

Darebin Libraries supports and encourages lifelong learning because it helps improve social inclusion, community engagement, personal development and employability.

Our approach to lifelong learning focuses on:

- Delivering individual, community and economic benefits.
- Learning for people of all ages and all life stages.
- Embracing formal education, structured learning and informal learning.

Victorian public libraries have committed to embedding the United Nations Sustainable Development Goals (SDGs) into our planning. The SDGs provide a framework to showcase the impact libraries achieve by providing access to information and helping our community transform their knowledge into life-enhancing opportunities.

Lifelong learning and libraries play an important role in:

- Goal 1 No poverty.
- Goal 3 Good health and well-being.
- Goal 4 Quality education.
- Goal 5 Gender equality.
- Goal 8 Decent work and economic growth.
- Goal 9 Industry, innovation and infrastructure
- Goal 10 Reduced inequalities.
- Goal 11 Sustainable cities and communities.
- Goal 16 Peace, justice and strong institutions.
- Goal 17 Partnerships for the goals.



"My library helps me not feel lonely and staff at Reservoir are just lovely."
Library customer, March 2019

This is Darebin

- Our **population is growing**. Darebin is currently home to over 160,000 residents and this number is forecast to grow by 39 per cent to more than 230,000 by 2041. It is likely that housing demand will be met by high-density housing, particularly in Preston and Reservoir.
- The proportion of **older people** in our community continues to grow. People aged 65 years and over make up 13.7 per cent of the Darebin population. By 2041, this percentage is expected to rise to 14.7, meaning 33,846 people will be 65 years and over.
- **Children** (aged 0-17 years) make up 19 per cent of Darebin's population and this percentage is expected to remain constant until 2041. This means an additional 12,956 children will be living in Darebin by 2041.
- We are **culturally diverse**. In Darebin, 33 per cent of residents were born overseas, almost half of all residents had both parents born overseas, and 37 per cent of residents speak a language other than English at home. 138 languages are spoken in Darebin households.
- **Aboriginal and Torres Strait Islander peoples** make up 0.8 per cent of Darebin residents. Darebin recognises Aboriginal and Torres Strait Islander peoples as the first peoples of this country.
- People with **disability** continue to face problems accessing services and information. Six per cent of our population reports needing help in their day-to-day lives due to disability.
- Council recognises the world is in a state of **climate emergency**. Climate change is making weather more severe, which impacts human health and wellbeing as well as our natural environment.

- Darebin's **economy** is changing. Once driven by manufacturing, the main growth industries are now in the service and knowledge sectors. The number of small, home-based businesses is growing, and technology, including automation, is transforming work.
- **Income inequality** has widened in Darebin. Three of Darebin's northern suburbs rank among Victoria's most disadvantaged suburbs, while our south-eastern suburbs rank among the least disadvantaged. Older people, people for whom English is a second language, and single parents are more likely to be in the lowest 20 per cent of income earners.
- In Darebin, 26 per cent of households contain only one person. **Social isolation** is a growing issue and has a significant negative impact on physical and mental health. Poverty, unemployment, and poor relationships are also associated with social isolation.

Sources

- Australian Bureau of Statistics, *Census of Population and Housing 2016*, compiled and presented in profile.id by .id, the population experts (2016). Available at profile.id.com.au/darebin/
- ACOSS and University of NSW, *Inequality in Australia 2018*, (2018). Available at www.acoss.org.au/wp-content/uploads/2018/07/Inequality-in-Australia-2018_Factsheet.pdf

What our community said

"I love EVERYTHING about the library! I love how it is a village, with everyone from teeny-tiny babies to savvy senior citizens there. I love how libraries provide access to 'the whole world'... especially now that it is not just books but the internet, and especially for people who are on low incomes." Library customer, March 2019

When developing this Strategy, it was important for us to understand and meet the needs of the Darebin community. To reach as many people as possible, we used a variety of communication methods, which included:

- A survey of more than 1,800 library customers to evaluate the success of the Darebin Libraries Strategy 2014-19.
- Workshops and interviews.
- An online survey of more than 1,060 community members.
- Consultations with almost 250 community members in a variety of settings to understand problems accessing services and information, particularly for non-library users.
- Attending 20 Council Advisory Committee meetings.
- Community focus groups.

The results of these activities highlighted the positive impact of Darebin Libraries on our community and showed that we are seen as a valued and trusted community resource.

Goals, outcomes and key actions

To develop our goals, outcomes and key actions for the Darebin Libraries Strategy 2020–24, we considered the make-up of Darebin’s population and how it is expected to change in coming years. We also:

- analysed the findings of the community consultations;
- reviewed Council priorities, strategies and frameworks;
- conducted a literature review;
- analysed data including event surveys, membership data and digital analytics; and
- incorporated responses to address the impacts of COVID-19.

“It’s given my children and I a weekly excursion that doesn’t cost money but we can have fun selecting books, borrowing and returning.” Library customer, March 2019

"The library enabled me to find employment by way of being able to use the computers." Library customer, March 2019

Goal 1: Equity of access

We will provide services, resources and facilities that enable all community members to access our libraries.

Everyone has a place at our libraries. We support our communities by providing free and equitable access to information, resources, programs and spaces, to connect, discover and learn. We particularly support community members who are at risk of exclusion because of social isolation and/or limited access to technology, information and resources.

Outcomes	Key actions
Collections that meet the needs of the Darebin community	Consult with our community to better understand their evolving needs and preferred collection formats.
	Increase the number of community languages in our collections.
	Balance the transition from physical to digital collections in line with community use and need, responding to the evolving COVID-19 impacts.
Increased library access	Review library fines and charges to reduce barriers to use.
	Review library opening hours.
	Expand the reach of the home library service to include socially isolated groups.
Increased awareness of library services, especially by communities at risk of exclusion	Collaborate with our partners, community and other Darebin City Council departments to raise awareness of Darebin Libraries services, especially with communities at risk of exclusion.

"We arrived in Australia a little over two years ago. I attend storytime with my child and previously attended rhyme time. These sessions played a major role in helping us to integrate into the community. We thoroughly enjoy them. They are really well run and an excellent service to the community." Library customer, March 2019

Goal 2: A thriving community

We will promote and support the wellbeing of our community through increased opportunities for lifelong learning and social connection.

Darebin Libraries helps build the strength of our community by providing opportunities to learn, discover and connect.

Outcomes	Key actions
Events that meet diverse community needs	Revise the Events Framework to increase the number of events that focus on the needs of communities at risk of exclusion and delivered in partnership with other Darebin City Council departments and community organisations and groups.
	Increase the number of events delivered in community languages.
Opportunities for lifelong learning	Expand programs that foster lifelong learning, using digital delivery in response to COVID-19 impacts.
	Increase digital literacy support across a variety of online platforms in partnership with community organisations.
	Implement volunteering opportunities within the library.
	Provide opportunities for communities to connect with Darebin's local history and culture.
	Consult local businesses to identify their learning and development needs and implement collections, events and programs to support them.
Help the Darebin community meet the challenges of the climate emergency	Collaboratively develop services, collections and programs to help communities understand and meet the challenges of the climate emergency.
Help the Darebin community meet the challenges of the COVID-19 recovery	Work with the Darebin Community and Business Recovery Taskforce and other Darebin City Council departments to implement services, collections and programs to help communities understand and meet the challenges of the COVID-19 recovery.

"I love that it's a community hub – as an LGBTIQ community member I feel completely safe and welcome at Preston Library. I love the people catching up for chats... it's such a great space. Staff are always cheery and helpful."
Library customer, March 2019

Goal 3: Welcoming safe spaces

We will create welcoming, safe, flexible and inclusive physical and digital spaces.

Darebin Libraries are shared, safe and welcoming spaces that host a variety of activities. We want everyone to feel they belong. Our libraries need to be larger and designed to respond to the many and changing needs of our communities and the rapid projected population growth.

Outcomes	Key actions
Enhanced welcoming, safe, flexible and inclusive spaces to meet diverse and changing community needs	Investigate the feasibility of new/refurbished libraries.
	Work with communities to co-design spaces that are welcoming, safe, flexible, inclusive and accessible for all.
	Explore and implement ways to provide both quiet and collaborative spaces.
Appropriate technology to meet changing needs	Upgrade the Darebin Libraries website.
	Upgrade the Darebin Libraries app.
	Improve access to digital resources and use technology to support the delivery of services, responding to evolving COVID-19 impacts.

"Great range of resources, excellent online access, pleasant, helpful staff... offers something for everyone in our community... happy to pay my rates for this kind of service!" Library customer, March 2019

Goal 4: Responsive services

We will continue to build Darebin Libraries' capacity to provide services to meet our community's needs.

To meet the needs of the Darebin community, we will take a community-centred approach to the design and delivery of our systems and services.

Outcomes	Key actions
A community-led approach to the design and delivery of library services and resources	Implement Darebin Community Engagement Strategy and Framework.
	Identify, encourage and support opportunities for community-led initiatives in libraries.
Continuously improving customer service	Reinvent library service delivery and customer service models in response to evolving COVID-19 impacts
	Provide staff with customer service and engagement training and support their ongoing professional development.
Knowing our impact	Consult communities to identify how they are using libraries, what we are doing well and where we can improve.

Evaluation and reporting

This strategy will be a 'living' document and we will develop annual service plans to ensure that Council delivers on community priorities and responds to emerging issues and community feedback over the next four years.

We will develop key performance indicators to measure our performance and will publish an annual progress report on the Darebin Libraries website.

Darebin Libraries Strategy 2014-19 in review

We are pleased to report some of the highlights and successes of our previous strategy.

KRA 1 Welcoming places and spaces

A new library was opened at the Reservoir Community and Learning Centre.

All Darebin Libraries branches benefited from physical improvements:

- Courtyards were opened at Northcote and Preston Libraries.
- The layout of the Northcote Library was revamped and a quiet room and dedicated youth space created.
- Furniture was upgraded to make meeting, lounging and study spaces more comfortable.
- The customer service and borrowing kiosks area at Fairfield Library were reconfigured.
- Lighting and seating outside Preston Library were enhanced.

Opening hours at Fairfield, Preston and Reservoir Libraries were increased by nine hours per week, including two hours on Thursday evenings for Libraries After Dark.

PlayStations were installed at all branches to support youth at risk of exclusion.

Outreach activities were increased, which raised awareness of library services, collections and resources.

Accessibility and Express computers were made available at all branches.

KRA 2 Dynamic collections

A device-lending kiosk was introduced at Reservoir Library.

Digital collections were expanded to include items in more than 70 community languages.

Darebin Libraries was accredited against State Library Victoria's *Reading and Literacy for All Early Years Checklist*.

The 1,000 Books Before School program and our Summer Reading Challenge supported early years literacy.

KRA 3 Strengthening our community

A CALD Framework, a Literacy Framework and an Event Framework were developed to guide our work with Darebin's diverse community.

We significantly increased the number of events focused on community learning, literacy and reader development, along with celebrations of cultural diversity and community engagement.

The Conversation Café program was expanded to run twice per week across two library branches. We also delivered bilingual storytimes and the National Simultaneous Storytime in Woi-Wurrung and Spanish.

Community language modules were installed on all public computers.

Bookmark artwork and Book Art competitions celebrated our community's creativity and love of libraries.

The home library service was expanded to reach even more Darebin community members who are unable to visit our libraries because of age, illness or disability.

KRA 4 Innovation

We released a new Darebin Libraries App and were the first library in the world to release the Planet Library App for young people.

New and faster borrowing kiosks with EFTPOS payment were installed in all branches.

Faster wifi, wifi printing and easier wifi access were launched in all branches.

The Darebin 'Houses of Northcote' collection and exhibition was digitised.

Libraries After Dark hours were extended and programming and marketing boosted to reduce social isolation.

Darebin Libraries received eSmart accreditation which connects library customers with the skills and information they need for smart, safe and responsible use of technology.

The Darebin Heritage website was launched (heritage.darebinlibraries.vic.gov.au) to make Darebin's local history more accessible to the public.

KRA 5 Working together

We delivered the Vic Tech Savvy Seniors program in partnership with PRACE and Spectrum Migrant Resource Centre. The program gave older people the opportunity to develop skills to use technology to socialise, access services or conducting personal business.

The Be Connected program was delivered in partnership with the Fairfield Greek Hellenic Women's Group to increase the confidence, skills and online safety of older Australians.

Justice of the Peace weekly services were offered at Preston Library.

Strengthened our ability to activate events more meaningfully with partners including delivering shared goals e.g. IDAHOBIT, International Women's Day, 16 Days of Activism, Indigenous Literacy Day, Harmony Day, Midsumma Festival.

Increased community consultation, especially to develop Frameworks and Action Plans.

KRA 6 Knowledgeable, creative and accountable

Improved marketing and launch of Facebook to engage with our customers.

Shifted our focus from transactional to more meaningful customer service.

Implementation of shelf-ready procurement. This approach decreases the time it takes for a collection resource to be available for our customers to borrow.

Darebin Libraries Strategy Implementation Reference Group engaged with the library team throughout the life of the strategy.

Increased focus on professional development, higher duties and secondment opportunities and presenting at conferences and seminars to build capability and capacity of our team members.

Roles and positions were adapted within our organisational structure to support changing community needs.

Key statistics: 2014-15 to 2018-19

- Provided nearly **6 million loans** – with a huge 202% increase in digital collection loans, a 38% increase in usage of our online reference and skills training programs and a corresponding 16% decrease in physical collection loans.
- Supported more than **3.1 million visits** to our library branches – there has been a slight 2% decline in branch visits.
- The Darebin Libraries App has been downloaded to **10,340 devices** – we've seen a 113% increase in usage since launching which enables our customers to access library resources 24/7 from outside the library walls.
- Our webpages have been viewed over **18 million times** with pageviews increasing by 46%.
- Delivered close to **3,000 events** for nearly **160,000 attendees** – that's a 38% increase in the number of events and a 31% increase in attendee numbers.
- **417,811 computer sessions** – a 5% increase which supports those who don't have access to their own computers.
- Supported **244,806 wireless sessions** – this 44% increase demonstrates more people are bringing their own devices to our libraries.
- Our Home Library Service has delivered nearly **44,000 items to 310 customers** (a 9% increase) and **12 aged care facilities**.



Lifelong Learning Strategy Community Engagement Report

This report outlines the engagement process undertaken to inform the development of the Lifelong Learning Strategy and the key themes identified by participants.

Prepared by: Darebin Libraries, informed by I & J Management Consulting, November 2018

Background

The City of Darebin has a diverse learning and education environment and Council provides support to both the formal education sector as well as informal learning through Neighbourhood Houses, community grants, Darebin Libraries, the Intercultural Centre, community hubs, etc. Following Council Plan consultation undertaken in 2016-17, it became clear there was a desire for a framework for the work we do in this space and to collaborate with others to improve opportunities with a health and wellbeing lens.

Lifelong Learning Strategy

Consultation

Date	Location	Method	Target audience & attendees	
Oct 2017–		Meetings	Lifelong Learning Strategy Reference Group	15
Oct 2017– Mar 2018	Various	Interviews	Lifelong learning providers and key stakeholders	250+
Oct 2017– Mar 2018	Various	Meetings	20 Council Advisory Committees/ Reference Groups	
29 Jan– 16 Feb 2018		Survey (online, paper)	Darebin community	103
Feb 2018	Various	Focus groups	Seniors, youth, general	5

The following organisations, networks and associations were involved in the consultation process through participation in the activities listed above:

- Aboriginal Victoria
- Active and Healthy Ageing Community Advisory Board
- Baptcare
- Darebin Aboriginal Advisory Committee
- Darebin Best Start Aboriginal Reference Group
- Darebin Best Start Reference Group
- Darebin Community Legal Centre
- Darebin Disability Advisory Committee
- Darebin Early Years Directors and Coordinators Network
- Darebin Early Years to Primary School Transition Network
- Darebin Education Committee
- Darebin Emergency Relief Network
- Darebin Environmental Reference Group
- Darebin Ethnic Communities Council
- Darebin Health and Wellbeing Reference Group
- Darebin Information Volunteer Resource Service
- Darebin Interfaith Council
- Darebin Libraries Leadership Team
- Darebin Libraries Strategy Implementation Reference Group
- Darebin Neighbourhood House Network
- Darebin Women's Advisory Committee
- Darebin Youth Citizens Jury
- Destination Melbourne
- East Preston Community Action Group
- East Reservoir Neighbours for Change
- Inner Northern Local Learning and Employment Network (INLLEN)
- Northern Support Services
- Northland Precinct Action Group
- Preston Market
- Preston Reservoir Adult Community Education (PRACE)
- Public Pedagogies Institute
- Salvation Army
- St Vincent de Paul
- The Bridge
- Westside Circus
- Women's Health in the North
- Your Community Health

Key themes and results

Note: figures are from the community survey, but responses resonated with other consultation activities.

How do you prefer to learn?

- 57% in a classroom
- 57% in a community setting
- 57% through reading
- 40% online
- 40% on my own/self-directed

Participated in formal education in past 2 years?

- 70% no
- 14% at university
- 13% at another training provider

Participated in a structured learning program in past 2 years?

- 44% no
- 27% at work
- 14% at Neighbourhood House
- 8% at Community Centre
- 17% at another training provider

Why would you like to do more study or learning?

- 62% for interest or fun
- 55% to keep my mind active
- 40% to meet new people
- 36% to get more skills for my job
- 26% to get a qualifications/certificate
- 25% to learn more about my community
- 16% to get a better job
- 14% to improve my language or literacy skills
- 11% to get a job
- 10% to learn more about my ancestry and culture

What is stopping you from doing more study or learning?

- 49% cost of course
- 45% not enough time
- 24% courses are not at a good time
- 19% I don't know what is available
- 14% I like to learn with others
- 9% I need access to transport
- 9% I need childcare

How do you find out about learning opportunities?

- Google
- Internet
- Online
- Emails/enewsletters
- Library/community centre
- Local newspaper

Why is lifelong learning important?

The consultation highlighted four key motivations for lifelong learning:

- For work ... upskill or re-skill, get a job/get a better job
- For interest ... learn new things, develop personal knowledge and skills
- For life ... to keep the mind active, to do the things I need to do
- To connect ... as a social and connecting activity.

This means that the benefits of lifelong learning come from ...

- What is learned ... the content
- The act of learning ... the experience.

What are the challenges to accessing learning?

- I can't get there
- What time is it on?
- I don't have time in my day
- I don't know what's available
- It costs too much
- It costs too much to run
- It's hard to get ongoing funding
- I don't speak English
- I don't feel welcome
- It feels like school
- I want to learn with people like me
- I need childcare
- People will look down on me
- Shyness, social anxiety
- I am too old
- I already have qualifications
- It doesn't fit government funding model
- Health restrictions
- Cultural safety

How can Council facilitate access to lifelong learning?

Advocacy and leadership		
Information and promotion	Networking and brokering	Infrastructure and resources
Service delivery		

Advocacy and leadership

Council demonstrates its leadership of lifelong learning through the actions it takes in each of the following areas – information and promotion; networking and brokering; and infrastructure and resources.

Council's advocacy for lifelong learning and its community is demonstrated through:

- active engagement with other levels of government to support and encourage lifelong learning
- leadership and alignment with other local government areas on lifelong learning initiatives
- positive and ongoing promotion to residents of the individual and civic value of lifelong learning to the Darebin community

Networking and brokering

Darebin Council can support wider, greater and more efficient provision of lifelong learning activities by providing mechanisms to connect the many different and disparate parts of the learning system. This includes both providers of formal education and training, as well as organisations, groups and individuals who support informal and unstructured learning.

Better networking and alignment will not be achieved through establishment of a single citywide forum for provider engagement, although this may be part of the solution set. Council could also consider how it can:

- proactively identify and connect learning providers with mutual interests and/or target audiences
- act as a central and neutral brokering or referral agent
- foster collaboration over competition between learning providers
- stimulate organic clustering of learning providers with shared interests
- maintain an up-to-date citywide view of lifelong learning activities, uptake, resourcing, enablers and challenges

Information and promotion

Darebin Council can support increased uptake of lifelong learning by supporting communication channels which raise awareness of learning opportunities – in particular, options to participate in informal and less structured learning. This could involve:

- providing a single or connected information portals where learning providers can post and update details about learning activities and learners can search for current learning opportunities that meet their needs and interests
- proactively 'push'ing information on learning activities to population groups and community organisations that might have a specific interest in those activities

Infrastructure and resources

Darebin Council can support delivery of lifelong learning activities by expanding access to its resources and facilities. This could involve:

- providing seed funding or grants to assist community groups to deliver lifelong learning activities that respond to learner demands and/or enhance civic understanding and engagement
- identifying Council facilities across Darebin that could be used by organisations or groups as venues to host learning activities, and identifying relevant conditions of use (e.g. times, days, cost, scope of activity)
- promoting access to relevant Council facilities to support access to and provision of lifelong learning activities

Service delivery

Darebin Council is already a provider of lifelong learning opportunities. This includes activities run at public libraries, community hubs, cultural programs, community engagement initiatives and activities run for families, the aged, youth and children.



Darebin Libraries and Learning Strategy Community Engagement Report

This report outlines the engagement process undertaken to inform the development of the *Darebin Libraries and Learning Strategy* and the key themes identified by participants.

Prepared by: Darebin Libraries, informed by Ellis Jones Consulting, February 2020

Background

The Darebin Libraries and Learning Strategy will guide the development and delivery of library services to meet the current and projected needs and aspirations of the Darebin community, with a focus on lifelong learning and partnerships. Community consultation and engagement is critical to the development of a successful and relevant strategy.

Stage 1: Evaluation, literature review and trend analysis

- Through external and internal consultation, evaluate the outcomes and impacts of the current Darebin Libraries Strategy 2014-19, identifying successes, opportunities for improvement and any gaps
- Review current and emerging strategic direction documents at a local, national and international level
- Analyse the current and anticipated sectorial and demographic trends in Darebin to articulate their potential impact for Darebin Libraries

Consultation

Date	Location	Method	Target audience & attendees	
7 Feb 2019	Preston Library	Workshop	Library leadership team	11
26 Feb–21 Mar 2019	Darebin Libraries branches	Evaluation forms	Library event attendees	295
5 Mar 2019	Reservoir Community & Learning Centre	Meeting	Darebin Libraries Strategy Implementation Reference Group	3
12–31 Mar 2019		Survey (online, paper)	Library customers	1,789
21 Mar 2019 26 Mar 2019	Preston Library, phone	Interview	Representatives from partners: <ul style="list-style-type: none"> ▪ Preston Reservoir Adult Community Education (PRACE) ▪ Reservoir High School ▪ Aged & Disability (DCC) ▪ Environment & Sustainable Transport (DCC) ▪ Equity & Wellbeing (DCC) 	5
29 Mar 2019	Northcote Library	Workshop	Library leadership team	11
3 Apr 2019 5 Apr 2019	Northcote Library	Workshop	Library employees	16
2 May 2019	Reservoir Community & Learning Centre	Workshop	Library leadership team	9
7 May 2019	Reservoir Community & Learning Centre	Meeting	Darebin Libraries Strategy Implementation Reference Group	4

Key themes

Partner interviews

Strengths

- Provide space with high foot traffic – can connect with target audiences
- Planning and delivery of diverse events
- Strong reputation in community, trusted Council service
- Audience reach and communication channels
- Staff expertise and inclusive approach

Opportunities

- Agility to incorporate shorter advance-notice event opportunities into programming and promotion
- Building active partnerships, investing in ongoing collaboration and relationships
- Community outreach
- Increasing library profile with non-users

Darebin Libraries are great at planning, hold the skills to translate ideas to library space, have an understanding of audience and how to gain participation [Interviewee]

Reference Group

Strengths

- Library staff are nimble and responsive
- New self-serve kiosks are great
- Staff always ask 'how can I help?'
Customers leave feeling like they've been helped
- Branch locations – near public transport, in precincts
- Provides comprehensive services

Opportunities

- Bigger library space increasing population, single-person households, high density living
- Space needed: for social connection, to study, noisy v quiet, for community groups to meet
- Wifi is slow
- Library presence elsewhere eg Northland, Polaris (could partner with Latrobe University Library)
- Less physical books with better browsing online
- Access and inclusion – opening hours (more customer centric), street signage and civic presence, showers, parking, lighting
- Explore public health and well-being services eg free eye testing, hearing tests
- Capacity building with community groups – ambassadors, volunteering

Library employees

Strengths

- Wide range of events for diverse customers
- Children's events and outreach focused on literacy
- Increased empathy for community members at risk of exclusion
- Providing opportunities for community connections
- Digital services eg online services, digital collections, new self-check kiosks, library technology
- Collection is diverse and inclusive
- Marketing
- Collaboration with partners

Opportunities

- Outreach to diverse community groups
- Youth engagement
- Not enough space and comfortable areas for customers, some libraries look tired
- Staffing levels to match commitments and expectations
- Provide scanning for customers
- Wifi is hard to access for customers
- Signage, internal and external community languages, easy to understand
- Increase community awareness of broad library service offering
- Access
- Quiet v collaborative areas
- Digital literacy

Customer survey

The customer survey explored the impact of branch and digital improvements over the past five years and the services customers access through the library.

95.5% of respondents visit our physical library branches

When visiting one of our libraries,

- 89% agree they are able to find the information they want
- 84% agree they are able to find the resources they want
- 89% agree they feel welcome
- 91% agree they feel safe

Top 3 improvements noted by customers to make each branch more welcoming and accessible:

Fairfield Library

- Rearranged customer service desk and borrowing kiosks (70% agreed to a great or some extent)
- Increased lighting (55%)
- Merging print payment and release station (34%)

Northcote Library

- Rearranged the floorplan (60% agreed to a great or some extent)
- Renovated public toilets (55%)
- Opened the courtyard for public access (42%)

Preston Library

- Seating and lighting outside the library (60% agreed to a great or some extent)
- Renovated public toilets (60%)
- Opened the courtyard for public access (50%)

Reservoir Library

- New Reservoir Library as part of the Community and Learning Centre (62% agreed to a great or some extent)
- Increased number of public computers (50%)
- Device (laptops and iPads) lending kiosks (44%)

What do you do in the library?

- | | |
|--|---|
| ▪ 89% borrow books, music or DVDs to take home | ▪ 25% print or photocopy |
| ▪ 39% read a book, magazine or newspaper in the library | ▪ 24% use the library's computers, laptops and iPads |
| ▪ 31% attend an event or program | ▪ 22% use the library's wifi |
| ▪ 29% ask the library staff for help | ▪ 7% meet friends |
| ▪ 27% use the library resources to look something up eg catalogue, reference material, local or family history | ▪ 4% use the library for a meeting |
| ▪ 26% use the library space to study or work | ▪ 2% use the PlayStations |
| | ▪ Other: find out what's happening; spend time in the library to connect socially, be safe, warm and cool; use online only; volunteer; use the JP |

Key findings

Darebin Libraries are primarily a **place to read and borrow collection items** (89% borrow; 39% read in the library).

An important role for libraries is to **provide opportunities for social connection** (31% attend events or programs; 7% meet friends; 4% use the library for meetings); while others appreciate quiet space (26% use the library space to study or work).

Access to technology draws many customers into our libraries (25% print/photocopy; 24% use the library's computers, laptops and iPads; 22% access free wifi; 2% use the PlayStations).

Providing **access to staff and resources** to provide knowledge and support is valued by our community (29% ask library staff for help; 27% use library resources to look something up eg catalogue, reference material, local or family history)

The survey shows customers have been most impacted by the changes which improve their experience as a place to meet, do and connect:

- Customers were most positive about changes to libraries which enabled access to outside spaces, improved lighting and access, improved toilets and layout.
- However, some customers are still coming to terms with the library as an inclusive space for all community members – young and older, noisy and quiet, and changing technology.

Trends and strategic directions

Libraries are no longer a place just for borrowing books. They are places where the community can access e-resources, wifi, computers, meeting rooms, art spaces, and a plethora of diverse child, youth and adult programs. Public libraries are vibrant community hubs that provide all Victorians universal access to information. They offer a safe space for social interaction, digital connection, lifelong learning and rich cultural experiences. [Local Government Victoria, website]

Public Libraries Victoria, Strategic Plan

- Goal 1: Advocacy and Profile, Aim: Be Influential
- Goal 2: Professional Development, Aim: Build Capacity
- Goal 3: Sustainable Business, Aim: Deliver Value
- Goal 4: Organisation, Aim: Achieve Excellence

Victorian Public Libraries 2030 Strategic Framework

- Libraries will continue the transition from passive, produce-based environments to ones that deliver active, service-based experiences
- Libraries are likely to transition to a creative and/or community based model:
 - Creative: focus on facilitating creativity and collaboration
 - Community: focus on facilitating connectedness and dynamic learning
- Interests and demographics of the community influence strategic directions of libraries
- In both scenarios, we see the impact of an aging population, in particular the rising incidence of dementia and awareness of the importance of lifetime brain health

UN Sustainable Development Goals

Libraries play a key role in achieving the UN's Sustainable Development Goals:

Goal 11: Culture

11.4 Strengthen efforts to protect and safeguard the world's cultural and natural heritage

Goal 16: Access to information

Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective and accountable and inclusive institutions at all levels

16.10 Ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreement

Trends

- Bookless libraries eg National Digital Library of Korea
- Human libraries – a conversation between a reader and a human book
- Destination libraries eg Calgary Central Library, State Library Victoria
- Vending machines eg Anaheim Public Library
- 24/7 open libraries eg Aarhus Central Library, Foster Public Library (Victoria)
- Digital collections – evolving digital solutions to curate digital collections eg Meet Libby
- Community services and referrals eg collocation with Maternal & Child Health, Youth Services, Feel Good Fridays @ Yarra Libraries
- Libraries as a third space eg Libraries After Dark community lounge room
- Maker Spaces and exhibition spaces
- Green Libraries eg Library at the Dock

Stage 2: Consultation

- Consult with the Darebin community and organisations, Darebin Council, Darebin City Council and Darebin Libraries Strategy Implementation Reference Group to support the development of the strategy and ensure the strategy adopted by Council is reflective of the needs, expectations and aspirations of the Darebin community
- Focus is to explore Darebin Libraries strategic direction including consideration of opening hours and the specific library needs of our community members from a CALD background.
- Darebin Libraries are especially keen to engage with our diverse community and supporting organisations including community members who do not currently use our libraries, people from a culturally and linguistically diverse background, people with a disability, education providers, young people, people identifying as GLBITQ, Indigenous and Torres Strait Islanders and seniors.

Consultation

Date	Location	Method	Target audience & attendees	
3–23 Jun 2019	All library branches	Keep? Change? posters	Library customers	398
3–23 Jun 2019	All library branches & Your Say Darebin	Opening Hours Ballot	Library customers & non-users	18 YSD
3 Jun 2019	Preston Library	Place-based intercept surveys	Library customers (Chess Club)	237+
5 & 6 Jun 2019	Preston Library		Parents, low socio-economic	
11 & 14 Jun 2019	Preston Library, Reservoir Library		CALD (Conversation Café)	
13 & 14 Jun 2019	Preston Market		Non-users	
15 Jun 2019	Bunnings, Northland		Non-users	
17 Jun 2019	NARC		Non-users	
17–21 Jun 2019	Reservoir Community & Learning Centre		CALD, seniors	
19 Jun 2019	Preston Library		Seniors (In the Loop)	
22 Jun 2019	Bundoora Park Farm		Non-users	
24 Jun 2019	PRACE		Non-users, CALD	
26 Jun 2019	Reservoir High School		Youth, non-users	
27 Jun 2019	Reservoir Leisure Centre		Non-users	
29 Jun 2019	Bundoora Homestead		Non-users	
17–21 Jun 2019	Fairfield, Northcote, Preston & Reservoir Libraries	Drawing: Imagine the world's best ever library!	Children 3–5 years, storytime attendees	85
4–23 June 2019		Survey (online, paper)	Library customers & non-users	1,068
16 Jul 2019	Northcote Library	Workshop	Representatives from partners: <ul style="list-style-type: none"> ▪ Preston Reservoir Adult Community Education (PRACE) ▪ Reservoir High School ▪ The Bridge 	3
16 & 17 Jul 2019	Northcote Library & Preston	Workshop	Library employees	14

Date	Location	Method	Target audience & attendees	
17 Jul 2019	Preston	Workshop	Council employees	14
1 Aug 2019	Keon Park	Workshop	Library leadership team	8
10 Sep 2019	Reservoir Community & Learning Centre	Meeting	Darebin Libraries Strategy Implementation Reference Group	3
22 Oct 2019	Darebin North East Community Hub	Workshop	Library leadership team	11

Key themes

Keep? Change? posters

Post-it note suggestions: 33% focused on what to keep, 67% focused on what to change

Fairfield Library

16% of total responses – 30% keep, 70% change

- 'How great to have a space that makes information and access to information free to everyone – a sign of an enlightened state' [Keep]
- 'Clean, warm, nice and quiet but not too quiet – thank you for this community space' [Keep]
- 'The staff are awesome' [Keep]
- 'The toilets at Fairfield Library are outdated and badly designed. There are 100s of mothers with babies pushers – they can't use it if they're worried about bub. There is no room to move – no hot water. Do better DCC.' [Change]
- 'Please move PlayStation away from the child area and exit' [Change]
- 'Get more games for PS4' [Change]
- 'Scanning!' [Change]
- 'Powerpoints for central tables to plug laptops into please' [Change]
- 'More PCs and longer computer sessions' [Change]

Northcote Library

13% of total responses – 42% keep, 58% change

- 'The Darebin Libraries are the jewel in the crown of Council. Keep up the great work!!' [Keep]
- 'Keep the multi-range and multicultural items to borrow' [Keep]
- 'Community spirited events' [Keep]
- 'I like the free computers' [Keep]
- 'Parking' [Change]
- 'Keep the silent study room JUST for study/reading purposes – NOT activities!' [Change]
- 'More graphic novels for children – not just anime stuff' [Change]
- 'Longer than 1 hour on computers thanks' [Change]
- 'I want to be able to scan and email' [Change]

Preston Library

38% of total responses – 32% keep, 68% change

- 'Late nights' & 'Thursday's events' [Keep]
- 'Staff are absolutely fantastic – excellent customer service, supportive, friendly and knowledgeable, helpful, attentive – keep up the great work' [Keep]
- 'Rotating display feature at front reflecting events and days such as world environment day, women's day – these are amazing at integrating the library into the wider world!' [Keep]
- 'Thanks for putting a PS4 in the library' [Keep]
- 'No monetary fines' [Change]
- 'Cleaner toilets' [Change]
- 'Coffee van' [Change]
- 'Study rooms for 46 people as sometimes noise levels interrupt others – I am a weekly library user' [Change]
- 'More books' [Change]

- 'Keep rhyme time and storytime running over school holidays' [Change]
- 'Easier access to wifi' [Change]
- 'More computers – even laptops for hire of 3 hours – found at Reservoir' [Change]

Reservoir Library

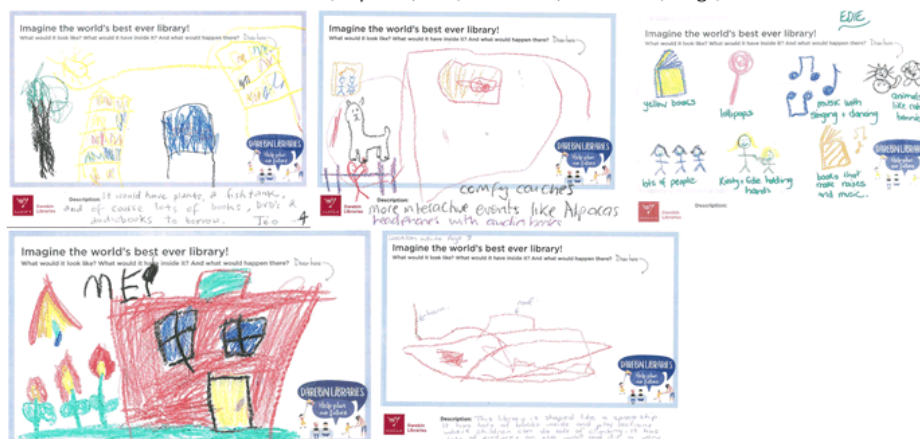
33% of total responses – 32% keep, 68% change

- 'Recycling station' [Keep]
- 'Love hanging out with friends in Youth' & 'Great reading spaces for children' [Keep]
- 'Nice and friendly staff! Thank you ☺' [Keep]
- 'Events at Reservoir Library, not always at Preston/Northcote' [Keep]
- 'Sunday hours please ☺' [Change]
- 'More quiet study space for adults' [Change]
- 'More staff to help people who aren't good with technology' [Change]
- 'More books at Reservoir Lib' [Change]
- 'More activities' [Change]
- 'Move printers! Queues so long at RCLC sometimes' [Change]

Imagine the world's best ever library! [Drawing]

Key themes

- Books & headphones with audiobooks
- Food – icecreams, lollies, chocolate, baby chinos, cupcakes, fruit
- People
- Arts, crafts & music
- Colourful, engaging & interactive spaces & events with toys & play equipment to inspire imagination including a scribbling wall, shaped like a spaceship
- Activities on computers, puzzles, games
- Gardens & animals – unicorns, alpacas, fish, monsters, dinosaurs, dogs, lions



Place-based intercept surveys

The intercept survey focused on exploring awareness of the library, services and barriers to use. If the person nominated themselves as from a CALD background, specific needs around information in community languages were explored.

59% of respondents used Darebin Libraries; 41% did not

Key themes

Even if people don't use the library, there was good awareness of library service offerings although relatively low levels of interests in many of these services.

For community members from a CALD background, when asked if they would like to access library resources in their nominated language, 25% answered yes. Of those who answered yes, the top five requests were: books, CDs and DVDs (78%), newspapers and magazines (35%), events for children (35%), opportunities for social interaction (29%) and eLibrary (27%).

In conjunction with this, when asked what kind of English language resources are important to you, adult fiction (50%) topped the list with children's books (48%), films (46%), adult non-fiction (43%) and magazines and newspapers (39%) were top of the list. Online English language learning materials (23%), physical English language learning materials (21%) and International English Languages Testing System resources (16%) were also deemed useful.

When asked about barriers to use, the top three responses were: opening hours (26%), better transport (18%) and location (16%).

In general conversation with respondents, other themes identified include the need for quiet spaces and loud spaces, removal of overdue fines, library tours, raising community awareness of services, more language resources, lack of parking, and access to local and family history.

Online survey

Key themes

Books are the most used and valued **collection** item with 89% usage and value followed by DVDs (29%), eBooks (23%), magazines (21%) and newspapers (20%).

Requested improvements include: More... books, eAudiobooks, popular books, language learning resources, DVDs, children's books, books in community languages, ebooks, time to read the books, eMagazine options, training on how to access and use digital collection resources, romance books, history books, cookbooks, movies to stream, books for tweens and young adults, promotion of collections, art and design books, magazines, series, LGBTIQ books...

Technology in the library is well used with borrowing kiosks (66%) the most popular followed by wifi and my own device (51%), library desktop computers (44%), printing/photocopying (32%), library laptops at Reservoir (3%), gaming consoles (3%) and library iPads at Reservoir (1%).

Requested improvements include: More... time on the computers, scanning, devices (laptops and iPads at other branches), faster wifi, better searching on the app, gaming consoles, cheaper printing...

60% of respondents don't use the Darebin Libraries app with lack of awareness of the app the greatest barrier to use (50%) followed by no interest in apps (27%).

Events and programs are well-attended and valuable with exhibitions and displays (32%) very well supported followed by Rhymetime and Storytime (20%), author talks (19%), cultural events (18%) and film or documentary screenings (15%). Even when an event has not been attended, significant proportions of respondents identified events and programs as being valuable in a library.

Requested improvements include: More... advertising and wider promotion of events, something for small business, after hours/weekend events, computer classes, author talks, history talks, information sessions, games nights, school holiday events, events at Fairfield and Reservoir, music, events for young adults, craft and social interaction events, Rhymetime and Storytimes especially in school holidays, homework classes, climate emergency topics...

Many respondents are keen to access **quiet library spaces** for study or independent work (84%) or to lounge and read (78%). However, there is also a desire for **collaborative library spaces** for children and parents to interact (60%) and for work or study (52%) and for community-led events (52%) and events in general (51%). Meeting spaces (43%) and informal spaces to lounge and socialise (36%) were also desired. *Requested improvements* focused on providing space to be able to accommodate these articulated needs.

Many respondents did not want to see **other Council services** in the library (33%), however, there was much interest in collocated Council services for families and children (36%), young people (33%), older people (40%), targeting health and wellbeing (35%) and environment (30%).

Library staff are valued for providing useful assistance (95%), responding in a professional manner (95%), being kind and welcoming (94%) and patient and understanding (90%), while also being helpful to find books and information (86%) and with technology (66%).

The **biggest barrier to access** is opening hours (66%):

- Weekdays: 53% want libraries to be open later in the evening with others wanting the library to open at 9am on weekdays.
- Weekends: 39% want the library to open earlier with 43% wanting the library to stay open later in the evening
- Sundays at Reservoir (21%) and Fairfield (33%) were also mentioned in the comments

A separate report will be compiled to address opening hours recommendations.

To round out the top 3 barriers to use, physical spaces not being fit for purpose (19%) was then followed by location of the libraries (16%).

The **location and convenient proximity** of libraries was explored through questions around how respondents travel to the library: walk (64%), car or motorbike (55%), bicycle (18%) and public transport (18%). Lack of convenient parking was identified as a barrier to use.

Most respondents (30%) **visit the library** once every 2-3 weeks (which ties in with loan periods), 20% visit once per week, 11% more than once per week and 3% visit every day. This correlates with respondents who also use the digital library with 3% using it daily, 11% more than once per week, 10% once per week and 12% once every 2-3 weeks.

A specific question was asked about how Darebin Libraries can **support the community to address climate change**. Responses include: meeting spaces for groups, talks by scientists and conservationists, more books and resources on relevant topics, incorporating sustainable technologies into buildings, information and education about recycling, sharing positive stories and engaging the strength in our community, workshops, displays, information sessions, keep cups, and debates.

Another question was asked about what Darebin Libraries can do to make **society fairer and more equitable**. Many responses identified that the library is already doing a lot of good work in this space. Suggestions include: providing information and spaces for people who are homeless, community information sessions, programs to help the most vulnerable in our community, information about community organisations, workshops on health and wellbeing, keeping the library as inclusive and supportive of all community members, more resources for LGBTIQ, remove fines, talks and resources about equality and cultural respect, bilingual storytimes, and sessions to help people resist gambling.

7.2 WASTE AND RECYCLING STRATEGY**Author:** Senior Environment Officer - Waste and Water**Reviewed By:** General Manager City Sustainability and Strategy

EXECUTIVE SUMMARY

Significant challenges in the recycling industry and Councils declaration of a climate emergency have required Council to rethink and adjust its strategic approach to waste, even though the currently Waste and Litter Strategy had been intended to run to 2025. To respond to these challenges Council has developed and consulted on a Draft Waste and Recycling Strategy.

Having considered community feedback, officers are now recommending that Council adopt a new Waste and Recycling Strategy that will set a long-term policy direction as well as actions for the immediate term and intermediate term. This will enable Council to undertake both clear long-term planning and action planning for the next 2-3 years. It will also build in the flexibility and responsiveness that it needs given the current uncertainty in the waste and recycling sector, and in light of the COVID-19 global pandemic.

While many core objectives such as reducing overall waste to landfill and community education remain a key focus, the proposed Strategy shifts Council's focus more on cutting emissions from waste, advocacy to state and federal government and challenging now out-dated approaches to waste and recycling.

In December 2019, Council endorsed the release of the Draft Waste and Recycling Strategy for community consultation and requested a report outlining community feedback. This information is included within this Council Report.

There have been a number of significant developments impacting the Draft Waste and Recycling Strategy since it was drafted. The release of Recycling Victoria and the COVID-19 pandemic have significantly impacted the community and waste sector creating a need to amend the Strategy and the timing of the Action Plan. These amendments have not changed the direction, objectives or core messaging of the strategy.

Recommendation

That Council;

- (1) Thanks community members for the time, energy and expertise that they have contributed in providing feedback on the draft Waste and Recycling Strategy
 - (2) Writes to the State and Federal government regarding the advocacy items identified in the strategy.
 - (3) Endorses the Waste and Recycling Strategy
-

BACKGROUND / KEY INFORMATION

The Council Plan Action Plan 2019-2020 commits Council to “Review Darebin's Waste Strategy to deliver on the aspirations of the Climate Emergency Plan 2017–22 by cutting emissions from waste, supporting elimination of single-use plastics, and ensuring recycling systems are effective in the long run”. Officers conducted a review to examine Council's current waste and recycling services, with the aim of identifying innovative, solution-focused approaches to service delivery and materials processing, and inform a renewed Waste and Recycling Strategy that:

- (1) Reflects Council's commitment to act on the climate emergency
- (2) Considers recent changes in the recycling industry
- (3) Positions Darebin as the leading council for waste and recycling services and end destinations for materials
- (4) Challenges traditional kerbside models and current best practice; and
- (5) Delivers customer service excellence, greater social equity and inclusion, and value for money

The development of the Draft Waste and Recycling Strategy was informed by technical and analytical work to examine what the lowest carbon options were as a first principle before considering market, logistical or price constraints.

On 16 December 2019, Council endorsed the release of the Draft Waste and Recycling Strategy for community consultation and requested a report back to Council outlining community feedback.

Previous Council Resolution

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

‘That Council endorses the release of the Draft Waste and Recycling Strategy for community consultation (including the technical and analytical studies) and request that a report come back to Council in February or March 2020 outlining community feedback’

COMMUNICATIONS AND ENGAGEMENT**Consultation**

On 10 January 2020, a YourSay page was launched, providing the community with a portal in which to engage with the Draft Waste and Recycling Strategy and to provide feedback on the Strategy's key objectives. Consultation remained open until 16 February. For more information about this consultation, please see Appendix B: Community Engagement Summary Report.

To reach our diverse community, the Your Say website included a summary of the Draft Waste and Recycling Strategy which was translated into 12 languages other than English widely spoken in Darebin. These 12 summary documents were included in the document library, and each summary document included contact details for Darebin's interpreter service. Printed copies of these summary documents were taken to two pop-up sessions.

One of the most common issues raised by Darebin residents who responded during the consultation was that they wanted the frequency of the food and green waste service to be increased. While these residents were supportive of the service, they would prefer a weekly collection of food and green waste rather than fortnightly in order to reduce odour and potential problems with pests. The Action Plan includes the consideration of collection frequency changes in order to increase the uptake of the food and green waste service, although officers note that further work and consultation would be done before a specific change proposal would come to Council for decision.

Other key feedback from respondents to the Your Say page included:

- Improve recycling services and changes to recycling hubs (increasing both the number of hubs and the materials accepted)
- Improve the hard waste collection service
- Reduce dumped rubbish
- Increase community education
- Support for textile waste recycling
- Introduce comprehensive waste services to multi-unit developments.

Council officers did not receive any requests to change the Key Objectives of the Draft Strategy and were not made aware of any concerns regarding the strategic approach.

Key themes in the feedback were primarily centred around proposals to improve services, or issues with current services. These considerations in service improvements had already been identified in the Draft Strategy and are particularly evident in the Strategy's Action Plan. Given the strong alignment of the community's concerns with the objectives and actions in the Draft Strategy, no changes to the Draft Strategy in response to the community consultation are proposed.

In addition to going to community consultation on the Draft Strategy, detailed community feedback will be sought on the design of any service changes at the time those changes are proposed. This will be factored into the implementation of actions in the Action Plan. Each of the major actions will have its own community consultation plan.

Given the current policy and industry uncertainty, an updated action plan will be prepared ahead of the end of the current action plan at which point further consultation needs will also be assessed.

Communications

A communication plan was created for the purposes of guiding the community consultation. The Draft Waste and Recycling Strategy was communicated as per the Communication Plan through a variety of channels including information on Council's website, promotion via social media and a Have Your Say webpage. A Community Engagement Summary Report is provided in Appendix B.

ANALYSIS

Alignment to Council Plan / Council policy

Goal 1 - A sustainable city

Darebin Waste and Litter Strategy 2015-2025

Darebin Waste and Litter Strategy Action Plan 2017-2025

Darebin Climate Emergency Plan 2017-2022

Environmental Sustainability Considerations

Environmental Sustainability considerations are a key driver behind the Draft Waste and Recycling Strategy.

Climate Emergency

The proposed Waste and Recycling Strategy challenges the traditional approach to waste management and seeks a new, transformative method for Council's waste and recycling services, which meets the climate emergency imperative and addresses recent recycling industry impacts. It builds on Darebin's leadership on climate change action by providing an example of approaching an old problem in a new way, through the lens of the climate emergency. The proposed Waste and Recycling Strategy shows that the key areas of focus for action should be food waste, textiles and kerbside recycling.

The analysis also shows that waste to energy technologies (for example the burning of plastic and other waste material to produce electricity) is not an environmentally sustainable technology.

This is because by consuming plastic, which is made from petroleum, it is effectively burning oil for energy and creating more greenhouse gases, albeit at a slightly slower speed. If the Victorian Government is successful in creating a strong and effective recycling processing and collection infrastructure, then plastic would be largely removed from the waste stream and waste to energy is far less likely to be a suitable technology. Further waste to energy plants could act to displace investment in renewable energy sources of electricity (such as solar and wind) from the electricity grid.

The proposed Strategy seeks to set long term directions which promote circular economy principles, move to low carbon waste solutions, zero landfill and zero dumped rubbish and litter.

Equity, Inclusion and Wellbeing Considerations

Specific services and actions surrounding these considerations are included in the proposed Waste and Recycling Strategy and are delivered in Council's current waste services.

Equity, inclusion and wellbeing consideration will be further considerations as part of the roll-out of the specific initiatives contained in the Action Plan. For example, Council officers will investigate better bin solutions for people with disabilities including smaller and more manoeuvrable bins.

The COVID-19 pandemic has created unprecedented disruptions and impacts on equity, inclusion and wellbeing. This has been considered closely and the Action Plan has been amended accordingly. More information on this can be found in the 'discussion' section of this report.

Cultural Considerations

The implementation of the actions in the proposed Waste and Recycling Strategy will consider cultural considerations and consult with relevant departments on these issues, particularly around communications and education.

Economic Development Considerations

Opportunities to engage local markets and businesses have been considered as part of the Waste and Recycling Strategy and the Economic Development team have been consulted as appropriate. For example, this year's *Pitch It* competition has a stream dedicated to supporting up-and-coming businesses with innovative ideas that contribute towards a circular economy.

Financial and Resource Implications

To keep cost and carbon emissions low, waste avoidance is critical. Generally, findings of the review study show that just focusing on cutting emissions at the point of waste disposal will increase the cost overall (for Council and individual residents) over the long term.

The Strategy provides for ongoing community education and advocacy to the Victorian and Commonwealth Governments on waste avoidance, which would keep costs down.

As new services are designed by Council this will include exploring opportunities for incentives for waste avoidance for residents and businesses because avoiding waste is the single most significant way to reduce cost to residents and emissions. Cost implications will be better understood in more detail after the service review proposed in the action plan and will then be presented to Council for discussion.

The actions identified as *current actions* have been provided for within the 2019-20 budget. The *intermediate term* actions identified are subject to consideration in future years budgets, although they are also proposed at a scale that is generally regarded as achievable considering Council's overall resources and budget. Therefore, it is possible that after budget considerations each year, the timing of actions proposed by the Strategy would be adjusted.

Legal and Risk Implications

Council has a legal role in enforcement of waste and litter issues and has a number of legally binding waste, recycling, green waste and hard waste contracts. Legal and risk implications will continue to be considered throughout the service design component of the Waste Strategy review, including implications for existing contracts.

Generally, there are opportunities to make substantial service changes at end of contract terms. The actions proposed in the Strategy have considered the timing of these to allow these opportunities to be leveraged.

DISCUSSION

Overview of key elements of proposed Waste and Recycling Strategy

The analytical work done to date helped identify some key implications for service design including separating textile waste; increasing capture of food waste from households, multi-unit developments and businesses; changes to bin mix to meet waste to biofuel requirements; reducing contamination to improve material quality; and incentivising avoidance of waste. These have been reflected in the Waste and Recycling Strategy. (Appendix A).

The analytical work done provides the evidence to support several advocacy platforms including acting on textiles and food waste, advocating for waste to biofuel, and policy changes to influence waste generation and favour avoidance.

The ambition of the identified opportunities to shift to low carbon solutions require policy and funding support, strategic partnerships and collaboration with other levels of government/key stakeholders to advance. The high-level feasibility, risk and cost implications demonstrated that it is not feasible for Council to proceed on its own.

Feedback from experts during earlier consultation workshops indicated that Darebin is the first known council/organisation to undertake this type of analysis of waste management using a carbon perspective. Carbon life cycle assessment has not yet been done at the State level to drive infrastructure choice and advocating for a carbon mitigation framework to drive decision-making represents a good opportunity to demonstrate leadership and shift thinking in the sector.

There is an opportunity to share the outcomes of the analysis and advocacy for policy change with key government stakeholders, to address the recycling crisis and upstream impacts. The proposed Strategy identifies the following Key Long-term Directions:

- Reform Waste policy at the state and federal level to align with the climate emergency.
- Divert all green waste from landfill and increase uptake of green waste service
- All textiles diverted from landfill
- Reduced textile consumption
- Comprehensive waste services provided to all multi-unit developments and commercial business in the City of Darebin
- Greenhouse gases eliminated from all waste processing
- Reduce contamination, increase diversion, minimise waste to landfill and increase resources recovery
- Maximise diversion of Hard Rubbish from landfill
- Waste charges are financially sustainable and equitable.
- Drive innovation in materials recovery and world leading landfill operations.
- Zero dumped rubbish and litter
- Darebin Council is a zero-waste organisation

Recent changes to the Waste and Recycling Strategy

Since the previous review by Council, there have been a number of significant developments impacting the draft Waste and Recycling Strategy. The release of *Recycling Victoria* and the COVID-19 pandemic have significantly impacted the community and waste sector creating a need to amend the Strategy and the Action Plan. These are discussed below.

Recycling Victoria

In February 2020, the Victorian Government released its long anticipated circular economy policy titled *Recycling Victoria*. This is the Victorian Government's 10-year policy and plan for reforming waste and recycling. *Recycling Victoria* is a significant policy which will have far reaching impacts on the sector.

The Waste and Recycling Strategy incorporates amendments following the release of this policy. These amendments have not changed the direction or core messaging of the

Strategy. Instead they update the Strategy to reflect the major changes to the sector and ensure the Strategy remains relevant over the next 3 years.

Many of the advocacy platforms in the previous draft needed to be readjusted and progressed. For example, the previous draft called for a dedicated waste and recycling authority in Victoria, which was announced in the Recycling Victoria policy. This is a key advocacy achievement for Council, as we have been calling on this for some time. Given this announcement, advocacy has shifted from calling for this body to be instated, to calling for the authority and the Act it administers to focus on priorities such as incorporating the climate emergency into decision making. Similar amendments were made for references to Victorian Government investments in the recycling industry, investments in bioenergy and encouragement of product stewardship schemes.

The release of Recycling Victoria also created a need for other smaller amendments to keep it up to date. In particular, the section 'State of Play for the Waste and Recycling Sector', which outlined roles and responsibilities across Australian governments needed to be adjusted to reflect changes in governance announced in Recycling Victoria. Also, it was necessary to introduce some background information on the policy itself as well as some of the key announcements such as the Waste and Recycling Act.

COVID-19

The unprecedented challenges posed by the COVID-19 pandemic have impacted the Waste and Recycling Strategy Action Plan. Many of the planned actions had become either not possible or inappropriate at the current time. For example, trialling a food waste service for businesses is not possible as many businesses are closed and experiencing significant hardship. Physical events cannot be hosted due to social distancing requirements and it was not appropriate to continue many behaviour change programs as planned during this period of hardship and disruption.

The unknowns around the extent of disruptions and how long they will go on for also posed challenges for planning actions. As a result, the Action Plan was repositioned to no longer refer to specific years, and instead refers to the broader categories Current Actions, Intermediate Actions and Long-Term Direction.

- Current Actions is work that is either already underway or will be undertaken throughout the immediate challenges posed by the pandemic.
- Intermediate Actions is work which will be undertaken after the major disruptions from the pandemic have passed over a two year period.
- Long-term direction represents the outcomes and vision which the actions are trying to achieve.

Many of the actions required rephrasing following this repositioning of the Action Plan, however, this did not change the outcomes they were designed to achieve.

Community Consultation

Following the Council recommendation of 16 December 2019, the Draft Waste and Recycling Strategy was released to the community for their feedback.

This consultation period revealed that community members were in favour of changing the frequency of the food and green waste collection, increasing education, and continued targeting of litter and dumped rubbish. Other suggestions included providing a container deposit scheme, encouraging the use of tap water instead of bottled water at sporting clubs, easy access to polystyrene recycling, educating the public about what to do with textile waste and providing a separate nappy collection.

The key themes and issues raised by the respondents on both the YourSay page and during the face-to-face engagement sessions had already been included in the Draft Waste and Recycling Strategy, indicating that Council's recent analytical work, and the key objectives, long term goals and the Action Plan align with community concerns about waste and recycling management.

A Community Engagement Summary Report is included in **Appendix B**, and further detail can be found in the 'Consultation' section of this report.

Advocacy

The strategy provides clear advocacy positions on a range of waste related topics. This will form the basis of Council's future advocacy work on waste.

Advocacy topics include:

- Factoring greenhouse gas emissions into all waste and recycling decisions
- Governance of the Victorian waste system
- Enhancing, reinforcing and expanding product stewardship schemes
- Tackling plastic pollution
- Encouraging the use of recycled materials through financial incentives and government procurement policies
- Government education on waste avoidance
- Opposition to incineration waste to energy options and encouragement of biofuel investments
- Spending the landfill levy on recycling investments and not leaving Councils to pay for Recycling Victoria.

OPTIONS FOR CONSIDERATION

Option 1 (Recommended) – That Council endorse the proposed Waste and Recycling Strategy.

Option 2 – That Council does not endorse the Waste and Recycling Strategy and seeks further work or information before considering endorsement.

Option 3 – That Council abandons the Strategy development work. The current Waste and Litter Strategy would continue to apply, but would be somewhat out of date and not reflect recent changes in the context, or recent community feedback.

IMPLEMENTATION STRATEGY

Details

The proposed Waste and Recycling Strategy includes an Action Plan, which guides the implementation of the Draft Strategy. The Action Plan has been re-worked as a result of the unprecedented challenges posed by the COVID-19 pandemic and the unknown time and extent of disruptions which will result. As a result, this action plan is divided into three categories: *Current Actions*, *Intermediate Actions* and *Long-Term Direction*.

Communication

Detailed community feedback will be sought on the design of any service changes at the time those changes are proposed, to understand community needs. The community feedback and engagement process will be factored into the implementation of actions in the Action Plan. Each of the major actions will have its own community consultation and communications plan.

Community members that participated in consultation and who provided contact details will be contacted to let them know about Council's decision.

Timeline

As indicated above, the Action Plan is divided into three phases or categories.

Current Actions is work that is either already underway or will be undertaken throughout the immediate challenges posed by the pandemic.

Intermediate Actions is work which will be undertaken over the following 2 years after the major disruptions from the pandemic have passed.

Long-term direction represents the outcomes and vision which the actions are trying to achieve.

RELATED DOCUMENTS

- Darebin Waste and Litter Strategy 2015-2025
- Darebin Waste and Litter Strategy Action Plan 2017-2025
- Darebin Climate Emergency Plan 2017-2022

Attachments

- Appendix A - Waste and Recycling Strategy (**Appendix A**) [↓](#)
- Appendix B - Community Engagement Summary Report - Waste and Recycling Strategy (**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.



Contents

Section 1

Executive Summary _____ 03

Key Objectives and Long-Term Goals _____ 05

Section 2

Climate Emergency and Waste Implications _____ 06

Waste Hierarchy _____ 11

State of Play _____ 13

 Global _____ 13

 Federal _____ 14

 State _____ 15

 Local _____ 17


Advocacy _____ 19

Section 3

Action Plan _____ 22



Executive Summary



Council's vision is for a Greener, Bolder, More Connected City. Reducing waste and maximising recycling outcomes is not only a vital part of the work we do but is also very important to our community. The *Waste and Recycling Strategy* sets out our long term goals and objectives for waste and recycling, with an Action Plan outlining our focus for the next three years.

Council previously adopted the *Darebin Waste and Litter Strategy 2015-2025*. Significant challenges in the waste and recycling industry and our declaration of a climate emergency have required us to rethink and adjust our approach. While many core objectives such as reducing overall waste to landfill and community education remain a key focus, we have also shifted our focus to cutting emissions from waste, advocacy to state and federal government and challenging traditional approaches to waste and recycling.

A review into Council's waste and recycling services was conducted over the last 18 months with the aim of identifying innovative, solution-focused approaches to service delivery and materials processing. The review informed our *Waste and Recycling Strategy* so that it:

- reflects Council's commitment to taking action on the climate emergency;
- takes into account recent changes in the waste and recycling industry;
- positions Darebin as a leading council for waste and recycling services;
- challenges traditional kerbside models and current best practice; and
- delivers customer service excellence, greater social equity and inclusion, and value for money.

This strategy is shorter in timeframe than the previous strategy – this reflects the dynamic state of the waste and recycling sector. There will be significant changes and challenges over the next few years resulting from recently released policies and disruptions from the COVID-19 pandemic. This will require a degree of flexibility to adapt our approach as needed. That being said, this strategy sets long term directions, so that we can be confident that actions now and in future will contribute to Council's long term goals. In order to meet the current challenges in the waste and recycling sector, state and federal government intervention is required to meet the current challenges in the waste and recycling sector and address issues outside the remit of councils.

Like other councils, Darebin City Council temporarily sent recyclable materials to landfill in 2019 when the SKM recycling facility in Coolaroo closed. This occurred between 25 July and 5 September 2019. This closure highlighted issues in the sector including unsafe stockpiling, an over-reliance by some operators on overseas processing and the vulnerability of statewide recycling infrastructure. Council has since renegotiated a new contract with Visy and our kerbside recycling material is being recycled. The recycling crisis and the temporary disruption to this service highlighted the need for a change in the statewide and national approach to waste and recycling.

In 2021 we will consult with the community about possible changes to a range of services to achieve improved waste and recycling outcomes. This consultation will include options for:

- changing the collection frequency of kerbside services to maximise food and green waste recycling;
 - services to multi-unit developments and businesses;
 - options for improving source separation of recyclable materials, such as glass.
 - improved hard waste services to maximise recycling outcomes; and
 - improving fairness, equity and sustainability in relation to how waste and recycling services are charged, and options for how incentives may be able to help reduce waste and therefore cost overall.
- Adoption of the new Council Social and Sustainable Procurement policy to prioritise the purchase of recycled products and materials
 - New home composting incentives scheme roll-out in 2019
 - Educating and helping our community to recycle their electronic waste through our e-waste campaign
 - Promoting textile drop off hubs
 - National Recycling Week promotions
 - Launching a *Pitch It for Waste*: a business development program to begin in 2020, designed to support new business start-ups in tackling our waste
 - Supporting our community to act on waste reduction by encouraging advocacy and behaviour change. This included the promotion of Love our Streets and Friends Of groups in Council social media channels.

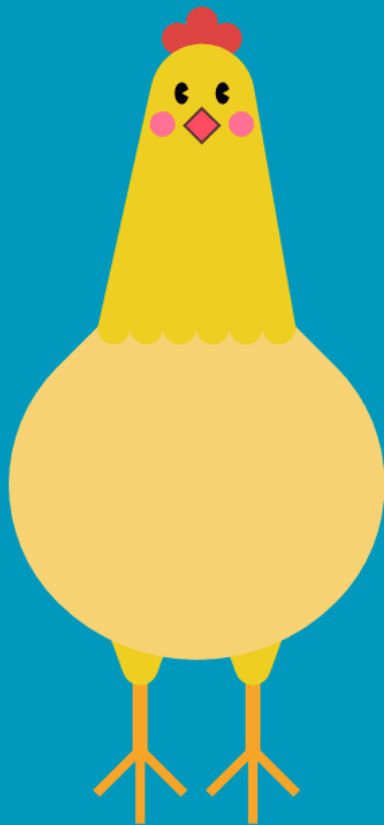
While we have reviewed our approach and developed this new strategy we have continued to roll-out a number of key initiatives, including:

- The introduction of food waste recycling via the green bin in October 2019
- The continued roll-out of communications to our community on how to prevent food waste

We will continue this work and ask the community to continue to work with us to reduce waste, improve their recycling outcomes and cut emissions from waste. We will continue to work with other levels of government to improve waste and recycling outcomes.

Darebin City Council waste operations officer





Key Objectives

- Address waste in the context of Climate Emergency
- Value resource productivity
- Design out waste and pollution
- Maintain the value of products and materials
- Innovate new solutions for resource efficiency
- Create new circular economy jobs
- Foster behaviour change through education, regulation and engagement



Long-term Goals

- Reform waste policy at the state and federal level to align with the climate emergency
- Divert all food and green waste from landfill and increase uptake of the food and green waste service
- All textiles diverted from landfill
- Reduced textile consumption
- Comprehensive waste services provided to all multi-unit developments and commercial business
- Greenhouse gases eliminated from all waste processing
- Reduce contamination, increase diversion, minimise waste to landfill and increase resource recovery
- Maximise diversion of hard rubbish from landfill
- Waste charges are financially sustainable and equitable
- Drive innovation in materials recovery and world leading waste operations
- Zero dumped rubbish and litter
- Darebin City Council is a zero-waste organisation

Climate Emergency and Waste Implications



Darebin Council was the first Council in the world to declare a climate emergency. There are now over 1480 governments worldwide that have declared a climate emergency. This commitment is driving new and significant investment into greenhouse emissions reduction actions by many Victorian councils.

In 2017, Darebin Council adopted its *Climate Emergency Plan*. This plan requires council to re-examine its policies and actions in the context of the climate emergency. This means that instead of just looking at our waste from a cost or volume/tonnage perspective, we examine waste through the lens of greenhouse gas emission reduction.

In the case of recycling systems, emissions are avoided because of a reduction in the need to produce goods from virgin materials. Benefits are typically reduced in comparison to those resulting from waste prevention activity, as the recycling production process itself also results in some emissions.

What are Darebin's greenhouse gas emissions from residential waste?

When considering the greenhouse gas emissions associated with waste, there is a need to consider impacts across the whole waste system from the benefits of improved recycling to better waste processing, instead of just the end product. That is, consideration of all the emissions in the production of goods, transport and waste processing as well as recycling and composting options.

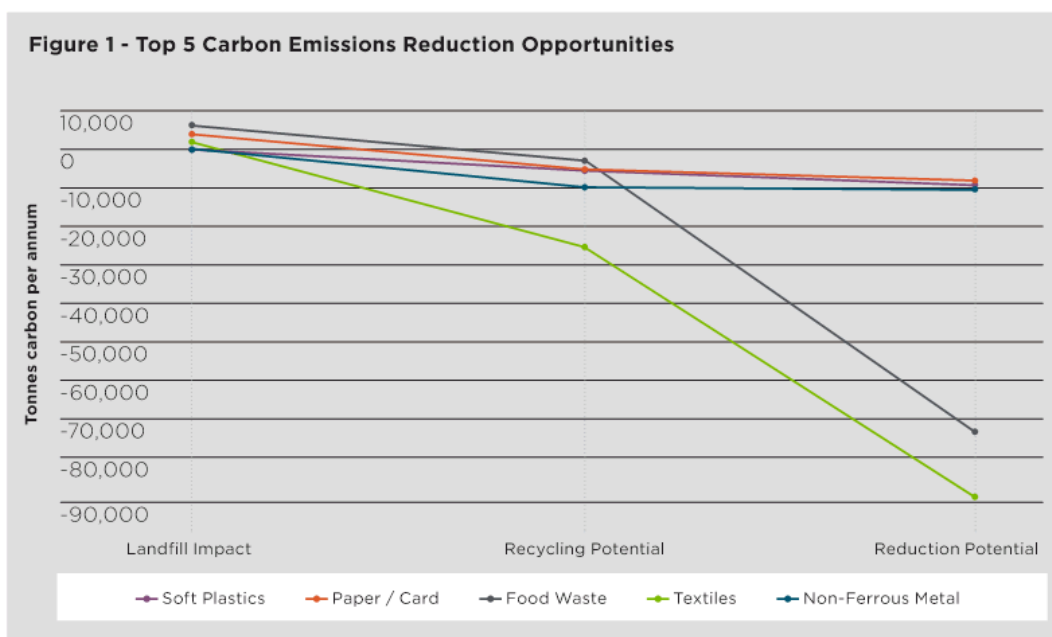
To determine the biggest potential improvements to Darebin's carbon impact from waste management, it is necessary to look at waste going to landfill. Figure 1 shows emissions associated with waste going to landfill across the municipality. While 'Recycling Potential' demonstrates that significant reductions in emissions can be achieved via recycling, the 'Reduction Potential' shows that far greater gains can be achieved by avoiding production of these materials in the first place.

Waste avoidance is the best way to reduce emissions



Plastic ready for recycling





What does this mean for action?

In reviewing Darebin's waste in the context of the climate emergency, Council has identified the following opportunities for greenhouse gas emission reduction:

FOOD

The greatest potential to reduce carbon impacts from waste is to address food waste. This is also the single biggest opportunity to reduce the quantity of waste Darebin sends to landfill. In 2019, Darebin Council introduced a new food waste recycling service to existing green bin households.

Further reductions in food waste can be achieved by introducing a universal food waste service for all. This will mean:

- Developing food and green waste collections for apartments and town houses, and
- Developing commercial food and green waste collections.

WASTE AND RECYCLING ACT

Darebin Council is calling for the Victorian Government to take a more active leadership stance in relation to waste greenhouse emissions, waste greenhouse emissions avoidance and drawdown outcomes.

The announcements in *Recycling Victoria* of a new dedicated waste and recycling Act provide a unique opportunity to legislate acting on the climate emergency in the waste

sector. The Act could set emission reduction targets for the waste sector and set up the framework for the authority to drive down emissions in the sector. This could be aligned to the greenhouse gas reduction targets in Victoria's *Climate Change Act 2017*.

Now is the time for the Victorian Government to act to set emission reduction targets for the waste sector.

TEXTILES

Textiles are the most carbon-intensive materials on a per tonne basis. Although they do not make up a large portion of Darebin's waste stream, reducing textile use can have a relatively large carbon impact. Council will start to target textiles through a reduction in consumption and increases in recycling by:

- Introducing and/or promoting new textile collection services, such as drop-off hubs or periodic collections, and
- Investigating textile recycling in Australia.

Textiles that cannot be re-used typically end up getting disposed of, often in developing countries. To date, limited options exist for reclaiming fibres to enable the creation of recycled fibres for new products. There are precedents for innovative processing and re-use of textiles internationally with the most famous being the ReTuna recycled shopping mall in Sweden.¹

Further, the Australian company Blocktexx claims to have developed a proprietary technology that enables the separation and reclamation of fibres. Blocktexx are reportedly intending to build a 10,000 tonne per annum reclamation facility in South East Queensland. There may be an opportunity to investigate the establishment of a similar facility in Darebin for the Melbourne market.² This would build on the long history of clothing and footwear manufacturing that exists in Melbourne's northern suburbs.

QUICK WINS

As well as the core actions outlined in this Strategy, which may take some time to implement fully, there are several actions that Darebin can progress relatively easily and quickly. These include:

- Improvements to the Darebin Resource Recovery Centre
- Textile collections
- Food waste prevention education
- Implementation of an incentivised home composting program

SEPARATE THE RECYCLING STREAMS FOR IMPROVED MATERIAL RECOVERY

There is also good potential to reduce carbon impacts by recycling and reducing non-ferrous metals like aluminium or copper, as well as tackling the paper and cardboard and dense and soft plastics waste streams. Council can investigate and develop new collection services to:

- Identify opportunities for expanding community recycling station drop off points (i.e. recycling hubs) and the range of materials recycled.
- Develop business cases and partnerships that identify whether high and low value waste streams like paper and metal can be separated and if overall frequency change could reduce waste to landfill.

¹ ReTuna Återbruksgalleria, <https://www.retuna.se/english/>; Maddy Savage, "This Swedish mall is the world's first ever secondhand shopping center," Huffington Post, 28 November 2018, www.huffpost.com/entry/recycled-mall-sweden-retuna_n_5bfd0762e4b0eb6d931346b3.

² BlockTexx Pty Ltd, www.blocktexx.com.



DEEP REDUCTIONS IN WASTE TO LANDFILL – WASTE PROCESSING OPTIONS FOR THE FUTURE

By undertaking a significant step change in how waste is managed, Darebin could increase diversion of waste from landfill from 44% to 82%³ and significantly reduce greenhouse gas emissions. The core actions to achieve this level of performance are collecting food waste (which is underway), anaerobic digestion of the collected food waste, and treatment of the residual waste before landfill.

Anaerobic digestion of food and garden waste and treatment of the residual waste before landfill are two processes that will assist us in reducing our carbon output. However, Darebin cannot do this on its own. To enable this, the following factors need to be assessed:

- Economies of scale. In most instances, to get good results from these two processes the need for additional feedstock requires additional partners.
- Investment in new technologies. Capital costs for a new plant to process food waste could be around \$20 million, while a new plant to treat the leftover waste before it goes to landfill could be \$50 million to \$75 million.
- Engaging with potential suppliers to gather further detail on what can be delivered by specific equipment and processes, and their operational parameters.
- Joint ownership and joint procurement approaches.



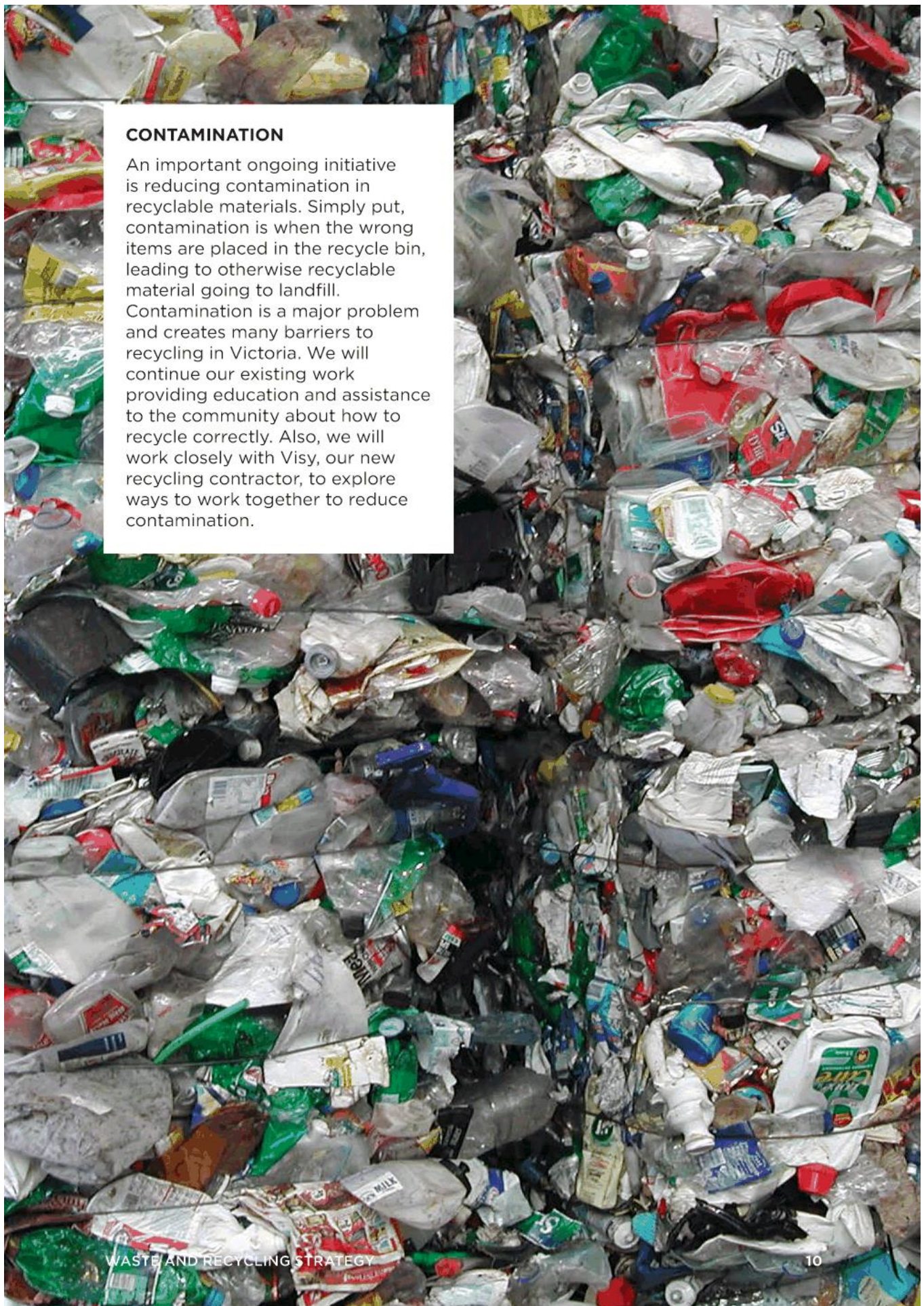
³ "Strategic Waste Options – Summary Report," Prepared for Darebin City Council by Eunomia Research & Consulting Ltd, July 2019, p8.

We have seen the Victorian Government deliver significant investment in renewable energy through harnessing the energy purchasing power of all levels of government. This has resulted in new wind and solar farms in Victoria and will bring forward around \$533 million of new investment in renewables, 300MW of new renewable energy, and around 600 jobs during construction, saving the state \$84 million over 10 years. The same kind of benefits could be achieved with large-scale anaerobic digestion and Mechanical Biological Treatment (MBT) processes. *Recycling Victoria* provides the ideal framework for these investments utilising funds promised for waste to energy grants. This work needs to start urgently.

WASTE TO ENERGY IS NOT THE SOLUTION

We do not support waste to energy technology as a sustainable technology. By consuming plastic, which is made from petroleum, this technology is effectively burning oil for energy and creating more greenhouse gases, albeit at a slightly slower speed. If the Victorian Government is successful in creating a strong and effective recycling processing and collection infrastructure, then plastic would be largely removed from the waste stream and waste to energy is far less likely to be a suitable technology.

We are also concerned that waste to energy plants could act to displace investment in renewable energy sources of electricity such as solar and wind power.



CONTAMINATION

An important ongoing initiative is reducing contamination in recyclable materials. Simply put, contamination is when the wrong items are placed in the recycle bin, leading to otherwise recyclable material going to landfill. Contamination is a major problem and creates many barriers to recycling in Victoria. We will continue our existing work providing education and assistance to the community about how to recycle correctly. Also, we will work closely with Visy, our new recycling contractor, to explore ways to work together to reduce contamination.

Waste Hierarchy



This strategy places emphasis on the waste minimisation hierarchy which favours waste avoidance and reuse as the preferred outcomes before recycling, energy recovery, or landfill.

The hierarchy is a useful guide for individual choices, however this strategy also recognises that this approach must be embedded into policy and service design by all levels of government and that avoiding waste generation must ultimately be embedded into how Australia's economy and society operates.

Avoid - a deliberate choice to not generate waste through purchasing decisions and behaviour.

- For example, choose items that will last a long time or have a long life span, join a tool or toy library to borrow the items you need, repair items rather than throwing them out, choose items with no or less packaging, buy smaller amounts of food that goes off quickly. By avoiding buying new items we achieve the highest environmental, financial and community benefits.

Council will support the community to avoid the use of single-use plastics by working with local businesses.

Reuse - choose items that can be reused rather than disposed.

- For example, use a refillable water bottle rather than single use bottles, give items to an op shop or friends, buy second hand items and use reusable bags.

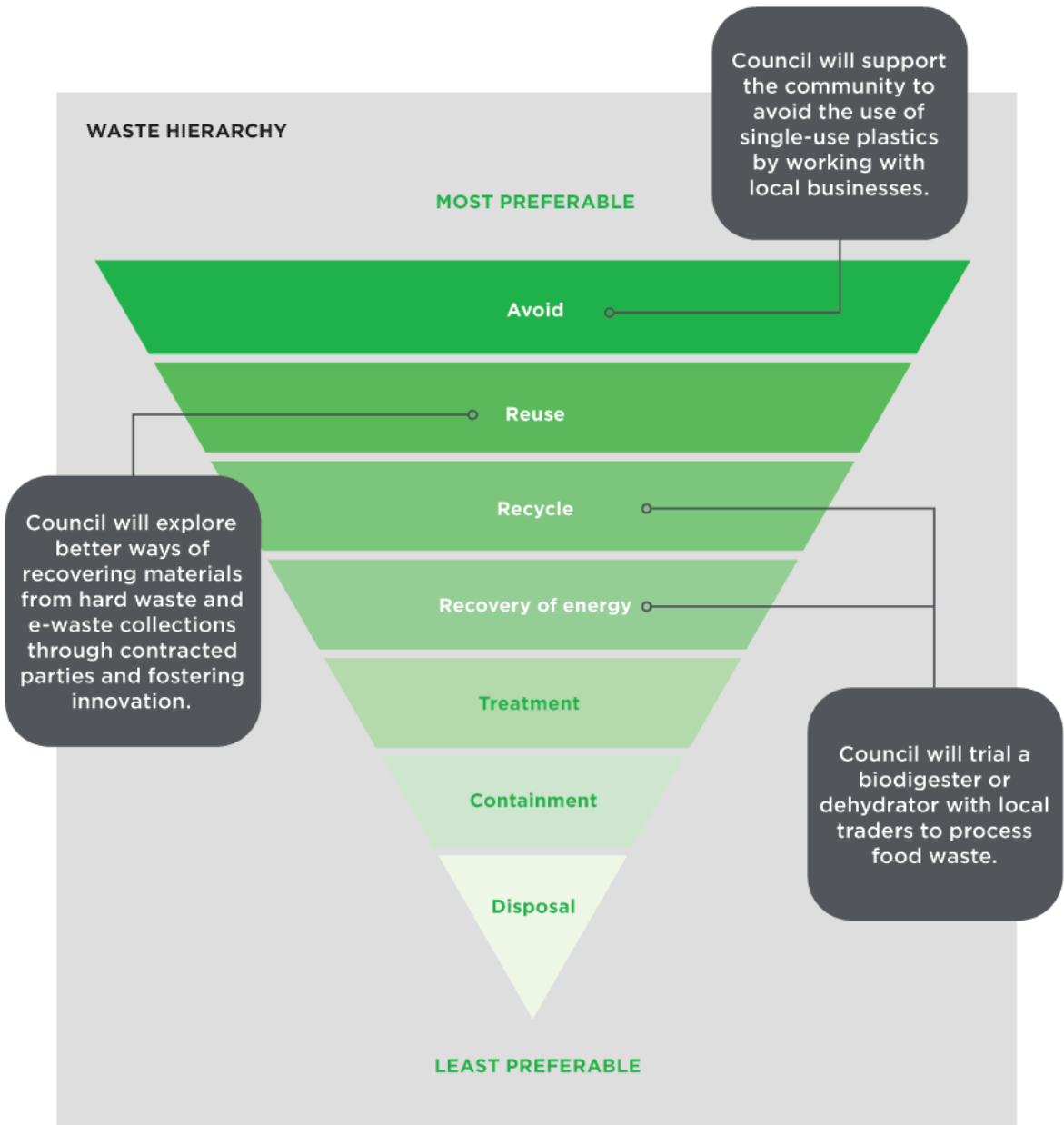
Council will explore better ways of recovering materials from hard waste and e-waste collections through contracted parties and fostering innovation.

Recycle - involves turning items into reusable (often raw) materials. It can also include buying recycled items, and the composting of food and garden waste. Recycling can reduce the energy, water, and greenhouse emissions associated with producing new items.

- For example, use your kerbside recycling bin correctly, recycle metal products, and take phones, TVs and computers to drop-off points for electronic waste recycling. Buy products such as printing paper and toilet paper with 100% recycled content.

Recovery of energy - when materials cannot be recycled, energy may be able to be recovered from them. However, waste to energy technology should not be seen as a sustainable alternative to recycling. It is Council's position that the state government should pursue other technologies and policy approaches such as anaerobic digestion.

Council will trial a biodigester or dehydrator with local traders to process food waste.



Treatment, Containment and Disposal
- the last options and least desirable outcome for waste management. Darebin's residual wastes are disposed to a secure best practice landfill with a high level of gas and energy recovery.



The State of Play for the Waste and Recycling Sector



Global

Waste is a global issue. A global shift in recycling processing means that places all over the world are taking a different approach to recycling. Australia, like many other developed countries, has been reliant on overseas markets for the processing of some recycled materials. Many of these markets have collapsed or are shrinking. This presents challenges but also opportunities to make widespread change in how waste is dealt with globally. The developed world should not be exporting its environmental problems to developing countries.

CHINA NATIONAL SWORD

Until recently China was among the largest importer of recycled materials globally. In 2018, China introduced the National Sword Policy which put restrictions on the kinds of recyclable material it will accept from overseas. It will only accept material with a contamination rate of 0.5% or less. Much of the material they received previously was heavily contaminated. Following the change in policy from China, other countries throughout Asia began to impose similar restrictions.

The global price for recyclable materials plummeted with these changes, sparking a 'recycling crisis'. This has forced many developed countries to rethink their approach to waste and recycling, develop new markets domestically, and move towards circular economy solutions.

Some developed countries already have advanced waste and recycling that we can learn from. For example, the Netherlands only sends 2% of its waste to landfill, with landfill bans extending to 64 different categories of waste.⁴

EUROPEAN COMMISSION CIRCULAR ECONOMY ACTION PLAN

The European Commission Circular Economy Action Plan is one example of how circular economy approaches are being implemented around the world.

The European Commission has adopted a Circular Economy Package which includes a suite of measures to transition to a circular economy. One of these measures is the Circular Economy Action Plan, which promotes efficient resource use throughout the economy. The European Commission has estimated that shifting to a circular economy will save €30 billion over 20 years through more efficient waste management and will increase GDP by seven per cent. By 2035, up to 170,000 jobs will be created in the waste management sector and around 3 million jobs in the wider economy.

⁴ Helen Millicer, "Recycling and incineration surprises in the Netherlands," The Fifth Estate, 7 May 201, <https://www.thefifthestate.com.au/columns/spinifex/recycling-and-incineration-surprises-in-the-netherland/>

National

Traditionally, the Australian Federal Government has not played an active role in waste and recycling in Australia, leaving the responsibility to the state and local government sector. Following the recycling crisis, the Australian Federal Government showed more interest in the issue, however greater and more urgent action is required at a national level. The entire waste and recycling system needs to be reshaped, because dumping almost half the nation's waste in landfill is simply unsustainable. Nationally Australia generates approximately 67 million tonnes of waste per year, with 55% of that going to recycling facilities, 3% to energy and the remaining 42% to landfill. Approximately 12% of national recycling was exported overseas in 2017-18. China's policy restrictions led to a significant decrease in Australia's recycling exports to China. Between 2016-17 and 2017-18, overall waste exports to China decreased from 1.26 million tonnes (Mt) to 0.75 Mt, a decline of 41%. Most of Australia's recycling export market shifted to other countries in Asia. However, these countries are progressively imposing import restrictions meaning that new approaches to waste and recycling management are urgently needed⁵.

The 2018 *National Waste Policy: Less waste, more resources*, provides a framework for collective action by businesses, governments, communities and individuals until 2030. An Action Plan for this policy was released in 2019 which set actions across the business sector and all levels of government in Australia. The policy sets stronger targets for improved recycling and reducing waste to landfill including:

- 80% average resource recovery rate from all waste streams following the waste hierarchy by 2030
- Phase out problematic and unnecessary plastics by 2025

- Halve the amount of organic waste sent to landfill by 2030

On 9 August 2019 the Council of Australian Governments agreed that Australia should establish a timetable to ban the export of waste plastic, paper, glass and tyres, while building Australia's capacity to generate high value recycled commodities and associated demand. The Federal Government tasked state Environment Ministers to develop a proposed timetable and response strategy to implement this ban.

Darebin would welcome such a ban, however without the required funding support and investment in improved infrastructure much of what is currently being exported could end up going to landfill or being stockpiled.

International experience shows that best practice waste management is achieved with a strong nationally co-ordinated approach⁶.

Landfilled waste



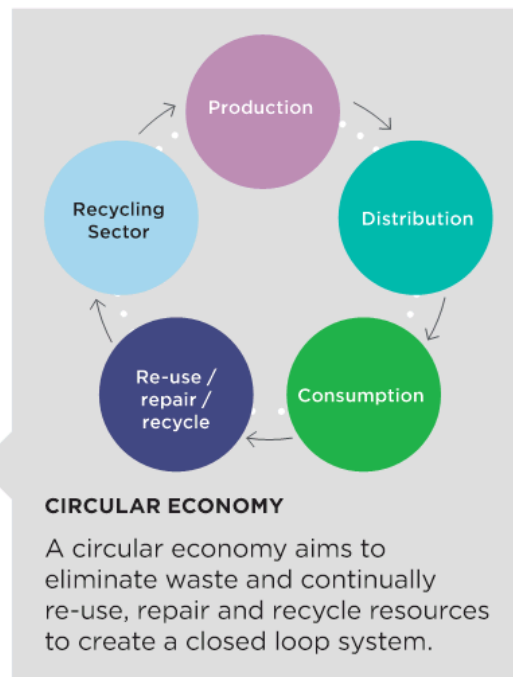
5 Joe Pickin and Jenny Trinh, "Data on exports of Australian wastes 2018-19," Prepared by Blue Environment, 1 November 2019, <http://www.environment.gov.au/system/files/resources/23acbf02-2178-4139-81b0-58adcac4f5cd/files/data-exports-australian-wastes-2018-19.pdf>

6 Peter Hannam, "Ambitious and expensive": Export bans on waste prompt pleas for federal funding," Sydney Morning Herald, 8 November 2019, <https://www.smh.com.au/national/ambitious-and-expensive-export-bans-on-waste-prompts-pleas-for-federal-funding-20191108-p538sh.html>; 2018 National Waste Policy: Less Waste, More Resources, Commonwealth Department of the Environment and Energy, 2018, <http://www.environment.gov.au/protection/waste-resource-recovery/publications/national-waste-policy-2018>

Victoria

The collapse of the state's largest recycling facilities, the uncovering of dangerous stockpiling and storing practices, and illegal disposal of toxic waste resulted in a recycling crisis which highlighted a lack of long-term planning and policy co-ordination at the state government level. In recent years, several large-scale fires have occurred at recycling facilities and storage sites, resulting in serious environmental and public health impacts.

A range of state government departments have responsibilities for waste and recycling. These agencies have recently conducted or commenced a number of reviews in light of the recycling crisis.



Department of Environment, Land, Water and Planning (DELWP) is responsible for policy relating to land use and environment. DELWP led the development of *Recycling Victoria* which is the Victorian Government's 10-year policy and plan for reforming waste and recycling.

DELWP is responsible for the administration of the landfill levy which places a price on every tonne of waste that goes to landfill. This levy is paid by councils on behalf of residents to the state government. Since its introduction in 2005 \$1.7 billion has been collected via the levy. The money raised is held in the Sustainability Fund, purposed to fostering:

- Environmentally sustainable use of resources and best practice in waste management.
- Community action or innovation in relation to the reduction of greenhouse gas emissions, or adaptation or adjustment to climate change in Victoria.

Environment Protection

Authority (EPA) is responsible for environmental regulation. The Environment Protection Act was updated in 2018 and will take effect from July 2020. The amended Act includes significant reforms to contaminated land and waste management.

Metropolitan Waste and Resource Recovery Group (MWRRG) –

MWRRG is the regional waste forum for metropolitan Melbourne. The Metropolitan Waste and Resource Recovery Strategic Plan articulates the long-term direction for resource recovery and waste management in metropolitan Melbourne. MWRRG is responsible for negotiating and managing a number of contracts for waste and recycling processing on behalf of councils and provides support to councils on waste and recycling education.

Infrastructure Victoria has recently examined how the industry as a whole has been operating, what has been working and what hasn't, and will advise how infrastructure and government action can create a better recycling sector. It found that 'outcomes observed in the Victorian recycling and resource recovery sector fall short of a sector operating efficiently and are reflective of market failures.'⁷

Sustainability Victoria (SV) is a statutory authority whose role is to support the sector through education. They also manage the 'Detox your home' program for the collection of household chemicals.

Victorian Auditor General's Office (VAGO) conducts reviews and audits of the public sector. Recent reviews include 'Managing the Municipal and Industrial Landfill Levy' in 2018 and 'Recovering and Reprocessing Resources from Waste' in 2019.

The diffuse nature of roles and responsibilities across the state government for waste and recycling has led to duplication, a lack of cohesion and inadequate long-term strategic planning. Darebin City Council has long called for the establishment of a dedicated waste and recycling authority in Victoria, and the announcement of this in *Recycling Victoria* is welcomed. It is crucial that this new authority centralises the delivery of policy, regulation and support to create a whole of lifecycle approach to waste management in Victoria. The Sustainability Fund, raised through the landfill levy, must be properly directed towards its stated purpose to improve waste management, greenhouse gas reduction and climate change adaptation.

RECYCLING VICTORIA

In February 2020, the Victorian Government released its long anticipated circular economy policy titled *Recycling Victoria*. This is the Victorian Government's 10-year policy and plan for reforming waste and recycling. Within the policy were a range of measures, such as a container deposit scheme (CDS) and rolling out statewide access to food waste and separate glass recycling.

Darebin applauds the Victorian Government for most of these measures, which Council has long called for. These include a designated waste and recycling Act and authority to govern the sector, CDS and the focus on tackling food waste. There are other aspects of the policy which

Darebin opposes, in particular the encouragement of waste to energy and increase in the landfill levy. Overall, Darebin supports the Victorian government's long term focus and much needed reforms.

Local councils will be responsible for implementing much of *Recycling Victoria*. While the announcement of funding with the policy is encouraging, the amount promised is unlikely to cover all the costs. The Victorian Government needs to provide local councils with sufficient funding to implement the *Recycling Victoria* policy and ensure that only the landfill levy pays for these reforms, not resident council rates.

Local

Local councils in Victoria are responsible for domestic waste management services such as kerbside collection. Councils play a crucial role at the frontline of the waste management process and can assert a strong influence in the sector - especially when working in collaboration with other councils.

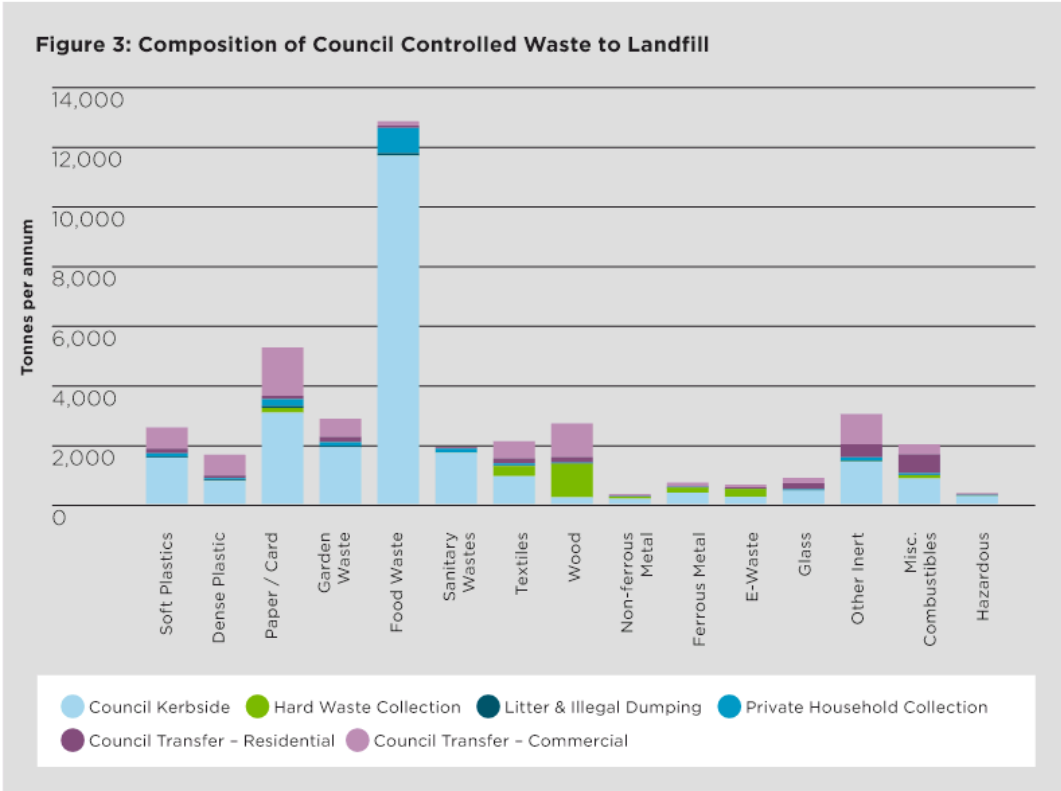
The average Darebin household produces approximately 15 kg of total waste per week - 52% landfill, 27% recycling and 21% food and green waste. The trend over time for kerbside collection shows a reduction in total waste and in garbage (landfill) over time. Recycling and green waste remain relatively stable.

In 2019 Darebin introduced food waste recycling. Food can now be placed in the green bin along with garden waste and is then turned into compost. While over time this could lead to an increase in green waste, garden waste output

can be highly changeable depending on rainfall and may decline over time.

An audit of kerbside bins conducted in August-September 2018 showed that contents of the average household garbage bin was 40% food waste and a further 5% of other organic material. Introducing food waste recycling, encouraging home composting and promoting ways to reduce food waste is the biggest opportunity for Council and the community to reduce waste to landfill. This will also significantly reduce greenhouse gas emissions - food waste in kerbside garbage bins goes to landfill where it produces methane. Methane is a harmful greenhouse gas which is calculated to contribute approximately 7000 tonnes of CO₂ per year.

Over the course of this strategy we will continue to focus on reducing food waste to landfill. We will work with the community to try to find solutions to



help residents in multi-unit developments and help businesses to divert food waste from landfill.

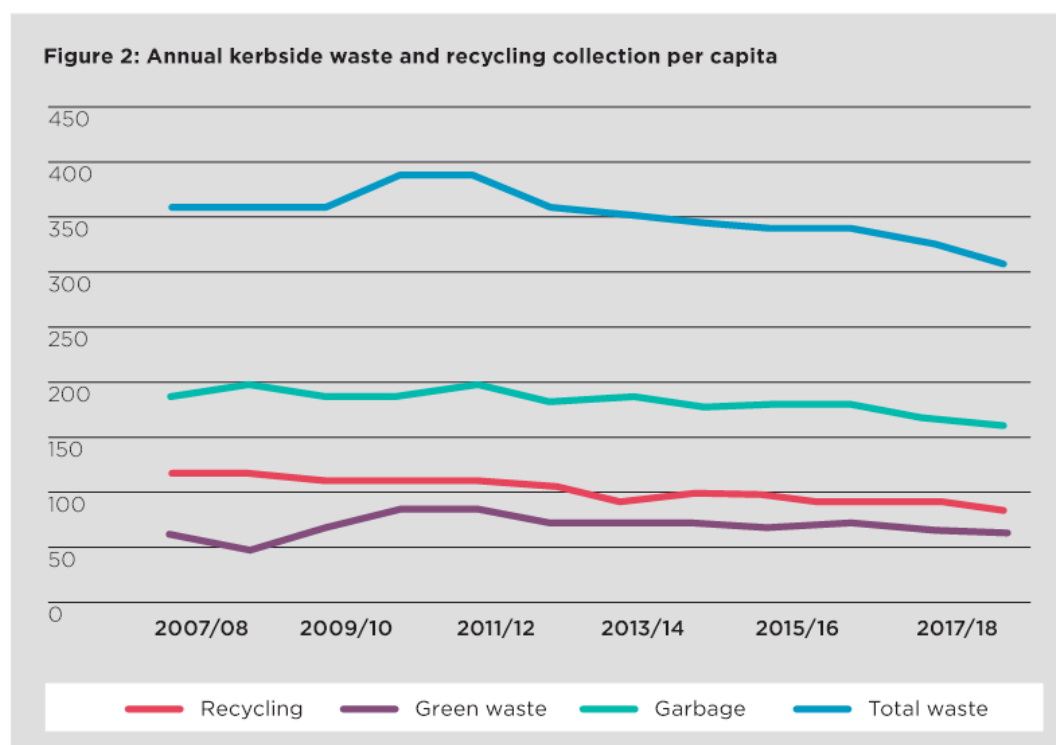
Council also collects waste in the form of hard rubbish and dumped rubbish. These waste streams are collected through our transfer station Darebin Resource and Recovery Centre (DRCC), street sweeping and litter collections. Figure 2 shows the composition of this waste that currently goes to landfill.

In total Council collects approximately 40,000 tonnes of waste. 57% of this waste is sent to landfill and 43% is recovered via kerbside recycling, green waste, via drop off points or transfer stations.

Approximately 2000 tonnes of hard rubbish are collected annually in Darebin and just over 20% of this is recycled. A key focus for Council will be to improve this recycling rate, promote other options for re-use of materials and discourage dumped rubbish.

Reducing single-use plastic and litter is also a key focus for this strategy. We will work with our local community to eliminate single-use plastics and to support initiatives like Love our Street and Water Watch, support the activities of creek management groups, and support Friends Of groups to protect our waterways.

A 3-year Action Plan has been prepared which outlines the detailed work we will do at a local level over the next three years to improve recycling outcomes, reduce waste to landfill and reduce emissions from waste. However, this strategy recognises that many of the opportunities to implement best practice waste and recycling processing require state and federal government support and intervention. We are committed to working with other levels of government to implement the changes needed at a local, state-wide and national level.



7 "Recycling and resource recovery infrastructure - Evidence base report," Infrastructure Victoria, October 2019, p17.

Waste and Recycling Advocacy



Creating a circular economy requires government policy and intervention and must be founded in the waste hierarchy. It should be designed to achieve:

- Minimal use of virgin materials
- Net zero emissions
- No escape of litter into the environment

Key Advocacy Asks to State and Federal Government

To meet longer term goals emerging from the strategic design work described above, the Strategy proposes Council focus efforts on building a strong advocacy platform to shift industry and government towards low carbon and robust waste and recycling management solutions. The following key advocacy asks are:

1. FACTOR GREENHOUSE EMISSIONS INTO ALL WASTE AND RECYCLING DECISIONS

Climate change is the leading environmental issue of our time. Given the climate emergency, we call on the Victorian State Government to ensure that greenhouse emissions are a key driver when making decisions on waste and recycling management, infrastructure or projects.

2. CREATE EFFECTIVE GOVERNANCE TO LOOK AT THE WHOLE SUPPLY AND WASTE SYSTEM INCLUDING POLICY, ECONOMIC DEVELOPMENT AND FACILITATION

The announcement of the new authority is an unmissable opportunity to reshape the waste sector in Victoria. The

authority must achieve a whole of system view and take charge of waste and recycling throughout its lifecycle. Through this, the authority can coordinate the transition of the sector to a world leading industry. This authority must effectively coordinate with Federal and local governments and could be funded via the Landfill Levy.

3. TURN OFF THE TAP - REQUIRE AND INCENTIVISE HIGHER USE OF RECYCLED MATERIALS

- Enhance market mechanisms, such as product stewardship schemes, through new policy and legislation. Shifting more responsibility for waste towards producers could drive major change in industry.
- Go further than the target in the National Waste Action Plan to phase out problematic and unnecessary plastics by 2025. Stronger actions such as bans should be in place.
- Setting high minimum recycled content procurement targets in all levels of government.
- Introducing financial incentives for using recycled materials, funded by producers using virgin materials. A similar mechanism to the Victorian Energy Efficiency Scheme could be considered.

- Broadening and deepening the TV and computer product stewardship scheme to other products and include mechanisms for cost burden sharing.
- Advocating to Victorian State Government to fast track its Plastic Pollution Action Plan, promised in 2019 with an aim to prioritise the most effective actions to reduce other types of plastic pollution such as cigarette butts, food and beverage containers and other single-use plastic items. We consider that these actions need to be taken through Council of Australian Governments for broad-scale nationwide action.

4. INCENTIVISE AND DRIVE EFFECTIVE WASTE AND RECYCLING BEHAVIOUR AT END OF PIPE

In principle, economic incentives should align with policy goals. Product sale levies should be placed on all types of packaging, including source separated schemes for items including cigarette butts, other types of plastics, textiles and glass. Funds from these systems could help industry establish collection points in places people already visit including shopping areas, schools or trains stations. Costs should be borne by users, rather than by the broader community.

The Victorian State Government should also deliver a sustained, wide-spread waste education campaign focused on waste avoidance to contribute to changing behaviour.

5. RECYCLING INDUSTRY DEVELOPMENT AND SECTOR WIDE STANDARDS

Council encourages the creation of regular industry and economic development tools that can be used to help the recycling industry develop, innovate and grow. These could include Research and Development grants, support to facilitate early business development and help to identify locations for collection networks.

Sector accreditation for overseas imports or processing is also important and should be done at state or federal level to ensure that accreditation effectiveness and enable a level playing field.

6. REQUIRE HIGH STANDARDS FOR WASTE AND RECYCLING PROCESSING THAT CUT EMISSIONS

The need for effective recycling processing will remain high. Recycling will be expected to be reprocessed into quality recycled material streams. Darebin Council does not regard burning plastic (waste to energy) as a suitable path (refer to page 9 for why). The Victorian State Government should pursue other technologies and policy approaches. Council has received advice that suggests that waste to biofuel may offer a good intermediate solution because it could displace the use of fossil fuels in vehicles for which we don't currently have a better alternative.

7. WORK WITH THE FEDERAL GOVERNMENT FOR PRODUCT STEWARDSHIP

Local government is united in believing that the introduction of a national product stewardship scheme is critical to help share the cost burden, which is currently falling primarily on local government.

Product stewardship legislation is national, so schemes must be introduced by the Australian Federal Government. However, Victorian State Government can lead the way on the introduction of new legislation and working together with the Australian Federal Government.

We further call on the Australian Federal and Victorian governments to work together urgently to introduce a comprehensive product stewardship scheme.

8. SPEND THE LANDFILL LEVY ON IMPLEMENTING RECYCLING VICTORIA IN FULL

While Darebin appreciates the funding announcements in *Recycling Victoria*, this is not enough to cover the full costs of the transition. We call for the Victorian State Government to spend the landfill levy on implementing the policy in full. We do not want to see rate payers left to foot the bill, forcing councils to limit other community services.



Action Plan

The unprecedented challenges posed by the COVID-19 pandemic and the unknown time and extent of disruptions mean that we have needed to build in a degree of flexibility in terms of timing for implementation. As a result, this Action Plan is divided into three categories: *Current Actions*, *Intermediate Actions* and *Long-Term Direction*.

Current Actions is work that is either already underway or will be undertaken throughout the immediate challenges posed by the pandemic.

Intermediate Actions is work which will be undertaken over the following 2 years after the major disruptions from the pandemic have passed.

Long-term direction represents the outcomes and vision which the actions are trying to achieve.

Broad direction	Current Actions	Intermediate Actions	Long-term direction
Re-set the strategic direction of the Waste Strategy to align with the Climate Emergency	Continuing our advocacy work for waste policy reform to deliver outcomes that align with the climate emergency.	Develop an interactive Zero Waste Map for our community (or similar online tool) to provide an accessible resource promoting the waste minimisation initiatives and recycling options available in Darebin.	Reform waste policy at the state and federal level to align with the climate emergency.
	Run a Pitch IT competition for innovative waste services.		
Foster Innovation	Supporting community behaviour change through waste minimisation programs, events, campaigns and via Council media channels.	Refresh Council's Waste and Sustainable Living webpages to provide accurate and useful information for the community.	
		Continuing our advocacy work for waste policy reform to deliver outcomes that align with the climate emergency.	
Cut food waste to landfill	Rolling-out a food waste service to residential properties and food waste prevention programme through social media and events.	Consider collection frequency changes to increase uptake of food and green waste service.	Divert all food and green waste from landfill and increase uptake of food and green waste service.
	Rolling-out home composting incentives and promotion of community programs, information sessions, training and promotion of home composting and worm-farming as the preferred way to manage unavoidable food waste.	Trial a bio-digester or dehydrator with local traders to process food waste locally.	
		Work with other councils to investigate options for a large-scale anaerobic digestion facility.	
		Expand the service for food and green waste collection.	

Broad direction	Current Actions	Intermediate Actions	Long-term direction
Cut textiles to landfill	<p>Provide detailed information on sustainable clothing consumption, reducing textiles to landfill and options for repairing textiles on Council's website.</p> <p>Develop and promote a Darebin Op Shop Map in collaboration with the Darebin Op Shop Collective, to promote shopping second-hand and donating clothing within the community.</p> <p>Explore a specialist textiles collection service for households and centralised drop off options.</p>	<p>Run an education and awareness campaign on textiles use and reuse to promote the sustainable consumption, repair and reuse of clothing and other textiles.</p> <p>Support local, creative and effective solutions to reduce textiles waste and encourage opportunities for reuse in local industries.</p>	<p>All textiles diverted from landfill.</p> <p>Reduced textile consumption.</p>
Establish services suitable for the commercial sector (business) and multi-unit developments (MUDs)	<p>Investigate options for food and green waste recovery in multi-unit developments.</p>	<p>Trial a Food and Green Waste collection for businesses.</p> <p>Develop business cases for a 'complete' (i.e. most if not all waste streams) recycling and waste solution for MUDs and businesses based on self-funded waste charges model.</p> <p>Support Metropolitan Waste and Resource Recovery Group (MWRRG) with local implementation of recycling and waste engagement for Multi-Unit Developments (MUDs).</p>	<p>Comprehensive waste services are provided to all MUDs and commercial businesses in the City of Darebin.</p>

Broad direction	Current Actions	Intermediate Actions	Long-term direction
Secure future focused technologies that deliver the lowest greenhouse option.	<p>Continue to call on the Victorian Government to:</p> <ul style="list-style-type: none"> Support a policy approach to deliver waste processing facilities with high standards on greenhouse gas emissions Provide local councils with sufficient funding to implement the Recycling Victoria policy. Ensure that the landfill levy pays for these reforms. Address the split incentive between landlords and tenants for the provision of comprehensive waste services. 	<p>Explore innovative ways to divert nappies and other household products from landfill.</p> <p>Work with others in local government to effectively implement the Victorian State Government <i>Recycling Victoria</i> policy and ensure it aligns with the climate emergency.</p> <p>Work with other councils to tender for cutting edge processing facilities such as anaerobic digestion with high standards on carbon.</p>	Greenhouse gases eliminated from all waste processing.
Recycling	<p>Rolling out communications for the e-waste ban and promoting residential e-waste collections at key customer service centres.</p> <p>Promote and support alternative, accessible recycling options for the community (e.g. Community Recycling Stations, the Darebin Resource Recovery Centre, kerbside recycling services, and public place recycling).</p> <p>Deliver the recycle right message through online channels.</p>	<p>Identify opportunities for expanding community recycling station drop off points (i.e. recycling hubs) and the range of materials recycled.</p> <p>Deliver the recycle right message through various channels, including the distribution of the Recycling Guide to all residents.</p> <p>Review waste services and develop a transition plan for implementing the Victorian State Government <i>Recycling Victoria</i> policy in a way which is right for Darebin.</p>	Reduce contamination, increase diversion, minimise waste to landfill and increase resource recovery.

Broad direction	Current Actions	Intermediate Actions	Long-term direction
Hard rubbish service review to increase resource recovery rate	Analyse hard waste and recycling services (including e-waste collections) to inform a new contract.	Review the hard waste contract and e-waste collection services and implement new systems which deliver better community and resource recovery outcomes. Investigate better waste solutions for people with disabilities. This includes smaller/ more manoeuvrable bins and access to other services including hard waste as part of the service review.	Maximise diversion of hard rubbish from landfill.
Waste Charges	Review the costs of delivering existing and potential new waste services.	Review service charges to ensure equitable and sustainable charging for waste, recycling and food and green waste recycling services. Undertake a comprehensive audit of residential waste and recycling to inform service changes.	Waste charges are financially sustainable and equitable.
Contracts - Key Waste Services	Review the Darebin Resource Recovery Centre (DRRC) contract, which expires in June 2021, with a focus on improving waste and climate change outcomes. Investigate the potential to further develop the site to achieve better outcomes for the region. Tender for recycling collection services in 2020 to ensure high quality service that maximises resource recovery. Commence tender preparations for a regional landfill waste disposal contract.	Implement the new contract for the DRRC and work with the DRRC contractor to assess and trial recovery of a wider range of materials, including further expansion of product stewardship listed items. Promote Darebin's 'transfer station' – DRRC – to our community. Implement landfill contract tender. Progressively implement standardised bin lid colours and bin stickers in line with <i>Recycling Victoria</i> .	Drive innovation in materials recovery and world leading landfill operations.

Broad direction	Current Actions	Intermediate Actions	Long-term direction
Litter and Dumped Rubbish	<p>Continue to work with our community to support and promote community efforts to reduce litter and dumped rubbish in Darebin.</p> <p>Consider and consult on the introduction of a city-wide ban on single use plastic that would apply to any business that provides or sells plastic takeaway food containers, straws, coffee cups and plastic lids.</p>	<p>Continue to work with Merri Creek and Darebin Creek Management Committees and community groups to reduce litter in waterways and expand the WaterWatch program.</p> <p>Develop a litter and dumped rubbish reduction campaign.</p> <p>Support businesses to reduce single use plastics use.</p> <p>Develop strategies to reduce rubbish dumping near multi-unit developments.</p> <p>Investigate the best infrastructure options for protecting waterways from litter including gross pollutant traps.</p>	Zero dumped rubbish and litter
Council Leadership	<p>Update Council procurement policy and implement processes to prioritise purchase of recycled products and materials (see the new <i>2019 Sustainable Procurement Policy</i>).</p> <p>Continue to support roll-out of Council's action plan to eliminate the use of single use plastic at Council events and events on Council land and venues.</p>	<p>Develop and implement a Towards Zero Waste Plan for Council.</p> <p>Continue to implement measures to avoid, reduce, reuse and recycle waste and stop litter from Council facilities and services.</p> <p>Continue to support good waste avoidance, litter and recycling practices at community events by providing information in Council's Event Guide and Venue Hire Policy and making appropriate bin caps available.</p>	Darebin Council is a zero-waste organisation.

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हिंदी	ਪੰਜਾਬੀ	Tiếng Việt



Community Engagement Summary Report

Project title: Draft Waste and Recycling Strategy

This summary report outlines the engagement process that was undertaken to inform the Waste and Recycling Strategy, and the key themes identified by participants. The report also provides the outcome of the engagement.

Prepared by: Climate Emergency and Environment Strategy team, Climate Emergency and Sustainable Transport

Date: April 2020

Background:

Council previously adopted the Darebin Waste and Litter Strategy 2015-2025. Significant challenges in the recycling industry and our declaration of a climate emergency have required Council to rethink and adjust its approach.

The Draft Waste and Recycling Strategy sets a long-term policy direction as well as actions identified to take place in the immediate term, short-term and long-term. This policy approach enables Council to undertake both clear long-term planning and clear short-term action planning at the same time as building in the flexibility and responsiveness that it needs given the current uncertainty in the waste and recycling sector, and in response to the COVID-19 pandemic.

While many core objectives such as reducing overall waste to landfill and community education remain a key focus, the Draft Strategy shifts Council's focus to cutting emissions from waste, advocacy to state and federal government and challenging now out-dated approaches to waste and recycling.

In December 2019, Council endorsed the release of the Draft Waste and Recycling Strategy for community consultation and requested a report outlining community feedback.



Stage 1 engagement

Date	Time	Location	Type of engagement (i.e. meeting, workshop, pop-up stall, drop-in session, survey)
10 January 2020 – 16 February 2020		Online	Your Say – Let's Talk Rubbish

Snapshot of engagement

On 10 January 2020, a YourSay page was launched, providing the community with a portal in which to engage with the Draft Strategy and to provide feedback on the Strategy's key objectives.

The YourSay page, titled 'Let's Talk Rubbish – Waste and Recycling' included:

- a summary of the waste review and Strategy process so far
- a project timeline
- a document library, which included the Draft Strategy, the previously adopted Waste and Litter Strategy 2015-2025, and summary documents of the Strategy in 12 languages
- information regarding two pop-up sessions
- officer contact information

The community were encouraged to share their views on the Draft Strategy, especially in relation to the Key Objectives of the Strategy. The community were asked which objectives they agreed were key to the Draft Strategy, if there were any objectives they would change and why, and whether they felt there were any missing objectives. The Key Objectives are:

- Address waste in the context of Climate Emergency
- Value resource productivity
- Design out waste and pollution
- Maintain the value of products and materials
- Innovate new solutions for resource efficiency
- Create new circular economy jobs
- Foster behaviour change through education, regulation and engagement

When the community consultation closed on 16 February, Let's Talk Rubbish had recorded 1,100 total visits to the Your Say page. 31 community members had submitted feedback through the Q & A survey form or by directly emailing the Environment Support address provided on the page. 23 of these community members requested that a Council officer provide a response to them. The Draft Waste and Recycling Strategy was downloaded 289 times.



Key themes identified

Key themes in the feedback were primarily centred around proposals to improve services, or issues with current services. Community members primarily requested an increase to the frequency of food and green waste collection (weekly) in order to reduce smells and issues with pests, requests for a separate glass recycling service, concerns about dumped rubbish, and requests for greater education and compliance.

YourSay feedback was recorded in Objective and tracked in the 'Waste Strategy Consultation – Community Feedback Tracker'.

Stage 2 engagement:

Date	Time	Location	Type of engagement (i.e. meeting, workshop, pop-up stall, drop-in session)
1 February 2020	10am – 12pm	Preston Market	Pop-up Stall
8 February 2020	10am – 12pm	Northcote Plaza	Pop-up Stall

Snapshot of engagement

The pop-up sessions were informal face-to-face sessions held in busy public spaces on a Saturday. Council officers had approximately 35 conversations at the Preston Market pop-up session, and approximately 30 conversations at the Northcote Plaza pop-up session.

The Draft Strategy's Key Objectives were written on sheets of butchers' paper, and community comments were recorded on post-it notes next to the relevant objective. Community members could choose to take home a hard copy of the Draft Strategy to review in their free time, or to take a copy of a flyer which directed them to the Your Say website. Laptops were also available at each pop-up session to record comments in real time if people preferred.

Key themes identified

The key themes identified in the two pop-up sessions were similar to those that were identified in the Your Say feedback. Key themes were primarily centred around proposals to improve services, or issues with current services. Requests to change the food waste collection from fortnightly to weekly was most common – residents are supportive of diverting food waste from landfill but find that their green bin becomes very smelly over the course of two weeks. The community's concerns about current and potential waste services were diverse, and members of the public touched on issues like increasing education, the difficulties of recycling a broad range of materials like polystyrene, supporting people to reduce plastic use, the introduction of a container deposit scheme, changes to the hard waste collection service and the provision of waste and recycling collection services to people in multi-unit developments.



Pop-up session feedback was recorded on post-it notes, with these comments then added to the attached 'Waste Strategy Consultation – Community Feedback Tracker'.

Cultural Considerations

In order to ensure that the Draft Waste and Recycling Strategy was accessible to Darebin's diverse cultural and linguistic groups, the Your Say page included a summary of the Draft Strategy, translated into 12 languages other than English. These languages are widely spoken in the Darebin municipal area. These 12 summary documents were included in the 'Let's Talk Rubbish' document library, and each summary document included contact details for Darebin's interpreter service. Printed copies of these summary documents were also taken to both pop-up sessions.

Conclusion and next steps

The community were invited to read the Draft Waste and Recycling Strategy and to provide feedback to Council, letting us know if there was anything that the Draft Strategy missed, and providing comment on the Key Objectives. As mentioned in the 'Snapshot of Engagement', key themes in the community feedback primarily centred around proposals to improve services, or issues with current services. These gaps in services have been identified in the Draft Strategy and are particularly evident in the Strategy's Action Plan.

Overwhelmingly, Darebin residents who responded during the consultation are concerned about the frequency of the food and green waste service. While these residents are supportive of the service, they would prefer a weekly collection of food and green waste rather than fortnightly in order to reduce odour and potential problems with pests. The Action Plan includes the consideration of collection frequency changes in order to increase the uptake of the food and green waste service.

Council officers did not receive any requests to change the Key Objectives of the Draft Strategy and were not made aware of any concerns regarding the changed strategic approach. Given the strong alignment of the community's concerns with the objectives and actions in the Draft Strategy, no changes to the Draft Strategy in response to the community consultation are proposed.

7.3 ELECTORAL ADVERTISING SIGNAGE AND ELECTIONEERING POLICY

Author: Acting Manager Governance

Reviewed By: Chief Executive Officer

EXECUTIVE SUMMARY

This report recommends that Council adopts the 'Electoral Advertising Signage and Electioneering Policy (2020)' provided at **Attachment A**. The policy has been prepared to provide direction on;

- a) The placement of electoral advertising signs on any Council land, municipal building or road; and
- b) The requirements for candidates or their supporters electioneering in public places.

Recommendation

That Council adopts the 'Electoral Advertising Signage and Electioneering Policy (2020)'

BACKGROUND / KEY INFORMATION

In the lead up to local government elections, it is important that clear, consistent requirements are made publicly available to ensure fair, lawful election processes and appropriate use of Council resources. It is also important to ensure that Council is not seen as partisan.

In addition to the above, Council has a responsibility to ensure that the amenity of the municipality's public places is not unduly compromised by a proliferation of signage and other election material.

The draft policy, if adopted, would complement Council's General Local Law by clearly articulating Council's policy on election signage and electioneering activities to election candidates, their supporters and the community in general.

The effect of the policy will be that Council will not generally issue a permit for any type of candidate election signage to be erected or displayed on Council land. It also seeks to ensure that electioneering activities do not compromise public safety and do not occur in close proximity to Council buildings.

The draft policy includes reference to the Darebin Planning Scheme and Local Law requirements relating to signage. It is also consistent with and complements Council's Election Period Policy (2020).

Previous Council Resolution

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

COMMUNICATIONS AND ENGAGEMENT

Consultation

Council's Local Laws, Statutory Planning and Governance Teams were consulted in the drafting of the policy. Legal advice was also obtained to ensure the policy is compliant with relevant legislation. The draft policy has not been the subject of public consultation.

ANALYSIS

Alignment to Council Plan / Council policy

Goal 6 - A well governed Council

Environmental Sustainability Considerations

N/A

Climate Emergency

N/A

Equity, Inclusion and Wellbeing Considerations

N/A

Cultural Considerations

N/A

Economic Development Considerations

N/A

Financial and Resource Implications

N/A

Legal and Risk Implications

The policy has been prepared to align with all relevant legislation.

DISCUSSION

The proposed policy on Electoral Advertising Signage & Electioneering will strengthen Council's ability to ensure that the rules and processes governing elections are clear, avoid the use of Council resources for electioneering, maintain the community's confidence that Council administration is not partisan, and apply equally and consistently to all candidates.

Once adopted, the policy would apply immediately and would continue to operate at all times, both within and outside of the Council-adopted and legislated election periods.

The proposed policy is consistent with the provisions relating to litter in the *Environment Protection Act 1970*, the Darebin Planning Scheme and the Election Period Policy.

It complements Council's General Local Law by providing clear direction for officers when called upon to exercise discretion under the General Local Law, including the determination of permit applications for election signage.

Specifically, the draft policy states that:

"In order to ensure Council resources (including buildings and land) will not be used to support any electioneering activity, and to ensure that:

- 1) Council is seen to be independent of all candidates; and*
- 2) The amenity of the municipal district is not unduly compromised*

Council will not generally grant a permit under clause 10 of the General Local Law for any type of candidate election signage to be erected on or displayed on Council land, including;

- Council owned / managed parks, municipal reserves, building (exteriors), nature strips and car parks*
- Roads and road dividing strips (median strips, traffic islands, roundabouts)*
- Trees, shrubs or plants, street signs, traffic control signs, parking signs".*

It is noted that electoral signs may be permitted on privately owned land. A planning permit for election signage on private land is required unless the following mandatory requirements are met:

- Advertisement area not exceeding 5 square metres,
- Only one sign can be displayed on the land,
- The sign must not be animated,
- The sign must not be internally illuminated,
- The sign must not be displayed for more than 3 months and must be removed within 14 days of election day.

The draft policy also sets out the requirements to be met when candidates or their supporters are electioneering in public places. These include (but are not limited to):

- A candidate / supporter may hand out electoral material in a public place, but not within Council buildings or premises or within a 50 metre radius of a Council owned or controlled public building.
- Persons distributing electoral material must be aware of public safety and community amenity and must leave a minimum 1.2 metre-wide pedestrian access on the footpath.
- Any tables placed in front of commercial or residential properties must be located with the agreement of the adjoining owner / occupier.
- Any tables must comply with the Disability Discrimination Act 1992 and must ensure that footpaths are kept clear of obstructions for pedestrian traffic, especially the use of the property line by visually impaired people at all times.
- No electoral material is to be posted on Council property (including buildings, noticeboards, land, fences, street lighting posts and the like).

OPTIONS FOR CONSIDERATION

- Option 1 (recommended) That Council adopts the policy as presented
- Option 2 (not recommended) That Council adopts the policy with amendments
- Option 3 (not recommended) That Council refuses to adopt the policy

IMPLEMENTATION STRATEGY**Communication**

Once adopted, the policy will be released via Councils website.

RELATED DOCUMENTS

- Nil

Attachments

- Draft Electoral Advertising Signage and Electioneering Policy (**Appendix A**) [↓](#)

DISCLOSURE OF INTEREST

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

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



Electoral Advertising Signage & Electioneering Policy

Purpose	<p>The purpose of this policy is to provide direction on:</p> <ul style="list-style-type: none"> (a) the placement of electoral advertising signs on any Council land, municipal building or road; and (b) the requirements for candidates or their supporters electioneering in public places. <p>The purpose of the policy is to complement Council's General Local Law No. 1 of 2015, and provide the community with an understanding of the requirements that will apply to ensure fair and lawful election processes, and an appropriate use of City resources. In doing so Council wishes to ensure that it is not seen as partisan, and to prevent the amenity of the municipal district being unduly compromised by a proliferation of electoral signage being erected and displayed.</p> <p>In order to ensure Council resources (including buildings and land) will not be used to support any electioneering activity, Council will not generally issue a permit for any type of candidate election signage to be erected or displayed on Council land.</p> <p>The Policy includes reference to the City of Darebin Planning Scheme and Local Law requirements relating to signage. It is also consistent with Council's Election Period Policy (2020).</p>
Scope	<p>This policy applies to all election signage on any Council land, buildings and roads.</p> <p>This policy also applies to electioneering activities on Council land, buildings and roads.</p>
Definitions and Abbreviations	<p>'Ancillary area' means an area designated as an ancillary area by the coordinating road authority under Section 18 of the Road Management Act 2004; Example - Any area which is a "park and ride" car park, rest stop or scenic lookout could be designated as an ancillary area.</p> <p>"Council land" means any land owned, or vested in, or under the control or management of Council including, but not limited to a road, municipal reserve or other reservation, watercourse, foreshore reserve, jetty or boat ramp.</p>



	<p>“Reserve” means any land which is owned, occupied or managed or controlled by Council and dedicated or used for outdoor cultural, environmental, sporting or recreational purposes.</p> <p>“Road” includes;</p> <ul style="list-style-type: none"> (a) a street; and (b) a right of way; and (c) any land reserved or proclaimed as a street or road under the Crown Land (Reserves) Act 1978 or the Land Act 1958; and (d) a public road under the Road Management Act 2004; and (e) a passage; and (f) a cul de sac; and (g) a by-pass; and (h) a bridge or ford; and (i) a footpath, bicycle path or nature strip; and (j) any culvert or kerbing or other land or works forming part of the road; (k) any public highway; (l) any ancillary area; (m) any land declared to be a road under section 11 or forming part of a public highway or ancillary area
Policy Statement(s)	<p>The following provisions that govern the placement of Electoral Signs apply equally to all candidates and their associated election campaigns at all times, including during the Election Period.</p> <p>They are consistent with Council's General Local Law No. 1 of 2015, the Environment Protection Act 1970 and the Darebin Planning Scheme.</p> <p>Electoral material must follow the requirements of the relevant electoral legislation.</p>
	<p>Electoral Signage on Public and Council controlled land</p> <p>In order to ensure Council resources (including buildings and land) will not be used to support any electioneering activity, and to ensure that:</p> <ul style="list-style-type: none"> 1) Council is seen to be independent of all candidates; and 2) the amenity of the municipal district is not unduly compromised



Council will not generally grant a permit under clause 10 of the General Local Law for any type of candidate election signage to be erected on or displayed on Council land, including;

- Council owned / managed parks, municipal reserves, building (exteriors), nature strips and car parks
- Roads and road dividing strips (median strips, traffic islands, roundabouts)
- Trees, shrubs or plants, street signs, traffic control signs, parking signs

Further: In general terms, this means that no Electoral Signs will ordinarily be permitted on Council roads, parkland or property. Specifically;

- (a) Mobile billboards, (trailer types and signs that are placed in or on a vehicle) are not to be left standing or stationary. This type of signage has to be mobile at all times
- (b) Vehicles, other than trailers, that are permanently sign-written may display an Electoral Sign, provided that they meet parking legislation requirements including time limits etc.
- (c) The Environment Protection Act 1970 prohibits the placing of any form of advertising on the windscreens of vehicles anywhere (public or private land) and
- (d) Banners and flags or similar are also prohibited and are not to be attached to any fixtures located on any of the roads or reserves or Council land.

Compliance with this Policy will be monitored and enforced.

Electoral Signage on privately owned land

Electoral Signs *may* be permitted on privately owned land. A planning permit is required unless the following mandatory requirements are met:

City of Darebin Planning Scheme requirements

A planning permit is not required to display a sign with an advertisement area not exceeding 5 square metres publicising a local political event not held for commercial purposes (on private land only).

The requirements are:



- Only one sign can be displayed on the land
- The sign must not be animated
- The sign must not be internally illuminated
- The sign must not be displayed for more than 3 months and must be removed within 14 days of the event

A sign publicising a local political event may include information about a candidate for an election.

The sign can be displayed on a person's own land or another person's land if permission of the landowner has been granted.

Signs not compliant with these requirements are subject to a Council Planning application.

Electioneering

When candidates or their supporters are electioneering in public places, they must be aware of the following:

- A candidate / supporter may hand out electoral material in a public place, that is, streets and parks within the control of Council, but not within Council buildings or premises or within a 50 metre radius of a Council owned or controlled public building
- Electoral material must follow the requirements of relevant electoral legislation.
- Council will not require a fee or a permit if a candidate / supporter is standing at a small table with a sign (note planning requirements) handing out electoral material.
- Persons distributing electoral material must be aware of public safety and community amenity, and must leave a minimum 1.2-metre-wide pedestrian access on the footpath.
- Any tables placed in front of commercial or residential properties must be located with the agreement of the adjoining owner / occupier.
- Any tables must comply with the Disability Discrimination Act 1992 and must ensure that footpaths are kept clear of obstructions for pedestrian traffic, especially the use of the property line by visually impaired people at all times.
- A-frames or other signs displaying electoral material are not permitted to be placed on Council owned or control land under any circumstances.
- No electoral material is to be posted on Council property (including



	<p>buildings, noticeboards, land, fences, street lighting posts and the like). Any such postings will be subjected to a Local Laws Enforcement investigation and impounded.</p> <p>Any electoral material posted on private property without the authority of the owner may be referred to the Police for investigation.</p>
Responsibilities	Council Business and Civic Services
Breach of Policy	<p>Breaches of policies are treated seriously. Penalties are prescribed by General Local Law No. 1 of 2015.</p> <p>If election signage is displayed on Council land, Council will immediately impound the signage without notification to the owner or candidate.</p> <p>Impounded signs (or indeed any item) are held pending claim. Owners may be able to claim them and have them released at a cost (prescribed in fees & charges – currently \$100 per item).</p> <p>If impounded signs are not claimed within 14 days of notice being provided, they will be destroyed without notice.</p> <p>Council will report instances of the display of election signage on Council land for a local government election to the Victorian Electoral Commission.</p>
Related Documents	<p>This policy should be read in conjunction with Council's:</p> <ul style="list-style-type: none"> • General Local Law No. 1 of 2015 • Darebin Planning Scheme • City of Darebin Election Period Policy (2020)
Supporting Procedures	N/A
Legislation mandating compliance	<ul style="list-style-type: none"> • General Local Law No. 1 of 2015 • Darebin Planning Scheme • Road Management Act 2004 • Disability Discrimination Act 1992 • Environment Protection Act 1970
Policy Owner	<p>Stephen Mahon</p> <p>Coordinator Governance, Council Business and Civic Services</p>
Date Effective	June 2020



Review Date	May 2022
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Content Enquiries	Stephen Mahon Coordinator Governance, Council Business and Civic Services Joseph Spiteri Manager City Safety & Compliance Darren Rudd Manager City Development
Objective Document ID	

7.4 OPEN SPACE LEVY PLANNING SCHEME AMENDMENT - PROJECT UPDATE AND CONSIDERATION OF NEXT STEPS

Author: Senior Strategic Planner

Reviewed By: General Manager City Sustainability and Strategy

EXECUTIVE SUMMARY

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

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

The approach and methodology used for the proposed open space levy has a number of innovative elements and the rate that Council is seeking is ambitious.

Amendment C186 proposes to increase the open space levy rate for all subdivisions of three or more lots within the municipality to 10 percent. Following public exhibition which finished in December 2019, Council met on 24 February 2020 to consider the submissions and resolved to refer all submissions to a Planning Panel.

The Panel Hearing for Amendment C186 has not yet taken place, however officers are seeking Council's direction at this time due to the findings and release of a Panel Report for a similar amendment in Monash (Monash C148 Interim Panel Report, **Appendix B**) which uses the same methodology and rate as Darebin.

The findings of the Monash Panel provide Council with invaluable insights into which elements of the methodology the planning system is more likely to accept and which require greater justification. The Panel supported some elements of the approach and did not specifically recommend abandonment, but recommends further work be undertaken before progressing the amendment, and did not support parts of the methodology.

This creates the opportunity for Council to strengthen Amendment C186 before it proceeds to Panel, by carrying out additional work before proceeding to Panel and incurring significant costs, with potentially a similar outcome to Monash.

It is acknowledged that there are differences between Darebin and Monash in relation to both current and future open space provision and need. However, it is clear from the Monash Panel Report that a standards-based approach alone is not enough to justify such a substantial increase to the open space levy.

Officers recommend completing similar additional work as indicated for Monash C148 before proceeding with the Planning Panel. Work has already commenced on the implementation of *Breathing Space*; however, it will take some time and resources to complete this work.

This report summarises the process to date, the findings of the Monash Panel Report and recommends that Council ask for a delay of the Planning Panel Hearing to undertake further work to justify Amendment C186. Undertaking further work now will provide Amendment C186 with a better chance of success.

Recommendation

That Council:

- (1) Request Planning Panels Victoria to adjourn the Planning Panel Hearing for Amendment C186 – Open Space Levy to allow further work to be completed to strengthen the strategic justification for the amendment, as recommended by the Monash C148 Planning Panel.
 - (2) Authorise officers to carry out further work to Amendment C186, as recommended by the Monash C148 Planning Panel.
 - (3) Formally consider the Property Council of Australia's late submission to Amendment C186 to the Darebin Planning Scheme and refer the late submission to the Planning Panel.
 - (4) Endorses the officer's response to the Property Council of Australia's late submission outlined in this report to form the basis of Council's submission to the independent Planning Panel.
-

BACKGROUND / KEY INFORMATION

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

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

What the Amendment does

Amendment C186 implements the recommendations of *Breathing Space: The Darebin Open Space Strategy* and the *Open Space Contributions Review Report* by increasing the open space levy in the Darebin Planning Scheme to ten per cent for all non-exempt subdivisions.

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

Clause 53.01 of the Darebin Planning Scheme currently provides for open space contributions to be collected at the time of subdivision. Council currently collects an open space contribution rate of between two and five per cent based on a sliding scale determined by how many additional lots are created at subdivision.

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

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

Planning Scheme Amendment Process

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

Amendment C186 was publicly exhibited from 14 November 2019 to 16 December 2019 where 56 submissions were received. One additional late submission has been received by officers prior to this briefing. This additional submission has been referred to Planning Panel.

At its 24 February 2020 meeting, Council considered all submissions received to the planning scheme amendment and referred all submissions to an independent planning panel hearing.

Planning Panel Victoria (PPV)

As part of the planning scheme amendment process, Planning Panel dates are pre-set prior to commencing exhibition. The Planning Panel initially had pre-set dates scheduled for 27 April 2020. However, the Planning Panel process was delayed due to the impacts of COVID-19 and the associated social distancing requirements.

The first Directions Hearing was held on Thursday 16 April 2020 via Skype to consider preliminary matters and the conduct of the substantive Panel Hearing. At this time, the lawfulness of holding the panel via teleconference was questioned, and a request was made by opposing submitters to adjourn the panel as well as other timetabling matters.

Following the Directions Hearing, the panel scheduled a further Directions Hearing for 29 May 2020. This delay was provided to allow for the impacts of COVID-19 to be further understood in relation to the conduct of Planning Panel hearings, and to ensure that all parties had the opportunity to review the anticipated Monash C148 panel report recommendations and its implications for Amendment C186 before reconvening.

On 25 May 2020, a letter was sent to PPV on behalf of Council requesting that the second Directions Hearing be rescheduled to the 12 June 2020, to enable Council time to consider the implications of the Monash Panel Report and determine next steps for Amendment C186.

On 27 May 2020 the Planning Panels sent Council and all submitters a letter stating they have rescheduled the Directions Hearing from the 29 May to the 12 June to allow Council to make a decision on its way forward for the amendment, given as a potential adjournment or abandonment request from a planning authority are significant matters that should be endorsed by Council.

The Panel has also received a confidential submission from a party that requests the matter be adjourned based upon personal issues until face-to-face Hearings are resumed. The Panel is prepared to accept this as a confidential submission but leave open the issue of the timing of the Hearing. This matter will be discussed at the next Directions Hearing, if the Hearing is to proceed.

Council recently received a very late submission from the Property Council of Australia raising concerns about the increased levy rate's impact on the development industry in light of the pandemic and economic downturn. This has been referred directly to Panel who are able to consider late submissions. A summary of this submission and the Officer's recommendation has been included as part of this Council Report so that Council can formally consider this submission.

Previous Council Resolution

On 24 February 2020 Council made the following resolution:

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

- 1) Formally considers all written submissions received in response to Amendment C186 to the Darebin Planning Scheme.*
- 2) Endorses the officer's response to submissions outlined in this report and attached at Appendix C (as amended) and recommended changes to the Amendment, including the changes as attached at Appendix B of this report, to form the basis of Council's submission to an independent Planning Panel.*
- 3) Requests that the Minister for Planning appoint an independent Panel under Part 8 of the Planning and Environment Act 1987 to consider submissions to Amendment C186 to the Darebin Planning Scheme.*
- 4) Refers all submissions to the Panel to be appointed by the Minister for Planning.*
- 5) Authorises the Manager City Futures to support any changes to Amendment C186 that may be required as part of Council's submission to the Panel.*
- 6) Writes to all submitters to inform them of Council's decision to proceed to the Panel stage."*

On 23 September 2019, Council made the following resolution:

***"That** Council:*

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

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

“That Council:

- 1) *Adopts Breathing Space: The Darebin Open Space Strategy;*
- 2) *Reviews and reports progress annually on Breathing Space: The Darebin Open Space Strategy, including an annual update on Darebin’s canopy coverage and quantity and quality of open space provision, as well as progress on biodiversity improvements, and that this update be communicated to the community.*
- 3) *Refers all actions contained in Breathing Space: The Darebin Open Space Strategy for consideration in the next budget process; and*
- 4) *Thanks the Darebin Nature Trust, community members and stakeholders, for their feedback, input and advice to date to help develop Breathing Space: The Darebin Open Space Strategy Ensure that edible plants and fruit trees are accessible to the local community, particularly those with greatest need to access food.”*

COMMUNICATIONS AND ENGAGEMENT

Consultation

Planning Scheme Amendment Exhibition

Public exhibition of Amendment C186 took place between 14 November and 16 December 2019 in accordance with section 19 of the *Planning and Environment Act 1987*.

The outcomes of this process were considered by Council on 24 February 2020.

If the resolution to progress the planning scheme amendment by undertaking further work is supported, a further public exhibition process will be scheduled to consider the amendment again, with any further work that could include a high level Implementation Plan and Land Acquisition Strategy.

The Darebin Nature Trust (DNT) have considered the Monash C148 interim panel report findings, and support the delay of the Planning Panel in order to carry out an Implementation Plan and Acquisition Plan. There is the opportunity to involve members of DNT in the development of these pieces of work.

Communications

Local stakeholders will be communicated with through the statutory planning processes, particularly those who are submitters to the Panel process.

ANALYSIS

Alignment to Council Plan / Council policy

Goal 3 - A liveable city

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

Environmental Sustainability Considerations

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

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

Climate Emergency

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

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

Equity, Inclusion and Wellbeing Considerations

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

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

Cultural Considerations

While Amendment C186 does not specifically consider culture, cultural considerations are embedded in *Breathing Space: The Darebin Open Space Strategy*. Again, the levy will fund the implementation of the strategy and directly support the design of open spaces that are inclusive to the Culturally and Linguistically Diverse (CALD) and indigenous communities.

Economic Development Considerations

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

The outcomes facilitated by *Breathing Space: The Darebin Open Space Strategy* are complementary to enhancing the economic activity in Darebin. Having great open spaces, which offer a diversity of uses, retains locals and attracts people from neighbouring suburbs to spend more time in our city.

Financial and Resource Implications

The increased open space levy will provide Council with funds for the acquisition of new open space and improvements to existing open space, to help service the City's increasing population as development is carried out.

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

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

Each of the options for Council to consider in progressing Amendment C186 process have financial and resource implications as specified in the options outlined in the discussion section of this report.

Should Council endorse officer's recommendation to adjourn the Planning Panel Hearing and complete the further work recommended (develop an implementation plan and land acquisition plan), the implications for the budget are estimated to be:

Estimate cost of additional work: between \$30,000 and \$80,000 depending on factors including how much of the work is completed in-house and the level of detailed required (yet to be determined).

The additional work required can be accommodated within the City Futures draft budget for FY20/21. While the costs for this project are expected to be higher, there are also other timing adjustments to other strategic work related to COVID-19 and overall these are expected to offset each other. The costs in 2020-21 are expected to be between \$60,000 and \$90,000 which is an increase compared to what was initially expected in 2020-21 of around \$40,000. While there is expected to be an impact to the overall strategic planning program relating to timing adjustments as a result of COVID-19, officers advise that at this stage these adjustments are expected to offset each other. Not that officers now expect that Planning Panel costs would be incurred in FY21/22 rather than the original expectation which was FY19/20.

Legal and Risk Implications

Each of the options for Council to consider for Amendment C186 have legal and risk implications as specified in the options outlined in the discussion section below.

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

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

DISCUSSION

Monash C148 – Summary of Recommendations and implications for Darebin

Monash C148 is relevant to the Amendment C186 because it seeks to increase the public open space levy to 10 per cent and adopts the same new and untested methodology as ours. The Panel supported some elements of the approach, and did not specifically recommend abandonment. However the Panel did not support other elements of the approach, and recommended further work be undertaken.

The Monash Panel Report contains some contradictory commentary and while the panel supported the inclusionary provisions and single planning unit approach, it rejected the 30 sqm per capita open space provision rate as an accepted benchmark or standard on which to solely base the calculation of the open space levy on. The panel was not convinced that this methodology alone justified the increase in the open space levy rate and recommended that further work be completed, including a costed implementation plan and land acquisition plan.

The recommendations of the Monash C148 Panel give rise to unforeseen complexities in that the Panel neither fully supported adoption nor explicitly recommended abandonment of Monash C148. It is acknowledged that there are differences between Darebin and Monash in relation to both current and future open space provision and need. However, it is clear from the Monash Panel Report that a standards-based approach alone is not accepted to justify the substantial increase to the open space levy.

The Monash Panel Report was released to the public on 5 May 2020. Monash C148 proposes to increase the open space levy rate to 10 per cent for all land in the municipality and relies on the same methodology, to justify the increase. Below is a summary of the Monash Panel Report Recommendations.

- The concept of a single planning unit was supported. This means that money can be collected as well as spent anywhere in the municipality, depending on priorities.
- The inclusionary provisions approach was supported. This means that it was recognised that all development has the responsibility to contribute the same proportional amount towards open space improvements and acquisitions regardless of the developments size, location or number of dwellings.
- Confirmation that a 'DCP approach', or a very detailed and certain, adopted and costed list of projects is not needed to justify the open space levy rate.
- The 30 sqm per capita open space provision rate is not accepted as an appropriate per capita planning standard to use alone to base an open space levy rate.
- Further work is needed to provide the strategic justification for the amendment, including a costed implementation plan and a land acquisition strategy for the open space strategy.
- It was not specifically recommended to abandon the amendment, but rather, to undertake additional work, re-exhibit and re-convene at future planning panel.
- The same rate for non-residential and residential not supported.

The Monash Panel Report provides an indication of how Darebin's proposal can be strengthened. It is not guaranteed that the Planning Panel for Amendment C186 will form the same view as the Monash Panel. Other issues may arise that were not considered as part of Monash C148.

Differences to Darebin

There are quite marked differences between Darebin and Monash's current open space provision and current and future need as is shown in the table below. As shown, Darebin's open space provision is substantially lower than that of Monash.

Open Space Provision	Monash	Darebin
Current open space provision	27 sqm per capita	19 sqm per capita
Open Space provision with 10% OSL	30 sqm per capita	16 sqm per capita

While this may mean that it is easier for Darebin to justify the need to increase the open space levy, given the findings of the Monash Panel Report, the standards based methodology alone is unlikely to justify this rate.

30 sqm provision rate in question

Both Planning Panels Victoria (PPV) and the Department of Environment Land Water and Planning (DELWP) have questioned the 30 sqm per capita provision rate in correspondence with Council.

As part of Council's submission to Planning Panel for Amendment C186, Council has been asked to provide (among other things) further justification on how the 30sqm per person metric for public open space was selected and a comparative analysis with its provisions at 24sqm and 27sqm.

The calculations are as follows:

Open Space Standard provision per capita	OSL rate
30 sqm	18.2%
27 sqm	16.4%
24 sqm	14.6%

Further, DELWP asked Council to provide more information on the following matters.

- How the 30 square metre per capita and proximity-based 500 metre distance from open space benchmarks are applicable in the local setting (beyond the comparison to international, national and other Victorian councils).
- Projected costs for the improvement works, demonstrating the nexus between funds being sought and funds required to facilitate future works.
- Further clarity on its commitment to providing the remaining 8.2% contribution rate for open space and detailing the mechanisms Council will use to achieve this funding.

OPTIONS FOR CONSIDERATION

Options to progress Planning Scheme Amendment

1. Proceed with further justification – Recommended

This option involves undertaking further work to justify Amendment C186. Specifically, an implementation plan and land acquisition plan would be developed. This would be used to provide an additional method of calculating the rate to justify the increase to the open space levy rate, rather than relying on a standard provision approach alone. These documents would complement the existing Open Space Contributions Framework prepared by SGS.

The implementation plan will need to outline tasks, priorities, costs and responsibilities based on the recommendations of Breathing Space.

The land acquisition plan should nominate precincts in which land acquisition will be sought based on gaps in the open space network and population projections.

The implementation plan and acquisition strategy would be presented to Council at a future meeting and would be placed on public exhibition. Indicative timeframes are provided below.

In order to undertake this further work, Council should, at the Directions Hearing of 12 June, request that the Planning Panel Hearing be delayed until 2021.

Benefits

- Learn from the Monash Panel Report recommendations. A 'belts and braces' approach to the justification of Amendment C186.
- Builds on the existing methodology by providing a costed implementation plan to reinforce the justification for the increase in open space levy rate.
- Will not 'waste' legal expenses defending a planning scheme amendment that is unlikely to be supported.
- Speeds up the work already underway on an implementation plan and acquisition plan needed to realise actions of Breathing Space
- Maintains Council's ambition for a high open space levy rate.
- Progresses the current planning scheme amendment, as opposed to commencing a new planning scheme amendment.

Risks

- Potential that the costed implementation plan will calculate a lower open space levy rate than the current 10%.
- Community response to re-exhibition including scrutiny of the implementation plan and priorities for improvements and acquisitions.
- Further costs will be incurred to accommodate the additional work that are outside the scope of the current budget.
- Delays the time in which the levy would come into effect and the community can realise the benefits of much needed funding for open space.
- There is a low risk that Amendment C186 may lapse (expire) if this further work and re-exhibition extends the timeframes of the amendment to beyond two years (between the original exhibition date and Council adoption of the amendment). Council can request an extension to this timeframe from the Minister and officers have been advised by DELWP that the request for an extension is likely to be granted given the circumstances.

Timeframe

This option would involve a period of undertaking further work and re-exhibition of the planning scheme amendment and proceeding to the Planning Panel at a later date, with an indicative adoption date of October 2021. See below table for details (indicative only).

	2020							2021											
Milestone	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Request adjournment of Panel Hearing																			
Develop implementation plan - estimate																			
Pre-election Period - 22 Aug - 22 Sept 2020																			
Council election period - 22 Sept to 24 Oct 2020																			
Finalise additional work, changes to amendment																			
Report to Council - adopt revised amendment																			
Submit amendment package to Panel																			
Christmas Period - no exhibition																			
Re- Exhibition																			
Report to Council to consider submissions																			
Panel Directions																			
Panel Hearing																			
Panel Report Received																			
Panel Report made public																			
Council adoption. Submit to Planning Minister																			

2. Abandon the Planning Scheme Amendment – Not preferred

This is another suitable option for Council to consider at this stage given the circumstances - to abandon this current Amendment C186 and start afresh.

This would allow Council to develop strategic justification for a new planning scheme amendment that seeks to increase Darebin's open space levy. Council could follow the same process as option 1 in undertaking further work to support the existing methodology, or it could start again with a new methodology.

Given Council has already referred the amendment to Panel there is no opportunity at this stage of the amendment process for Council to make this decision procedurally. If Council decided to abandon the amendment, Council would need to formally request that the Planning Panel to direct Council to abandon Amendment C186.

Benefits

- Eliminates the (low) risk that the current Amendment C186 will lapse.
- Provides Council with flexibility to either propose a different methodology, or further justify the current methodology as in Option 1, but with a new amendment that won't be at risk of lapsing.
- The strategic justification for the increase to the levy can be reviewed and a fresh approach taken.
- Is only a slightly longer timeframe to realise a levy increase than proceeding with the current amendment – will need reauthorisation from DELWP which will add an additional step compared to Option 1 (est. 1-2 months).
- Able to learn from the Monash Panel Report recommendations.
- Provides the opportunity to build on the existing methodology by providing a costed implementation plan to reinforce the justification for the increase in open space levy rate.

- Will not 'waste' legal expenses defending a planning scheme amendment that is unlikely to be supported.

Risks

- The 'abandonment' of the amendment may be seen as a loss to the broader community.
- Would lose significant work already undertaken, if we choose another approach.
- Delays the time in which the levy would come into effect and the community can realise the benefits of much needed funding for open space.

Timeframe

	2020							2021											
Milestone	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Submit abandonment request to Panel																			
Receive panel direction to abandon																			
Council report to formerly abandon Amendment																			
Abandon Amendment with DELWP																			
Develop new implementation plan and/or strategic justification - estimate																			
Pre-election Period - 22 Aug - 22 Sept 2020																			
Council election period - 22 Sept to 24 Oct 2020																			
Finalise new amendment docs																			
Christmas Period - no exhibition																			
Report to Council - adopt revised amendment																			
Submit amendment package to DELWP for authorisation																			
Re- Exhibition (depends on when authorisation received)																			
Report to Council to consider submissions																			
Panel Directions																			
Panel Hearing																			
Panel Report Received																			
Panel Report made public																			
Council adoption. Submit to Planning Minister																			

3. Proceed without additional justification – not recommended

Council proceeds to the Planning Panel Hearing with no changes. The current approach could be bolstered by highlighting Darebin's current and future open space provision and need as a key difference from Monash.

Benefits

- Progress Amendment C186 to Planning Panel.
- Possibility that the Planning Panel may take a different view to that of the Monash C148 Panel and support Amendment C186 given they are made up of different members – note that officers consider this extremely unlikely.

Risks

- The findings of the Monash Panel Report indicate it is highly unlikely that Amendment C186 would be supported at Panel.
- Budget expenditure on Panel costs may be 'wasted' as we end up with the same result as Monash and have to start again or undertake further work following Panel.
- The cost in 2020-21 would be around \$60,000 more than is currently included in the draft budget.

Timeframe

The timeframes for this option would procedurally result in:

- a Panel Report in September 2020
- Council consider Panel report findings in October 2020

Note that, although this appears like a much quicker timeframe, it's more likely that the Panel report would direct further work or abandonment.

Late Submission

Council considered a total of 56 submissions at its meeting on 24 February 2020 and resolved to refer all submissions to an independent planning panel. On 15 May 2020, Officers received a further late submission (no.57) from the Property Council of Australia.

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

Option 1 - Change the amendment in the manner requested by the submissions; or

Option 2 - Refer the submissions to an independent Planning Panel; or

Option 3 - Abandon part or all of the amendment.

Officers have analysed the late submission and recommend Council proceed with Option 2 and refer this late submission to the Planning Panel for consideration with all the other submissions received to the Planning Scheme Amendment.

Summary of Submission

Concern about the increase to development costs, particularly in light of the economic downturn caused by the Covid-19 pandemic.

The increase to the levy will impact on development feasibility and/or will be passed on to the buyer and impact housing availability and affordability.

The open space strategy did not consider the Better Apartment Design Standards (BADs) as part of the policy context. In particular the inclusion of the requirement for significant communal open space in apartment developments. Failing to consider this policy context represents a duplication of policies across different levels of government.

Officer Response

It is acknowledged that the advent of covid-19 and the likely economic downturn will have a negative impact on the development industry. This is an issue that has arisen since the official exhibition period for Amendment C186 in November and December 2019 and will undoubtedly be interrogated at Planning Panel and ultimately by the Minister for Planning. Whilst we accept that Covid-19 will have a negative impact on the development industry and

the overall economy, it has also highlighted the critical role that open space plays in the life of our city as well as its role in supporting long-term economic stability through making Darebin an attractive and liveable place.

The BADS requirements relate to communal open space within private apartment developments. The open space levy funds the acquisition and improvement of public open space. Although private communal open space, if designed in a particular way with access to public thoroughfare could contribute to a sense of open space more generally, it is still private land and therefore not considered a duplication of open space policy. This BADS communal open space requirement could also be designed with no public access.

Recommendation

No change to Amendment. Refer to Panel.

IMPLEMENTATION STRATEGY

Details

Depending on Council's preferred approach for progressing the planning scheme amendment, next steps will be as shown on the timeframe for each option, as outlined above.

Communication

Following the Council decision on 9 June 2020, PPV will be advised of Council's decision and preferred approach to the future conduct of the Planning Panel.

All parties to the Planning Panel Directions Hearing on June 12 will be advised of Council's decision.

Updates will be posted on Council's yoursay page.

Timeline

An indication of timelines for each option is included in the discussion section above.

RELATED DOCUMENTS

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

Attachments

- SGS Open Space Contributions Review (**Appendix A**) [↓](#)
- Monash C148 Interim Panel Report (**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.



OPEN SPACE CONTRIBUTIONS REVIEW

4.0
MAY 2019

Prepared for
City of Darebin

Independent
insight.



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TABLE OF CONTENTS

EXECUTIVE SUMMARY	III
1. INTRODUCTION	1
1.1 Project Background	1
1.2 The role and value of open space	1
1.3 Defining open space	2
1.4 Open Space contributions	2
2. OPEN SPACE PROVISION STANDARDS	4
2.1 Background	4
2.2 Quantity Based Standards	4
2.3 Proximity Based Standards	6
2.4 Quality-Based Standards	6
2.5 Open Space Services	7
2.6 Implications for Open space contributions	8
3. STRATEGIC POLICY CONTEXT	9
3.1 Plan Melbourne	9
3.2 Local government policy	10
3.3 Implications for open space contributions	11
4. LOCAL CONTEXT	12
4.1 Location and urban structure	12
4.2 Growth and change	14
4.3 Implications for open space contributions	20
5. OPEN SPACE ACCESSIBILITY	21
5.1 Open space per capita	21
5.2 Access to open space	22
5.3 Implications for open space contributions	25
6. OPEN SPACE CONTRIBUTION FRAMEWORK	26
6.1 Public open space contributions in context	26
6.2 Appropriateness of the 'inclusionary provisions' frame	28
6.3 Calculation of open space contribution requirements	29
6.4 Discussion	32
7. SUMMARY	35
8. APPENDIX	36

LIST OF FIGURES

FIGURE 1: OPEN SPACE CONTRIBUTION RATE ASSESSMENT	V
FIGURE 2: STRATEGIC CONTEXT FOR BREATHING SPACE: THE DAREBIN OPEN SPACE STRATEGY 2019	10
FIGURE 3: CITY OF DAREBIN	12
FIGURE 4: PARKS AND OPEN SPACES IN THE CITY OF DAREBIN	13
FIGURE 5: POPULATION FORECASTS, CITY OF DAREBIN, 2018-2028	14
FIGURE 6: OPEN SPACE PRECINCTS, DAREBIN (2018)	15
FIGURE 7 CURRENT VARIATION IN OPEN SPACE ACCESS (2018)	22
FIGURE 8 CURRENT NET SITE DENSITY	25
FIGURE 9: TYPES OF DEVELOPMENT CONTRIBUTION	26
FIGURE 10: OPEN SPACE CONTRIBUTION RATE ASSESSMENT	29
FIGURE 11: IMPACT ON RESIDUAL LAND VALUE	34

LIST OF TABLES

TABLE 1: OPEN SPACE CONTRIBUTION RATE CALCULATION	VI
TABLE 2: EXISTING OPEN SPACE CONTRIBUTION REQUIREMENTS	2
TABLE 3: OPEN SPACE PROVISION STANDARDS	5
TABLE 4: POPULATION CHANGE: 2018-2028	16
TABLE 5: DWELLINGS BY OPEN SPACE PRECINCT, 2018-2028	16
TABLE 6: POPULATION CHANGE BY AGE GROUP BY OPEN SPACE PRECINCT, 2018-2028	18
TABLE 7: DWELLING TYPE BY OPEN SPACE PRECINCT, 2018-2028	19
TABLE 8: ACCESS TO OPEN SPACE PER CAPITA	21
TABLE 9: GAPS IN OPEN SPACE NETWORK	23
TABLE 10: OPEN SPACE CONTRIBUTION RATE CALCULATION	30
TABLE 11: OPEN SPACE CONTRIBUTION RATES WHEN DIFFERENT PROVISION STANDARDS ARE APPLIED	32
TABLE 12: EXISTING OPEN SPACE CONTRIBUTION RATES AND IMPLIED PROVISION STANDARD	32
TABLE 11: OPEN SPACE CONTRIBUTION RATES IN OTHER MELBOURNE MUNICIPALITIES	36

EXECUTIVE SUMMARY

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

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

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

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

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

Existing open space

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

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

Population trends

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

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

Open Space Provision Standards

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

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

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

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

Open Space Services

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

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

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

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

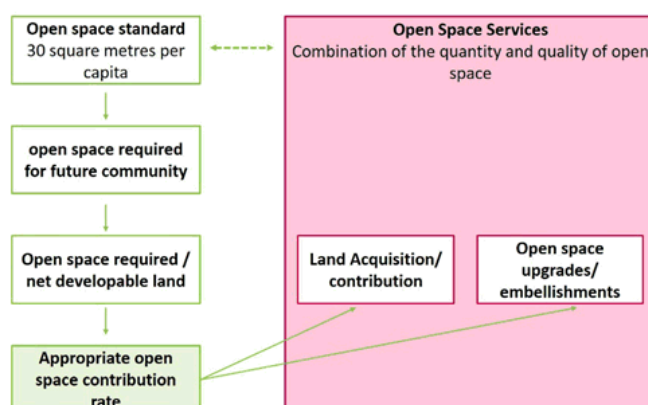
Calculating open space requirements

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

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

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

FIGURE 1: OPEN SPACE CONTRIBUTION RATE ASSESSMENT



Source: SGS Economics and Planning, 2018

Open Space Standards

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

Open Space required for future community

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

Open Space required / net developable land

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

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

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

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

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

TABLE 1: OPEN SPACE CONTRIBUTION RATE CALCULATION

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

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

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

Recommendation

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

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

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

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

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

Concluding remarks

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

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

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

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

1. INTRODUCTION

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

1.1 Project Background

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

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

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

1.2 The role and value of open space

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

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

Pressure on open space

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

Expanding definitions of open space

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

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

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

1.3 Defining open space

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

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

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

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

1.4 Open Space contributions

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

Contributions can be

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

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

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

TABLE 2: EXISTING OPEN SPACE CONTRIBUTION REQUIREMENTS

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

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

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

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

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

2. OPEN SPACE PROVISION STANDARDS

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

2.1 Background

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

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

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

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

2.2 Quantity Based Standards

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

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

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

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

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

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

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

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

TABLE 3: OPEN SPACE PROVISION STANDARDS

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

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

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

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

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

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

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

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

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

2.3 Proximity Based Standards

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

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

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

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

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

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

2.4 Quality-Based Standards

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

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

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

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

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

2.5 Open Space Services

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

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

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

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

2.6 Implications for Open space contributions

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

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

3. STRATEGIC POLICY CONTEXT

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

3.1 Plan Melbourne

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

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

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

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

Outcome 6 is of most relevance to open space:

Outcome 6: Melbourne is a sustainable and resilient city.

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

3.2 Local government policy

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

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

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

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

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

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



Darebin Council Plan 2017-2021

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

Goals relevant to open space:

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

3.3 Implications for open space contributions

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

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

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

4. LOCAL CONTEXT

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

4.1 Location and urban structure

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

FIGURE 3: CITY OF DAREBIN



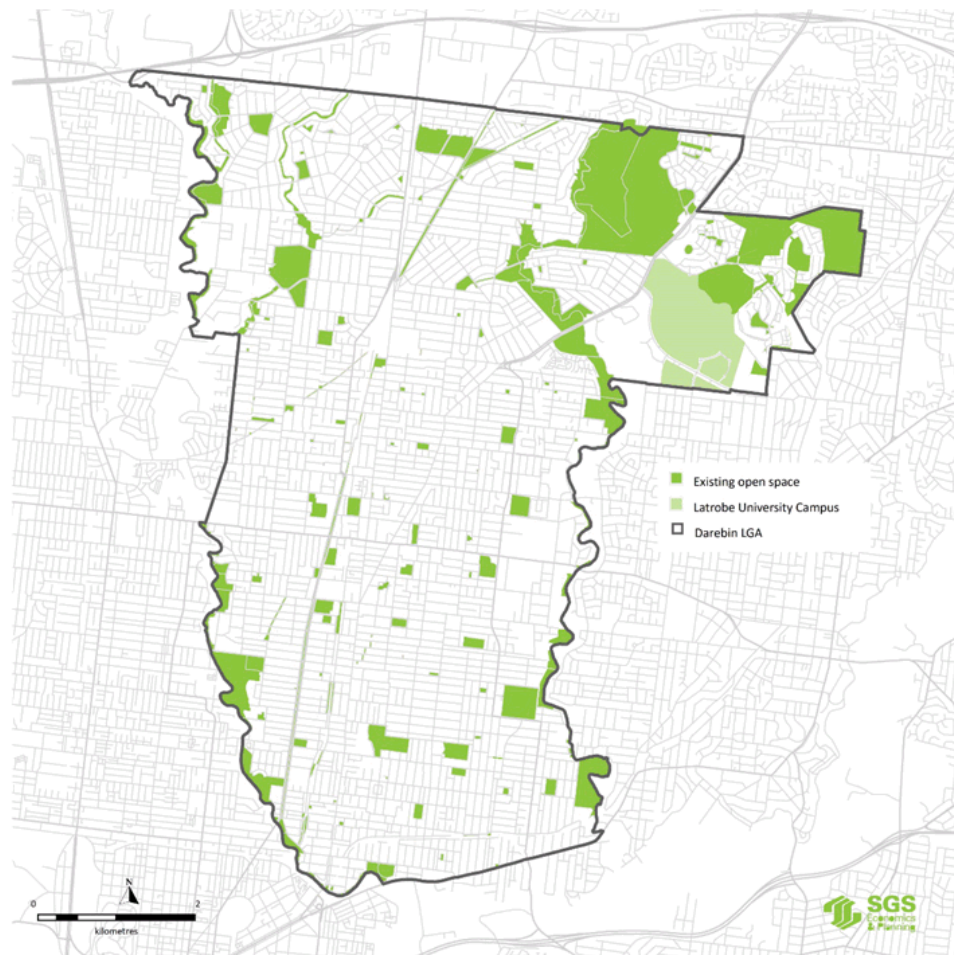
Source: SGS Economics and Planning 2018

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

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

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

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



Source: Darebin City Council

4.2 Growth and change

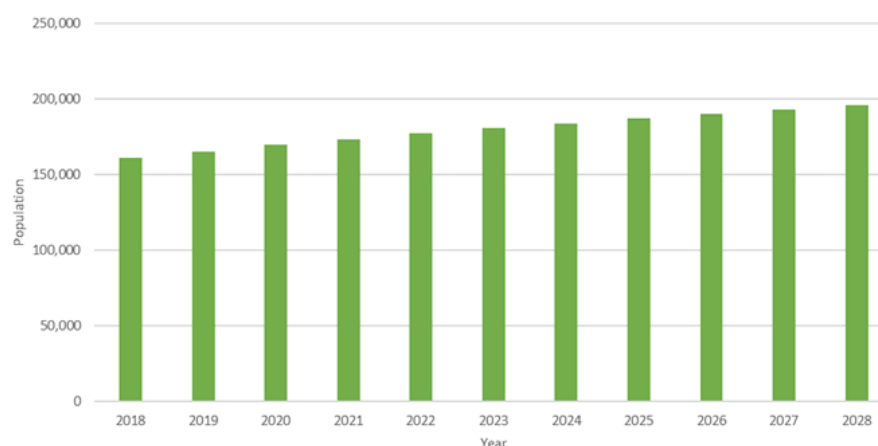
Melbourne's economic restructuring has resulted in significant changes for Darebin. There has been a decline in manufacturing, particularly in areas located in South. There has also been significant gentrification in the south of the LGA which has been expanding north, and a general trend towards residential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

Population and household forecasts

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

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

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



Source: City of Darebin, 2018

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

FIGURE 6: OPEN SPACE PRECINCTS, DAREBIN [2018]



Source: City of Darebin, 2018

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

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

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

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

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

TABLE 4: POPULATION CHANGE: 2018-2028

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

Source: City of Darebin, 2018

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

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

Source: Source: City of Darebin, 2018

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

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

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

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

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

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

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

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

Source: City of Darebin, 2018

4.3 Implications for open space contributions

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

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

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

5. OPEN SPACE ACCESSIBILITY

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

5.1 Open space per capita

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

TABLE 8: ACCESS TO OPEN SPACE PER CAPITA

Open Space Precinct	Open Space (ha)	2018 Per capita (sq.m)	2028 Per capita (sq.m)	Assessment of future rate
Reservoir North West	52.7	18.6	17.3	Undersupplied
Reservoir North East	61.1	24.2	21.4	Minor undersupply
La Trobe and surrounds	326.4	18.9	14.3	Undersupplied
Reservoir West	46.0	37.7	32.3	Well supplied
Kingsbury	37.6	63.7	53.7	Well supplied
Reservoir South West	10.2	10.2	9.3	Undersupplied
Reservoir South	1.3	1.9	1.4	Undersupplied
Preston Northland	43.3	31.0	23.9	Minor undersupply
Preston West	9.9	8.0	5.7	Undersupplied
Preston Central	6.4	6.7	4.6	Undersupplied
Preston Industrial	18.3	20.9	15.6	Undersupplied
Thornbury West	28.8	19.3	15.9	Undersupplied
Thornbury East	36.2	5.6	4.9	Undersupply
Northcote West	56.5	19.1	15.7	Undersupplied
Northcote East	30.4	17.7	16.5	Undersupplied
Alphington Fairfield	25.4	28.2	24.5	Minor undersupply
<i>Total</i>	<i>790.37</i>	<i>19.6</i>	<i>16.2</i>	<i>Undersupplied</i>

Source: Source: SGS Economics and Planning

Table 8 indicates that overall, if there is no additional open space provided, there will be approximately 16.2sq m of open space per capita in 2028, well below the benchmark of 30 sqm per capita.

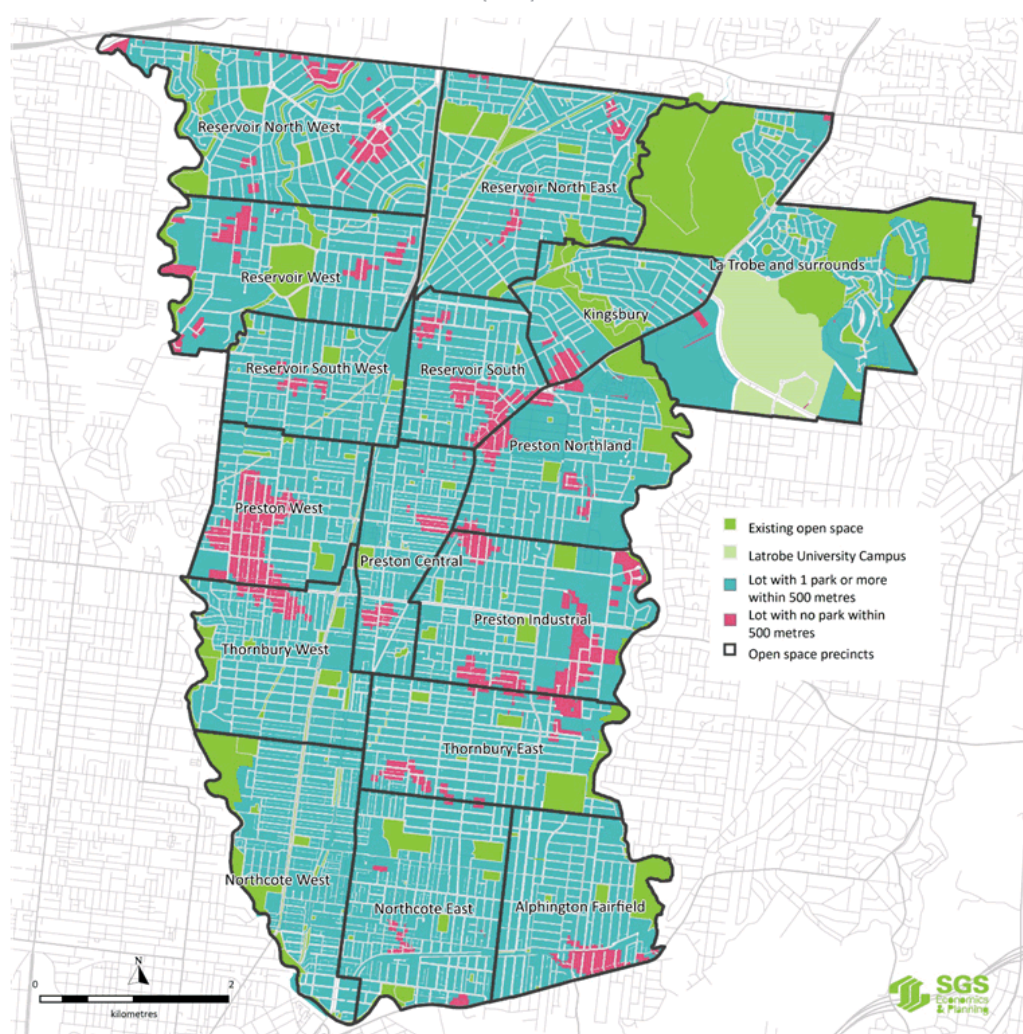
5.2 Access to open space

Pedestrian catchments for the open spaces in Darebin have been analysed, to identify the number and location of households which can access a public open space within 500m using the street network⁶.

This includes access to Council managed and publicly accessible open spaces within Darebin. Golf courses, schools and conservation reserves with limited public access are excluded from the analysis. Open spaces in neighbouring municipalities are also excluded⁷. Some properties appear close to open space, however the road network does not allow them to access open space with 500 metres walking distance.

Figure 7 illustrates the key findings of this analysis, showing concentrations of households with limited access to open space in Reservoir, Preston and parts of Alphington. There are also pockets which have limited access in Thornbury and Kingsbury.

FIGURE 7 CURRENT VARIATION IN OPEN SPACE ACCESS (2018)



Source: SGS Economics and Planning, 2018

The number of households that don't have access to open space within 500m is shown in Table 9.

⁶ Refer Council policy

⁷ Data limitations prevent inclusion of neighbouring open space

TABLE 9: GAPS IN OPEN SPACE NETWORK

Open Space Precinct	% of all households which don't have access within 500m
Reservoir North West	5.6%
Reservoir North East	2.1%
La Trobe and surrounds	8.4%
Reservoir West	8.7%
Kingsbury	15.3%
Reservoir South West	3.8%
Reservoir South	17.1%
Preston Northland	6.9%
Preston West	25.4%
Preston Central	7.1%
Preston Industrial	10.5%
Thornbury West	4.4%
Thornbury East	8.7%
Northcote West	0.0%
Northcote East	2.5%
Alphington Fairfield	9.5%
City of Darebin	7.4%

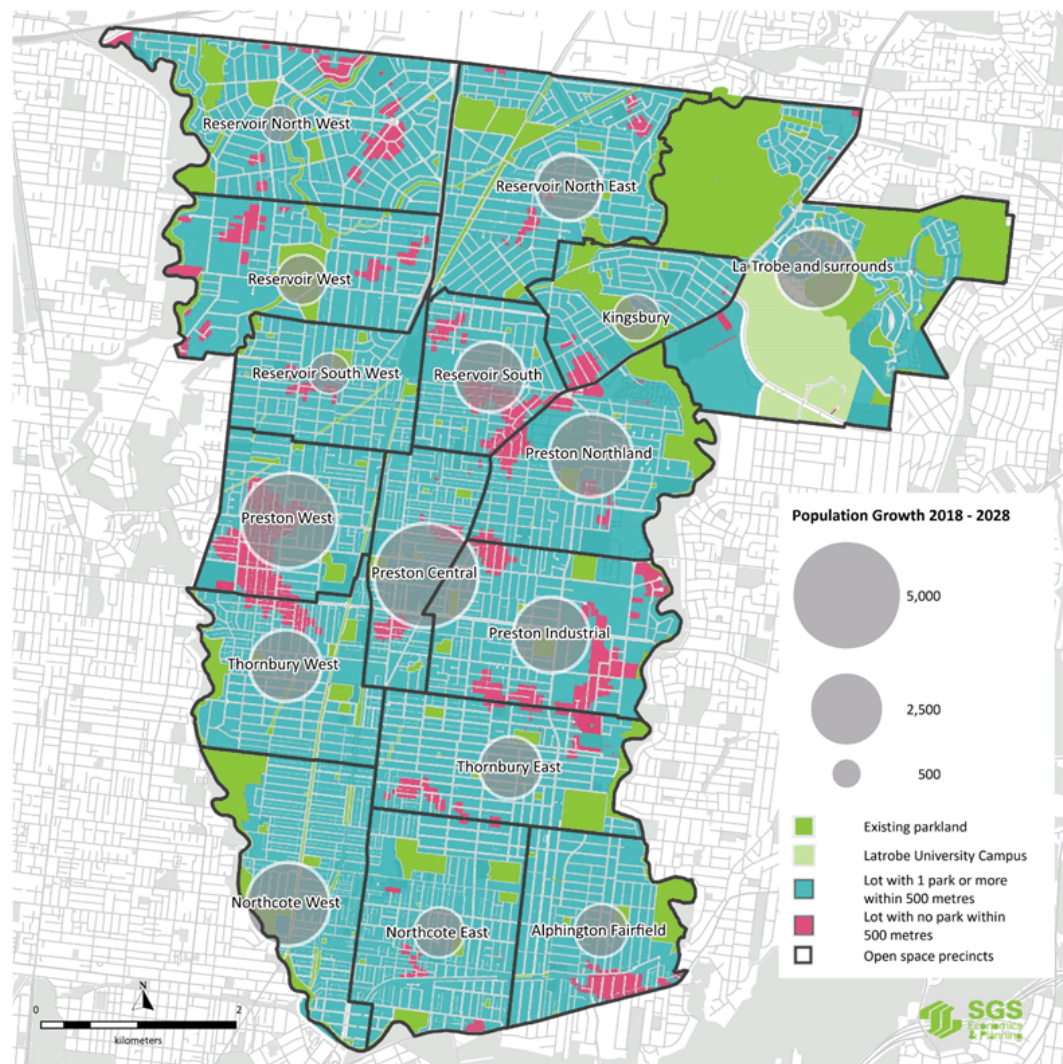
Source: SGS Economics and Planning, 2018

A number of areas have more than 10 per cent of households with no access to open space within 500 metres. This includes Kingsbury, Reservoir South, Preston West, and Preston Industrial. In Preston West, 25.4 per cent of households have no access to open space within 500 metres, and this is the largest proportion of houses in any of the open space precincts.

These gaps in access will be intensified by future population growth- Reservoir South, Preston West and Preston Industrial are all expected to grow by over 30 per cent by 2028 (refer to Table 4 and Table 5). Figure illustrates the relationship between population growth and gaps in open space access.

Overcoming the gaps in access can only be achieved through the acquisition of new land for open spaces. Given the challenges in acquiring significant land areas, local and small neighbourhood parks (less than 2.5 hectares) are the most likely type of new open spaces.

FIGURE 8 CURRENT VARIATION IN OPEN SPACE ACCESS (2018)

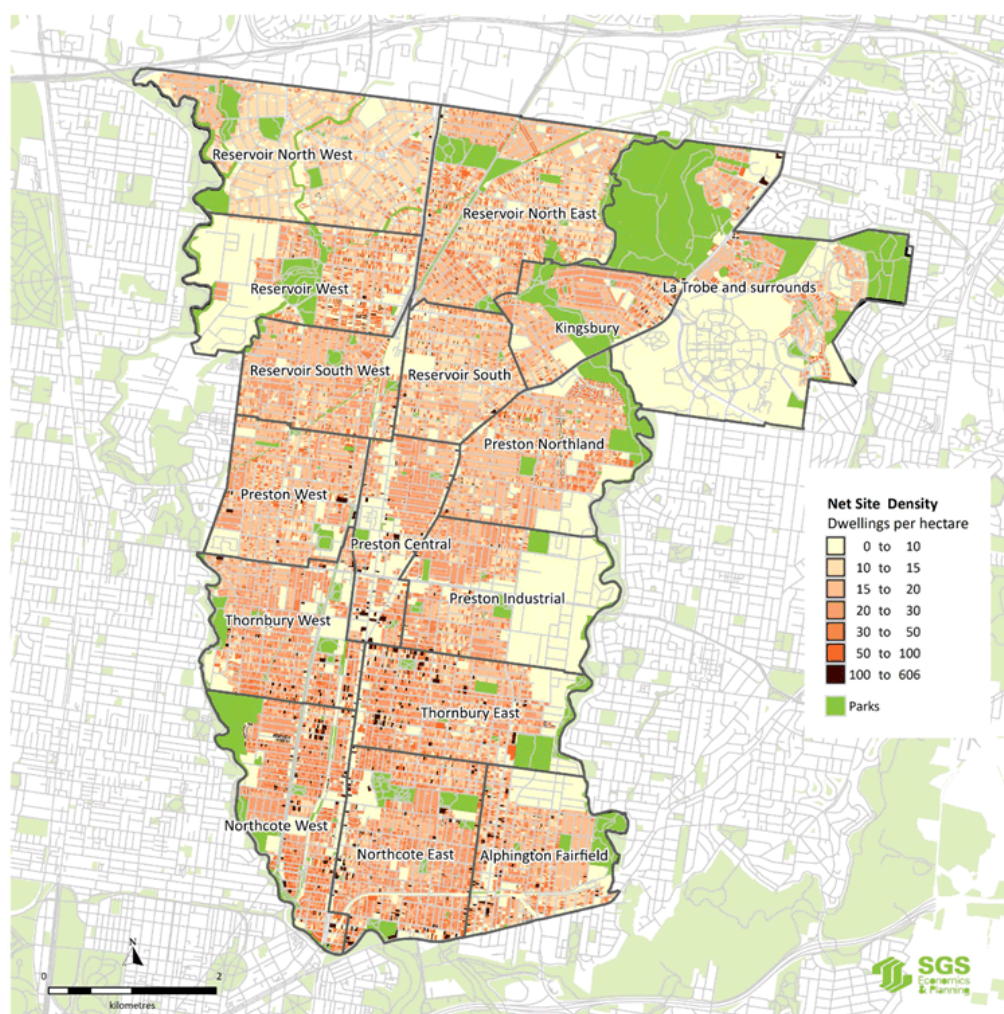


Source: SGS Economics and Planning, 2018

Higher Density Areas

Areas of higher population density have a higher need for quality open spaces due to the lack of private open space. Figure 8 shows the existing site density across Darebin. Much of the higher density housing is clustered along major roads, including Station St in Fairfield, Dundas St in Thornbury and St Georges Road and High St that both run North/South through Thornbury, Northcote and Preston. There is also significant clusters of higher density housing that exist off main streets, and these are concentrated in the Northcote and Thornbury precincts and increasingly Preston. These precincts are located closer to the centre of Melbourne, and are facing greater demand for new housing.

FIGURE 8 CURRENT NET SITE DENSITY



5.3 Implications for open space contributions

Residents in Darebin have variable access to open space when assessed using a per capita provision rate. Many areas are currently undersupplied and the degree of undersupply will be exacerbated by 2028 with projected population and household growth. If no new space is added to the network, only two areas will be well supplied with open space in 2028, Reservoir West and Kingsbury. All other areas are forecast to be undersupplied.

The distribution of open space means that there are a number (7%) of households across the municipality that don't have access to open space within 500m. This will likely increase in 2028 if no additional open space is provided⁸.

These two measures provide useful guidance for open space planning and reveal priority areas for new open spaces. Areas with low levels of open space provision per capita, and a municipal wide average of 7 per cent of the population without access to open space within 500 metres (below the target of 0 per cent) indicate a need for greater expenditure on open space, which can be supported through establishing an appropriate open space contribution rate.

⁸ The percentage increase in houses with no access to open space within 500 metres is not possible as it is unknown where future dwellings will be specifically located within each precinct

6. OPEN SPACE CONTRIBUTION FRAMEWORK

This section describes the conceptual framework and calculation method applied to arrive at open space contribution rates for the City of Darebin.

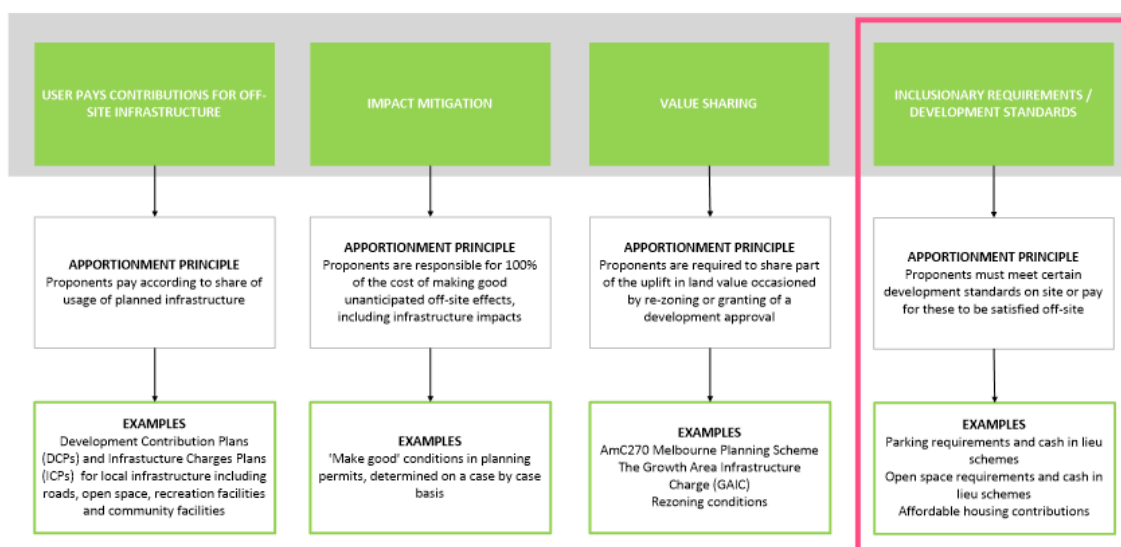
6.1 Public open space contributions in context

Public open space contributions exacted under the Subdivision Act or Clause 53.01 of the Planning Scheme need to be understood in the context of the broader spectrum of development contributions.

There are four development contribution type, as summarised in the following chart (Figure 9). Each development contribution type has a separate justification and carries its own principles for fair apportionment. The conflation of these rationales leads to confused policy making, inefficient administration and litigation.

The *inclusionary requirements* approach is identified the most suitable development contribution frame for collecting open space contributions in Darebin.

FIGURE 9: TYPES OF DEVELOPMENT CONTRIBUTION



Source: SGS Economics & Planning Pty Ltd

Development contribution type 1 - User pays charges

This category of development contributions is applied in Victoria via the 'DCP' and 'ICP' provisions of the Planning and Environment Act.

These contributions are premised on the *user pays principle*. This requires proponents to contribute cash or in-kind towards infrastructure benefitting their project, with the contributions linked to the proportion of usage of the infrastructure items in question. A nexus between the development and an infrastructure item is established when residents, workers or visitors of the development *make use of* the planned facility, and

fair cost apportionment is established by aligning share of cost with share of usage. Funds collected must be used for the delivery of the planned infrastructure or they must be returned to the current owners of the land which generated the user pays revenues. This is the accountability principle built into the DCP/ICP provisions of the Act.

This category of development contribution could be applied to open space contributions, and open space projects are frequently included in DCPs. However, in an established area like Darebin, the apportionment of cost according to share of projected usage is likely to mean that only a relatively small part of parkland acquisition and embellishment costs would be recovered under a DCP. Therefore, it is not the preferred type of development contribution mechanism for collecting open space contributions in Darebin.

Development contribution type 2 - *Impact mitigation payments*

Proponents of development in Darebin may be legitimately required to make compensatory payments or off-setting contributions to mitigate the unanticipated adverse effects of their projects on the natural, built or social environment. For example, if a development incorporates significantly more site coverage and would therefore result in stormwater runoff that exceeds the parameters which had been built into an area wide contribution scheme (Development Contribution Plan) for drainage, that particular proponent may reasonably be requested to meet 100 per cent of the cost of, say, an off-site retarding basin or tank to manage the additional flows.

This requirement is premised on the '*exacerbator pays*' principle where the party responsible for the damage must meet the full cost of making it good (even though others may subsequently benefit from the off-site retention facility). This is clearly distinct from the '*user pays*' principle where, as noted, costs are shared according to projected share of usage.

As impact mitigation payments are applied to deal with unanticipated adverse effects of development they cannot be pre-notified in Planning Schemes. Instead, they are applied on a case by case basis via conditions on development consents.

This category of development contribution is not especially relevant to the task of generating funds for open space provision in Darebin, though it may be applied from time to time to preserve the functionality and amenity of existing open space.

Development contributions type 3 - *Value sharing requirements*

Value sharing requirements are premised on another, separate and distinct, principle relating to the efficient regulation of community sanctioned development rights.

Regulation of land use and development through planning schemes in Victoria represents a form of restriction on market access necessitated by the objective of economic efficiency. The State deliberately and systematically rations access to 'development rights' via planning regulations. Governments apply this rationing because it is expected to generate a net community benefit (that is, an efficiency or welfare gain) compared to allowing urban development to proceed on a '*laissez faire*' basis.

The value of regulated development rights is capitalized into the price of land. For example, other things equal, a piece of land which is enabled for use as a major shopping centre will be more valuable than land without this privileged access to retail centre development rights. Similarly, land enabled for a multi-storey apartment building will be worth more than otherwise equivalent land designated for a single household dwelling, and so on. And land zoned for mixed use residential will be more valuable than land designated for industrial uses.

As occurs with other regulated markets, for example, commercial fisheries, mineral exploitation, broadcasting bandwidth and so on, it is appropriate to charge a licence fee for access to these regulated development rights⁹.

Potentially, Council could also apply a de-facto 'licence fee' for the granting of additional development rights in established parts of the municipality through some form of floor area uplift scheme such as that operated under the Melbourne Planning Scheme for the Central City (and now mooted for Fishermans Bend). Certainly, this approach could legitimately be applied when Council is contemplating re-zonings and other Planning Scheme amendments which confer additional development potential on particular pieces of land.

While value sharing is a justified form of development contribution in Darebin, it is not clear that it can be relied upon to deliver base load revenues for the acquisition and development of open space in the established parts of the City of Darebin.

Development contributions type 4 - *Inclusionary provisions*

Inclusionary provisions are based on minimum acceptable standards of development. The acceptable standard (whether it be open space or car parking) may be provided off site through a cash or in-kind contribution. Cash-in-lieu schemes have been operated for the fulfilment of car parking requirements for decades and are now formalised in the Victoria Planning Provisions (VPP).

Cash payments in lieu of provision of 5 per cent (or more) of land for public open space upon approval of subdivision is another example of the 'inclusionary standards' premise for requiring cash or in-kind contributions from a development proponent.

This premise is quite different to the other rationales for requiring cash or in-kind contributions (user pays, impact mitigation and value sharing) and could reasonably be applied in addition to all three of these other measures.

6.2 Appropriateness of the 'inclusionary provisions' frame

The inclusionary provisions type is the most appropriate for the task of open space provision and development in the City of Darebin.

The inclusionary requirements approach is founded on the principle that **all development must provide open space**. It is intended to ensure equitable access to open space across the whole municipality in the long run. It does not burden future development with the responsibility of overcoming pre-existing undersupplies in open space – it is not a means of catching up on inadequate open space provision that may have happened previously.

Instead, it focuses on ensuring all future development contributes to open space provision that meets a designated standard of open space services. This means that future cumulative development does not lead to a shortage of open space services in the long term. If development does not contribute to a designated provision rate standard, the municipality will be severely under serviced in the future.

The inclusionary requirements approach recognises that the entire municipality is a singular planning area for open space, across which an acceptable standard of open space services must be met. This frame is in keeping with basic town planning principles that require all development to incorporate certain features so that in aggregate the neighbourhood, suburb or city in question is functional and sustainable.

It recognises that land use can change over time, and so a fixed open space contribution rate across land use types in any given area is appropriate. It prioritises the provision of sufficient open space to meet the needs of the community, whether it be residents or workers. It also means that specific areas that are undersupplied with open space are not burdened with increased costs of open space.

⁹ See Spiller, M., Spencer, A. and Fensham, P. (2017) Value capture through development licence fees, Occasional Paper published by SGS Economics & Planning Pty Ltd, February 2017.

Cost apportionment under the inclusionary provisions frame is fundamentally different to the user pays frame. This is because each development project must equip itself with its required quantum of open space according to the adopted planning standard, rather than make a contribution based on share of usage.

Open Space Services

The setting of provision standards is clearly a crucial step in the inclusionary requirements approach.

Open space planning standards help identify the designated standard of Open Space Services required in an area. As discussed in section 2, Open Space Services are a combination of the quantity *and* quality of open space. To calculate how much open space services are required, the quantum of open space per capita is used as an *equivalent*.

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

6.3 Calculation of open space contribution requirements

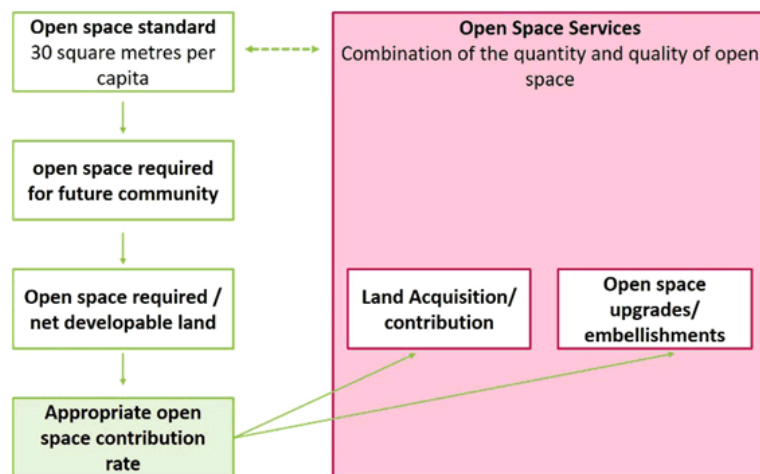
The calculation of open space contribution requirements is founded on three key principles

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

As noted, the inclusionary provisions frame is driven by a required standard of open space services, which is in turn determined by appropriate planning standards. The appropriate planning standard used is 30 square metres per capita (Refer to Section 2.2)

Based on this logic, the approach used to determine the contribution rate for each part of the study area is described below.

FIGURE 10: OPEN SPACE CONTRIBUTION RATE ASSESSMENT



Source: SGS Economics and Planning, 2018

Open space contribution rate assessment

Figure 10 illustrates the inputs required to determine open space contribution rates, and the relationship between the contribution rate and open space services to be provided.

Open Space Standard

The first step in determining open space contribution rates is to set an open space standard to determine an appropriate standard of open space provision. The appropriate provision standard for the City of Darebin is 30 square metres per capita, consistent with other local planning standards (discussed in section 4). This is used as an equivalent measure for open space services.

Open space required for future community

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

Open Space required / net developable land

The total net developable urban area (net developable land) is then estimated using meshblock land use data from the ABS Census. It includes all land uses that are suited to redevelopment for commercial, industrial and residential land uses. It excludes existing schools, parklands, community facilities roads and other land used for transport¹⁰. The amount of open space required by the future community is then divided by the total net developable urban land area (developable land).

These inputs are used to calculate an appropriate open space contribution rate. This is shown in Table 10.

TABLE 10: OPEN SPACE CONTRIBUTION RATE CALCULATION

Step	Metric	Value
1	Planned population (effective build out)	195,736 people
2	Total net developable urban area (total area of all developable lots in study area: Land used for education, health, open space and transport infrastructure is not considered developable)	3,220 hectares
3	Open space required (@30m ² /capita)	587.2 hectares
4	Open space requirement from all developable land (3/2)	18.2 per cent

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

¹⁰ Existing open spaces are excluded from this calculation as they are assumed to be unavailable for future development. This method is used to estimate the open space requirements generated by the whole community at 2028 including the existing community. It is a way to show how much open space each unit of development must contribute to provide sufficient open space to meet its own needs, and this represented as a proportion of the developable area. The method therefore acknowledges that there are already existing open spaces that cater for the existing population that are provided outside of developable areas.

Using this method, there is strong justification for a 18.2 per cent open space contribution rate across land uses in Darebin, which would deliver optimum standards of open space for the future population. I.e. Every commercial, industrial and residential subdivision must make an 18.2 per cent contribution to open space to ensure that it is providing the additional open space services that are generated by the development.

However, a contribution rate of 18.2 per cent would also be likely to hamper development, especially on non-residential land. It is also significantly higher than open space contribution rates in neighbouring municipalities, and indeed any municipality across Melbourne.

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

6.4 Discussion

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

Funding the Gap

Darebin City Council recognises the importance of cost sharing for open space. In order to strategically justify the 10 per cent contribution rate for new development, there needs to be a clear commitment from Council to partially fund its open space program using rates to meet the gap of 8.2 per cent. This will ensure that an acceptable standard of open space is delivered across Darebin. Other funding sources include government grants, Council funds, land sales, philanthropy, joint access agreements, government land transfer and development contributions collected from development contribution plans and section 173 Agreements

Alternatively, if Council selects a lower contribution rate in the absence of a commitment to funding the gap to 18.2 per cent, this would reflect their acceptance of a lower standard of open space provision across the municipality in the long run. That is, well below local and international standards. Table 11, shows the provision standards that would be associated with different open space contribution rates in the absence of a Council commitment to partially fund open space.

Council will also need to fund improving or acquiring public open space to improve open space provision for the existing community. This includes improving the amount of open space per capita in undersupplied areas, and reducing the percentage of the existing population who do not have access to open space within 500 metres.

TABLE 11: OPEN SPACE CONTRIBUTION RATES WHEN DIFFERENT PROVISION STANDARDS ARE APPLIED¹¹

Provision standard (equivalent square metres per capita)	Associated open space contribution rate
30	18%
16	10%
13	8%
8	5%

Source: SGS Economics and Planning, 2018

Council's existing open space contribution rates as specified in Clause 53.01 are considerably lower than the recommended contribution rate of 10 per cent. When existing contribution rates are translated to provision rate standards, open space provision becomes as low as 3 square metres per capita (equivalent in open space services). This provides an insight into why it has been difficult for Council to deliver open space projects to meet the needs of the Darebin community to date. The implied provision standards associated with the existing open space contribution rates are shown in Table 12.

TABLE 12: EXISTING OPEN SPACE CONTRIBUTION RATES AND IMPLIED PROVISION STANDARD

Provision standard (equivalent square metres per capita)	Associated open space contribution rate
8	5%
7	4%
5	3%
3	2%

Source: SGS Economics and Planning, 2018

¹¹ These percentages are based on the projected population in Darebin at 2028 and the net developable area in Darebin.

Consistency with open space standards and benchmarks

The **10 per cent open space contribution rate recommended across land uses** is consistent with the open space standard recommended for Precinct Structure Plan Areas of 10 per cent of net developable land¹². It is also a slightly lower requirement than existing legislation in South Australia that requires a contribution up to 12.5 per cent for any residential development.

The application of 30 square metres as a planning standard is consistent with the recently developed guidelines in South Australia that recommend open space provision up to 30 square metres per capita in higher density developments (those over 70 dwellings per hectare), and with planning standards adopted in other Melbourne Council areas (See Table 3).

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

Northland Urban Renewal Precinct (NURP) and Preston Markets

It is recommended that the major strategic redevelopment sites at NURP and Preston Market make a higher contribution to open space, up to 18.2 per cent. These can be negotiated through Section 173 Agreements. NURP is a former industrial precinct, currently comprising unimproved land, and the large Preston Market site does not include any dwellings.

The large new communities that will be accommodated on each of these sites will place substantial pressure on existing open spaces. They warrant a higher contribution rate due to the substantial value generated for land owners through the structure planning and redevelopment process (refer Section 6.1 for value sharing overview). A higher contribution rate on these sites represents a sharing with the Darebin community of this substantial value generation. They also offer rare opportunities for acquiring land for new open space.

Impacts on development

It is unlikely that an increased open space contribution rate will affect the housing market and housing affordability. The introduction of a higher open space contribution rate (ie greater than 10 per cent) is likely to translate into a reduction in the residual land values that developers would be willing to pay to encourage incumbent land owners to sell their land.

That is, land owners who are selling land for development will receive a reduced price for the land when a higher open space contribution rate is implemented. A higher contribution rate will not translate into higher sale prices for properties in the redevelopment. The impact of a higher contribution rate on residual land value is shown in Figure 11.

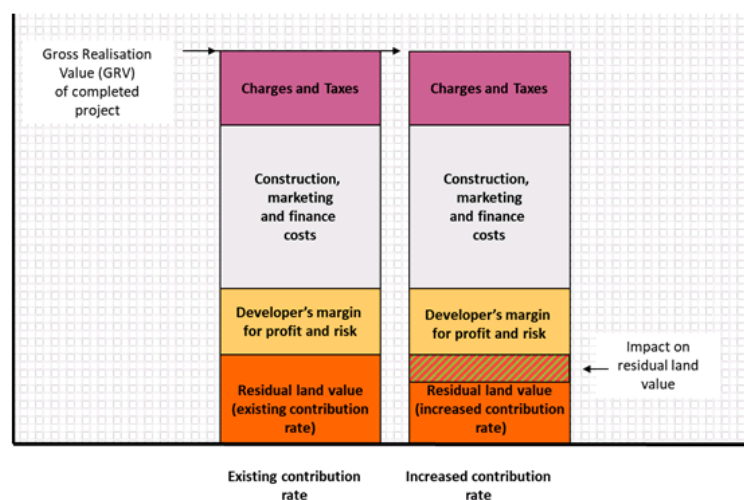
As long as the residual land value for the development project is greater than the existing capitalised value of the income from the site, the development is likely to proceed.

¹² A crucial distinction is that Net Developable Area is defined by the VPA as 'Land within a precinct available for development. This excludes encumbered land, arterial roads, railway corridors, schools and community facilities and public open space. It includes lots, local streets and connector streets. Net Developable Area may be expressed in terms of hectare units (i.e. NDHa)'.

The developable site area is a percentage of NDHa, as local streets and connector streets are excluded. For Darebin it is the developable site area that the provision rate is applied to. The VPA's guidelines for NDHa would therefore translate to a higher provision rate than 10 per cent for developable site area. For example, if developable site area is 80 per cent of the NDHa, then a 10 per cent provision rate for open space on NDHa translates to an open space contribution rate of 12.5 per cent.

Another relevant consideration in applying the PSP guidelines as a benchmark is that they have been prepared with a dwelling density of 15 dwellings per hectare in mind. In Darebin, far higher levels of housing density are experienced, and this would translate into a further increase in the provision rate

FIGURE 11: IMPACT ON RESIDUAL LAND VALUE



If there is an inadequate supply of viable redevelopment sites, an increased contribution rate could theoretically reduce the amount of new housing coming onto the market. This in turn could impact on housing prices however modelling of increased inclusionary requirements in other comparable local government areas has shown this is very unlikely to occur.

Although there may be delays in the redevelopment of marginal sites due to the impact on the residual land value, over time, the residual land value will increase and the site will become viable for development. I.e. for the projects where there is currently a small margin between the developer's residual land value and the capitalised income stream under existing use of the site, an increase in public open space contributions may temporarily forestall development. As the market continues to increase, so too will residual land values, and the impact of the contribution rate will no longer be a deterrent to incumbent landowners selling land for development.

7. SUMMARY

This section summarises the strategic justification for a 10 per cent contribution rate across all land uses in Darebin.

Darebin is a rapidly growing municipality, and there is expected to be 20 per cent more dwellings by 2028. Parts of Darebin are already undersupplied with open space and 7 per cent of households do not have access to open space within 500 metres, below the Council target of 0 per cent.

Open spaces in Darebin are already under pressure with sports fields unable to meet existing levels of demand. The diverse local community and pressure from population growth means that existing open spaces must cater for a greater range of uses than they currently do. There is also a need for new open spaces to be acquired. Without increased investment in open space, the quality and supply of open space in Darebin will deteriorate.

Open space contributions collected at the time of subdivision under Clause 53.01 are a way to finance investment in open space. Existing open space contribution rates in Clause 53.01 are lower than many comparable Melbourne LGAs and this has led to a shortfall in investment in open space in Darebin. An inclusionary requirements approach is the most suitable method for determining a more appropriate contribution rate.

The inclusionary requirements approach is founded on the principle that all development must provide an open space standard, and is intended to ensure equitable access to open space across the whole municipality in the long run. It does not burden development in under-supplied areas with greater costs for improving open space. Instead it recognises that the entire municipality is a singular planning area for open space, across which an acceptable standard of open space services must be met. An appropriate standard of open space services is based on the equivalent value of 30 square metres per capita.

By applying an inclusionary standards driven approach, an 18.2 per cent contribution rate can be justified across residential, commercial and industrial land uses. However, a contribution rate of 18.2 per cent would also be likely to hamper development, especially on non-residential land in the short to medium term.

A contribution rate of 10 per cent of land value across all subdivisions is therefore recommended. This will deliver a reasonable standard of open space provision across the whole of Darebin. This contribution rate reflects the need to ensure that all residents in the future (2028) have access to a sufficient level of open space services. It also reflects Council's commitment to cost sharing as it will require council to fund the gap of 8.2 per cent to ensure planning standards are met.

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

Applying this contribution rate in Darebin would ensure open space services are funded at a standard which is consistent with local and international benchmarks. This includes other Melbourne LGAs, PSP guidelines and South Australian legislation.

Strategic redevelopment sites at NURP and Preston Markets are unique opportunities to negotiate higher than 10 per cent open space contribution rates, and provide a rare opportunity to deliver new open space. A higher contribution rate on these sites is also considered appropriate given the value sharing development contribution principle.

8. APPENDIX

TABLE 13: OPEN SPACE CONTRIBUTION RATES IN OTHER MELBOURNE MUNICIPALITIES

Council	Description in Schedule to Clause 53.01
Banyule	5%
Bayside	5% and 8% or greater on Strategic redevelopment site subject to negotiation of development plan
Boroondara	None specified in a schedule
Brimbank	5% for commercial and residential, 2.5% for industrial
Frankston	Proposed 2-5% and 8 % in Frankston MAC
Glen Eira	5.7%
Hobsons Bay	5% in Strategic Site – Precinct 15
Kingston	5% and 8% in selected activity centres and strategic redevelopment sites
Knox	5% on lots larger than 725 square metres, 8.5% on lots smaller than 725 square metres
Manningham	5% and 8% in activity centres/DDO areas
Maribyrnong	5.7%
Maroondah	5% and 8% in strategic site in Bayswater North
Melbourne	5% and 7.06% depending on forecast growth, 8% in Fishermans Bend Urban Renewal Area
Monash	2% 5% (Proposed 10% across municipality)
Moonee Valley	5%
Moreland	2.5% to 6.8%
Port Phillip	5% and 8% in Fishermans Bend
Stonnington	5% in Glen Iris, Malvern, Malvern East, Toorak and Kooyong, 8% in Armadale, Prahran, Windsor and South Yarra, 8% in specified subdivisions
Whitehorse	4\$ and minimum 4\$ on strategic sites
Yarra	4.5%

Source: SGS Economics and Planning, 2018



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Planning and Environment Act 1987

Interim Panel Report

Monash Planning Scheme Amendment C148

Open Space Contributions

7 April 2020

How will this report be used?

This is a brief description of how this report will be used for the benefit of people unfamiliar with the planning system. If you have concerns about a specific issue you should seek independent advice.

The planning authority must consider this report before deciding whether or not to adopt the Amendment. [section 27(1) of the *Planning and Environment Act 1987* (the Act)]

For the Amendment to proceed, it must be adopted by the planning authority and then sent to the Minister for Planning for approval.

The planning authority is not obliged to follow the recommendations of the Panel, but it must give its reasons if it does not follow the recommendations. [section 31 (1) of the Act, and section 9 of the *Planning and Environment Regulations 2015*]

If approved by the Minister for Planning a formal change will be made to the planning scheme. Notice of approval of the Amendment will be published in the Government Gazette. [section 37 of the Act]

Planning and Environment Act 1987

Interim Panel Report pursuant to section 25 of the Act

Monash Planning Scheme Amendment C148

Open Space Contributions

7 April 2020



Michael Ballock, Chair



Nicola Ward, Member

Contents

	Page
1 Introduction.....	1
1.1 The Amendment.....	1
1.2 Background.....	1
1.3 Summary of issues raised in submissions	2
1.4 The Panel's approach	3
2 Planning context	4
2.1 Planning policy framework.....	4
2.2 Other relevant planning strategies and policies	5
2.3 Planning scheme provisions	6
2.4 Ministerial Directions and Practice Notes.....	6
3 Strategic justification – Monash Open Space Strategy.....	7
3.1 Relevant policies, strategies and studies	7
3.2 The MOSS	8
3.3 Council expenditure on public open space	16
3.4 Recommendations.....	18
4 The SGS Report	20
4.1 The municipal wide rate – 10 per cent.....	20
4.2 The inclusionary provision approach	23
4.3 The 30 square metres per person standard.....	27

Appendix A Submitters to the Amendment

Appendix B Parties to the Panel Hearing

Appendix C Document list

List of Tables

	Page
Table 1 Relevant parts of Plan Melbourne	5

List of Figures

	Page
Figure 1: Gaps in 'community' open space (source: MOSS).....	10

Glossary and abbreviations

Act	<i>Planning and Environment Act 1987</i>
Council	Monash City Council
DELWP	Department of Environment, Land, Water and Planning
Discussion Paper	<i>Metropolitan Melbourne Investigation - Discussion Paper</i> , Victorian Environmental Assessment Council, October 2010
LPPF	Local Planning Policy Framework
MOSS	<i>Monash Open Space Strategy</i> October 2018
MSS	Municipal Strategic Statement
NEIC	National Employment and Innovation Cluster
PPF	Planning Policy Framework
RGZ	Residential Growth Zone
SGS Report	<i>City of Monash – Open Space Contribution Rate Planning</i> October 2018
VEAC	Victorian Environmental Assessment Council
VPA	Victorian Planning Authority
VPP	Victoria Planning Provisions

Overview

Amendment summary	
The Amendment	Monash Planning Scheme Amendment C148
Common name	Open Space Contributions
Brief description	The Amendment proposes to update the public open space contribution rates for all subdivisions
Subject land	All of the City of Monash
The Proponent	Monash City Council
Planning Authority	Monash City Council
Authorisation	By letter dated 15 May 2019
Exhibition	17 June to 2 August 2019
Submissions	Number of Submissions: 44 (Refer to Appendix A) Opposed: 36

Panel process	
The Panel	Michael Ballock (Chair), Nicola Ward
Directions Hearing	Monash City Council offices, 25 November 2019
Panel Hearing	Planning Panels Victoria, 17, 19, 20 and 21 February 2020
Site inspections	Unaccompanied, 13 February 2020
Parties to the Hearing	Refer to Appendix B
Citation	Monash PSA C148 [2020] PPV
Date of this Report	7 April 2020

Executive summary

Monash Planning Scheme Amendment C148 (the Amendment) seeks to change the open space contribution rates for all subdivisions from a maximum of 5 per cent to 10 per cent.

Key issues raised in submissions included:

- the justification for the 10 per cent contribution rate
- the justification for the requirement for 30 square metres of open space per person
- the application of a blanket rate across the municipality
- the impact of the rate on the Monash National Employment and Innovation Cluster
- the impact of the rate on future development in the municipality
- lack of detail regarding future budgeting or predicted spending on open space included in the calculation of the rate
- the methodology that supports the Amendment and its application
- consideration of transitional provisions to exempt subdivision proposals that are associated with an approved development.

The Amendment is supported by the *Monash Open Space Strategy 2018* (MOSS) which recognises the importance of open space in an urban setting. The MOSS defines open space in terms of its:

- access and ownership
- function
- catchment hierarchy
- landscape setting.

The strategy assesses the current provision of open space within the municipality based on what is effectively the most restrictive definition of open space, 'Monash Community Open Space' which is calculated at 2.7 hectares per 1,000 residents. This definition does not take into account open space in adjacent municipalities or regional open space to which the Monash population has access.

From 2016 to 2028 the population is expected to grow by a total of 14,057 residents, an increase of 7 per cent. Oakleigh and Clayton are expected to accommodate most of this growth.

The *City of Monash – Open Space Contribution Rate Planning October 2018* (SGS Report) was commissioned to provide advice on the open space contribution rate and is included as an Appendix in the MOSS. The MOSS accepted a benchmark provision of 3 hectares per 1,000 population based on the advice in the SGS Report and also adopted a proximity-based standard with 95 per cent of all dwellings within 400 metres of a local park. It calculated that currently, 85 per cent of all dwellings in Monash were within 400 metres of a local park.

The SGS Report recommended the adoption of an inclusionary provision approach in the determination of an open space levy. The inclusionary provision approach is based on the idea that each unit of development should meet a particular standard or rate of open space provision, irrespective of where within the municipality the development is located, and irrespective of the type of development (residential or non-residential). Using a standard of

3 hectares per 1,000 population (30 square metres per person) the open space levy calculated was 10 per cent for all development, residential and non-residential.

The Panel takes the view that a municipal wide benchmark of 30 square metres was something of an illusory target. In a built-up area like Monash the opportunity to acquire additional open space is severely constrained, a view supported by the evidence presented to the Panel. In addition, as population increases the ratio per person will, of necessity, decrease and so a per person provision has only limited value. The Panel concluded that it was a flawed metric for the calculation of an appropriate open space levy rate. In fact the MOSS said as much when it stated:

However, the 30m² per capita benchmark will not be considered as a blanket figure for determining open space as there are other factors that need to be considered, such as 'proximity-based' standards.

The absence of an implementation plan as part of the MOSS is a significant shortcoming in arriving at an appropriate open space levy rate.

The Panel accepts that, with a growing population there may be a need to increase the amount of the open space levy and the MOSS goes some way to justifying that need. However, the amount of the increase in the open space levy and the increase in its scope was not justified by the information presented to the Panel.

The Panel does not take the view that the Amendment is fatally flawed. With additional work, analysis and justification, it could be approved. The matters that need to be addressed are:

- An implementation plan should be developed to inform the change in the open space levy rate sufficient to meet the municipality's open space needs. The key actions for each precinct in the MOSS go some way to this, however more detail on each of the implementation tasks, responsibilities, cost estimates and priorities need to be included.
- More analysis and justification is needed to apply the same open space levy rate to residential and non-residential subdivisions.
- There is a lack of clarity and consistency in the use and meaning of community open space
- The identification of public open space gaps in Monash should be clarified. The Panel considers that the use of 'Monash community open space' as the primary measurable is too narrow and does not take into account open space in adjacent municipalities or regional open space. For example, this leads to an incongruous situation where dwellings abutting Jells Park are identified as being in an open space gap.

The Panel concludes:

- The lack of an implementation plan which nominates precincts in which land acquisition will be sought, in addition to open space projects and works with cost estimates, is a shortcoming in the MOSS. An implementation plan should be prepared, whether part of the MOSS or a separate document.
- The exclusion of regional open space and open space outside the municipality overstates the areas within the municipality that are not within 400 metres of open space.

- Map 1 of Clause 22.15 should be consistent with Map 2 of the MOSS, and terminology should be consistent within the MOSS and between the MOSS and the LPPF.
- Council's expenditure on open space is not a relevant consideration for the Panel.
- Changes to the Schedule to Clause 53.01 to exempt open space required by Amendment 156 are not appropriate.
- Council can amend the contribution rate in the Schedule to Clause 53.01.
- Whether a change in the rate is justified depends on the basis for calculating the new rate.
- The treatment of the whole municipality as a single planning unit is appropriate.
- An inclusionary requirements approach is reasonable.
- Applying the same rate to employment land is not justified.
- Council's standard of 30 metres square per person does not adequately support the calculation of a 10 per cent contribution rate.
- An implementation plan which nominates precincts in which land acquisition will be sought and projects and works in open spaces with cost estimates is a more appropriate basis for the calculation of a contribution rate

Recommendations

Based on the reasons set out in this Report, the Panel recommends that Monash Planning Scheme Amendment C148 not proceed at this time. The Panel recommends:

1. **Council should review the Amendment documents and undertake the following additional work:**
 - Develop an implementation plan either as part of the Monash Open Space Strategy or as a separate document, which nominates precincts in which land acquisition will be sought and projects and works in open spaces with cost estimates.
 - Use the implementation plan as the basis for the calculation of an open space levy rate in place of the 30 square metre macro-provisioning standard.
 - Develop a detailed justification for the application of the same open space levy rate to residential and non-residential subdivisions.
 - Clarify the use and meaning of community open space in the Monash Open Space Strategy and Clause 22.15.
 - Review the areas designated as public open space gaps in Map 1 in Clause 22.15.
2. Once this work is complete the Amendment should be re-exhibited.
3. The Panel will then reconvene to consider any submissions.
4. Alternatively, Council should abandon the Amendment.

1 Introduction

1.1 The Amendment

(i) Amendment description

The purpose of the Amendment is to update the public open space contribution rates for all subdivisions in the municipality.

Specifically, the Amendment proposes to:

- amend the Schedule to Clause 53.01 to require that all subdivision provides a public open space contribution at a rate of 10 per cent
- introduce a new Local Planning Policy – Clause 22.15: Public Open Space Contributions Policy that sets out the guidance for the process on when, where and how a public open space contribution will be required, including whether in the form of cash in lieu, land or a combination of both
- replace Clause 21.10 in the Municipal Strategic Statement with a new Clause 21.10.

(ii) The subject land

The Amendment applies to all land within the City of Monash.

1.2 Background

The Amendment was informed by the following key documents:

- the MOSS
- the report titled *City of Monash – Open Space Contribution Rate Planning* October 2018 (SGS Report).

The MOSS provides a framework for an open space network of sports and leisure reserves, local parks and trails over the next 10 years. A key action identified by the MOSS is to make changes to the Scheme to update the public open space contribution rates.

The vision of the MOSS is that the City of Monash has quality, diverse and accessible open space to drive the liveability, health and wellbeing of its community by:

- meeting the current and future needs of the community – close to where people live, work and play
- having a diversity of functions for social, physical and environmental experiences for the whole community
- strengthening the ‘Garden City Character’ of residential, commercial and industrial areas.

The principles which underpin the MOSS include:

- Equitable access – ensure an appropriate level of open space is available for all residents regardless of where they live, their age, gender, income, ethnicity, education or ability.
- Diversity of opportunities and experiences to ensure all residents can use and benefit from open space.

- Quantity – the provision of open space across Monash will continue to be increased to ensure an appropriate level is available for all residents.
- Quality (fit for purpose) – ensuring that the function of an open space meets the requirements for that function.
- Sustainability – in design, development and management of open space.
- Dependency – some people, activities and assets are dependent on the inherent natural qualities of open space reserves. As a priority, open space should support activities and users who are more dependent upon it.
- Environmental protection, enhancement and appreciation including the protection of canopy trees, habitat, flora and fauna and waterways.

The MOSS outlines 12 precincts to provide a more detailed analysis of open space provision and relative need. A series of recommendations are set out for each of the precincts. These areas include Burwood/Ashwood, Chadstone, Clayton, Glen Waverley, Hughesdale, Mount Waverley, Mulgrave, Notting Hill, Oakleigh South, Oakleigh, Oakleigh East/Huntingdale, and Wheelers Hill.

The SGS Report concluded that the open space contribution rates in the Scheme at Clause 53.01, which range from 2 to 5 per cent, were inequitable and out of date and that the most appropriate mechanism for funding open space or open space improvements was to increase the open space contribution rate in the Scheme to 10 per cent. This rate was calculated using the following three key principles:

- The City of Monash is considered a single planning unit for open space planning purposes. Clause 53.01 allows for open space contributions collected to be spent anywhere within the municipality.
- All residents (existing and future) of the City of Monash are entitled to enjoy access to a reasonable standard of open space at a given horizon year, and planning for future open space acquisitions and upgrades should seek the most equitable distribution of open space services across the City.
- An inclusionary provisions approach means that all development should equip itself with sufficient open space to meet its needs as indicated by planning standards, and this can be through land or cash in kind contributions.

1.3 Summary of issues raised in submissions

(i) Planning Authority

The key issues for Council were:

- the provision and planning of open space should consider the changing demographics and growing population of the Monash community and help result in healthier, happier and more vibrant communities
- open space areas should provide for nature conservation, active and passive recreation, recreation trails, as well as infrastructure requirements.

(ii) Individual submitters or groups of submitters

The key issues by submitters were:

- the justification for the 10 per cent contribution rate
- the justification for the use of 30 square metres of open space per person

- the rate should not be applied as a blanket rate across the municipality
- the rate is too high and will impact on the success of the Monash National Employment and Innovation Cluster (NEIC)
- the rate is greater than other municipalities' rates
- the impact the rate will have on future development in the municipality
- lack of detail regarding future budgeting or predicted spending on open space included in the calculation of the rate
- Talbot Quarry residents object to Council not acquiring the former quarry for open space
- the methodology that supports the Amendment and its application
- consideration of transitional provisions to exempt subdivision proposals that are associated with an approved development.

These submissions remained outstanding.

1.4 The Panel's approach

The Panel has assessed the Amendment against the principles of net community benefit and sustainable development, as set out in Clause 71.02-3 (Integrated decision-making) of the planning scheme.

The Panel considered all written submissions made in response to the exhibition of the Amendment, observations from site visits and submissions, evidence and other material presented to it during the Hearing. It has reviewed a large volume of material and has had to be selective in referring to the more relevant or determinative material in the Report. All submissions and materials have been considered by the Panel in reaching its conclusions, regardless of whether they are specifically mentioned in the Report.

This Report deals with the issues under the following headings:

- Planning context
- Strategic justification – Monash Open Space Strategy
- The SGS Report.

2 Planning context

2.1 Planning policy framework

Council submitted that the Amendment is supported by various clauses in the Planning Policy Framework, which the Panel has summarised below.

Victorian planning objectives

The Amendment will assist in implementing State policy objectives set out in section 4 of the Act by:

- providing an equitable method to collect contributions for the provision of public open space, based on the need created by the new development and population
- providing certainty and consistency as to the required public open space contributions
- establishing an appropriate benchmark for the provision of public open space per person
- providing public open space to meet the needs of the future population.

Clause 12 (Environmental and Landscape Values)

The Amendment supports Clause 12 by:

- ensuring natural features are maintained, protected and enhanced.

Clause 15 (Built Environment)

The Amendment supports Clause 15 by:

- promoting a diversity of public open space to support future subdivision and development that fosters a healthy lifestyle and achieves community benefit from well-designed neighbourhoods.

Clause 19 (Community Infrastructure)

The Amendment supports Clause 19 by:

- seeking to protect, improve and expand the public open space network to address the current and future population needs.

Clause 21 (the Municipal Strategic Statement)

The Amendment supports the Local Planning Policy Framework (LPPF), in particular the existing Clause 21.10 Open Space by:

- addressing current and future provision of public open space and public open space infrastructure to help meet the needs of the current and future community
- ensuring that adequate public open space is provided for development, including sites that seek higher residential densities
- improving the diversity, functionality and inclusiveness of public open space facilities and landscape settings to meet the needs of the community.

The Amendment seeks to replace the existing Clause 21.10 with a new Clause 21.10, which accords with the policy direction of the MOSS and objectives regarding the provision of open space within the City of Monash.

The new Clause 21.10 proposes to implement the following strategies:

- protect public open space areas from inappropriate development on adjoining and nearby land
- ensure there is no net loss of open space through development, improve the diversity of public open space functions and landscape setting type and encourage the development of multiuse social/family recreation parks that improve social cohesiveness
- promote the development of parks that are safe, shaded, well located and accessible and vibrant and where appropriate incorporate universal design features and environmentally sustainable design principles
- increase the planting of canopy trees in public open space
- determine an appropriate amount of cash or land public open space contributions for residential, commercial, industrial or a mix of land uses.

Clause 22 (local planning policies)

The Amendment supports local planning policies by:

- the new Clause 22.15 mirroring the strategic outcomes and objectives which are identified in the MOSS.

2.2 Other relevant planning strategies and policies

(i) Plan Melbourne

Plan Melbourne 2017-2050 sets out strategic directions to guide Melbourne's development to 2050, to ensure it becomes more sustainable, productive and liveable as its population approaches 8 million. It is accompanied by a separate implementation plan that is regularly updated and refreshed every five years.

Plan Melbourne is structured around seven Outcomes, which set out the aims of the plan. The Outcomes are supported by Directions and Policies, which outline how the Outcomes will be achieved. Outcomes that are particularly relevant to the Amendment are set out in Table 1.

Table 1: Relevant parts of Plan Melbourne

Outcome	Directions	Policies
5 Melbourne is a city of inclusive, vibrant and healthy neighbourhoods	Direction 5.1 – Create a city of 20-minute neighbourhoods	
	Direction 5.4 – Deliver local parks and green neighbourhoods in collaboration with communities	5.4.1
6 Melbourne is a sustainable and resilient city	Direction 6.4 – Make Melbourne cooler and greener	6.4.1 6.4.2
	Direction 6.5 – Protect and restore natural habitats	6.5.1

2.3 Planning scheme provisions

(i) Other provisions

The Schedule to Clause 53.01 is specifically provided in the Victoria Planning Provisions to allow councils to establish open space contribution rates appropriate for their local circumstances. Council submitted it is the most appropriate tool to guide decision-making in determining where land and financial contributions should be sought.

2.4 Ministerial Directions and Practice Notes

Ministerial Directions

The Explanatory Report discusses how the Amendment meets the relevant requirements of Ministerial Direction 11 (Strategic Assessment of Amendments) and *Planning Practice Note 46: Strategic Assessment Guidelines*, August 2018 (PPN46). That discussion is not repeated here.

Planning Practice Notes

Planning Practice Note 70 Open Space Strategies (PPN70) provides guidance to councils on preparing an open space strategy. It covers the reasons for preparing an open space strategy and the possible inputs and outputs of the process. An open space strategy is a strategic approach for planning the current and future uses of open space within a municipality.

3 Strategic justification – Monash Open Space Strategy

3.1 Relevant policies, strategies and studies

(i) Planning Practice Note 70

PPN70 provides guidance on the preparation of an open space strategy which is described as a strategic approach for planning current and future uses of open spaces within a municipality. The practice note states that an open space strategy should:

- provide an overview of existing open space resources and future needs
- provide a basis for decision-making about future open space provision and development
- assist financial and resource planning and asset management
- identify areas of under-provision of open space and articulate strategies for how land could be acquired or disposed of for the purpose of open space
- facilitate a coordinated approach to open space planning
- articulate community and local government aspirations in relation to open space provision and development.

PPN70 outlines the following process for the preparation of an open space strategy:

- project planning and establishment
- background research
- discussion paper
- draft open space strategy
- final open space strategy
- implementation program
- monitoring and review.

(ii) Metropolitan Melbourne Investigation - Discussion Paper

The Victorian Environmental Assessment Council (VEAC) *Metropolitan Melbourne Investigation - Discussion Paper*, October 2010 (Discussion Paper) was commissioned by the then Minister for Environment and Climate Change as an investigation into public land use, including use of public open space in metropolitan Melbourne.

(iii) Precinct Structure Plan Guidelines

The Precinct Structure Plan Guidelines (2009) prepared by the then Growth Areas Authority provide for standards for open space in Precinct Structure Plans. The following standards are relevant to arguments heard by the Panel:

Local parks within 400 metres safe walking distance of at least 95 per cent of all dwellings. (S1)

Active open space within 1 kilometre of 95 per cent of all dwellings. (S1)

Linear parks and trails, most often along waterways, but also linked to vegetation corridors and road reserves. (S1)

In residential areas, approximately 10 per cent of net developable areas as total public open space, of which 6 per cent is active open space. (S2)

In major employment areas, approximately 2 per cent of net developable areas as public open space, usually with a passive recreation function. (S3)

In meeting standards S2 and S3, encumbered land should be used productively for open space, usually with a passive recreation function. (S4)

The network of local and district parks should be efficiently designed to maximise the integration and sharing of space with publicly accessible encumbered land. (S4)

3.2 The MOSS

The MOSS, which was adopted by Council on 18 October 2018, states that it will:

... guide the future planning, provision, design and management of open space in Monash for the next decade. It is a high-level strategic document that seeks to identify the open space needs of existing and future residents of Monash, gaps in the provision of open space and opportunities to address those gaps.

The Amendment proposes to include the MOSS as a reference document in Clauses 22.10 and 22.15.

(i) The issues

The issue is whether the MOSS provides the strategic justification for the Amendment.

(ii) Evidence and submissions

Council

Council submitted that the VEAC Discussion Paper recognises the role of open space in maintaining Melbourne's liveability as well as the importance of open space in mitigating the effects of climate. It predicted that the per capita provision of open space in Monash would fall from 46 to 40 square metres per person from 2006 to 2026.

Council added that the need for open space is supported by both State and local policy and that:

...there is a clear strategic justification for requiring the provision of additional public open space to meet the demands of a growing and intensifying municipality.

Council submitted that the Discussion Paper sets out the value of public open space in the following way:

Public open space was the most common theme raised in submissions to the investigation and by the Community Reference Group. Many submissions commented on the mental and physical health benefits of recreating out of doors; the benefits to the environment from the conservation or re-planting of native vegetation, and the opportunities provided by linear open space for creating habitat links and corridors; and the benefits in counteracting the loss of private open space in a time of increased housing density. Many submissions also raised concerns about the loss of open space in particular municipalities, the need to protect open space from further loss and the need for additional open space to meet increasing population levels. Some submissions were concerned about the disposal of public land that is currently used or could be used for open space.

Public open space is a key contributor to Melbourne's liveability. It contributes to a range of liveability goals including healthy, safe and inclusive communities, dynamic resilient local economies, sustainable built and natural environments and culturally rich and vibrant communities.

Council argued that the Discussion Paper supports the strategic basis for the MOSS which identified an increasing population and limited opportunities to acquire new public spaces in a municipality with a low per capita provision compared to outer and growth municipalities.

Council submitted that:

The MOSS provides a framework and a plan for the future needs of the existing and growing community of Monash for an open space network of sports and leisure reserves, local parks and trails over the next 10 years. A key action identified by the MOSS is to make changes to the Scheme to update the public open space contribution rates for all subdivisions.

Council informed the Panel that the MOSS identifies 12 precincts that are subject to a detailed analysis in terms of open space provision and need and added that there is nothing in PPN70 that requires an open space strategy to include a costed infrastructure plan. Such a plan would be likely to *“underestimate and underprovide”* open space because it would be based on assumptions about future populations. In addition, a costed plan would lock Council into a program and prevent it from pursuing opportunities that might arise.

Council noted that the proposed Clause 21.01 identified implementation of actions in the MOSS which includes preparing an action plan for each precinct to identify land acquisition and capital works projects.

Council called Dr Spiller to give evidence in relation to the preparation of the SGS Report. His evidence was that Clause 53.01 provided the Council with the discretion to apply the contribution rate as a percentage of the site value, a developable area or a combination of both. This discretion also applied to where new open space is acquired. He added that the MOSS provides a clear strategic direction for open space investment and while not documented *“in a costed implementation they provide clear evidence of Council’s intent for expending funds.”*

Dr Spiller stated:

Council’s determination of how to expend funds collected under Clause 53.01 will be influenced by the quantum of funds collected. Funds collected under Clause 53.01 may be spent anywhere in the municipality. Through not tying contributions to a costed implementation plan, Council can be flexible and proactive when unexpected land purchase opportunities arise (for example a residential property is listed for sale adjacent to an existing reserve in an area of poor open space provision), and adapt open space planning to meet the evolving needs of the community, while also implementing projects that are as yet uncostered but identified in the Monash open space strategy.

Dr Spiller gave evidence that Council engaged his firm to *“prepare a report advising on the feasibility and appropriateness of revising open space contribution rates within the City of Monash”* during the preparation and finalisation of the MOSS. He added that the MOSS informed this work by identifying the open space needs of existing and future residents of the municipality, gaps in the network and approaches to deal with those gaps.

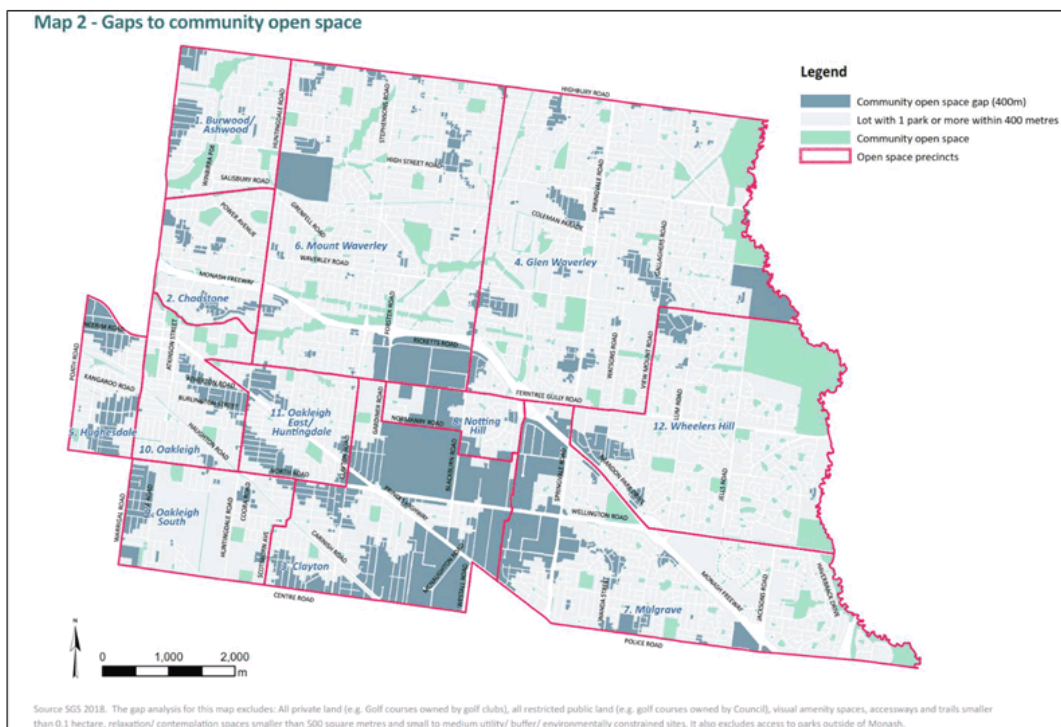
He stated that the proposed Clause 22.15 reflected the strategic outcomes and objectives in the MOSS by including the following objectives:

- To protect and expand the public open space network and address open space needs that is prioritised in the precincts with the greatest need
- To ensure that adequate public open space is provided for development, including strategic redevelopment sites that seek higher residential densities

- To identify the circumstances when and where land contributions for public open space will be sought in preference to a cash contribution
- To improve the diversity, functionality and inclusiveness of public open space facilities and landscape settings by meeting the needs of the community.

He observed that the proposed Clause 22.15 included a map from the MOSS, that identified areas of community open space and community open space gaps (locations that were not within 400 metres of public open space) see Figure 1.

Figure 1: Gaps in 'community' open space (source: MOSS)



Dr Spiller's evidence was that the strategies in the amended Clause 21.10 (set out in Chapter 2.1) were consistent with the policy direction set by the MOSS.

Dr Spiller added:

I do not subscribe to a model of open space planning which gears the rate of provision to current demography and socio economic profile, so that parkland networks vary from precinct to precinct or suburb to suburb in line with observed differences in 'need.' Open space is a very long term infrastructure investment which frames urban development. This infrastructure will witness multiple generations of community over an indefinite period into the future. In this context, current demography is important in the programming of open space infrastructure but, in my view, ought not be a driver in determining the sufficiency of provision.

Council concluded:

... the underlying MOSS has also not been a focus of criticism. While the evidence of Mr Milner and Mr Ainsaar does contain some criticism of the MOSS, the Council does not read their evidence as being to the effect that the MOSS should be discarded. Rather, the Council reads their evidence as being that the MOSS, by itself, does not provide a sufficient justification for the adoption of a 10 per cent contribution rate.

Submitters

Salta Properties (West) Pty Ltd, Golf Road Project Development Pty Ltd and Talbot Road Finance Pty Ltd (Salta) submitted that the MOSS argued a new rate is required because of the *“growing population, increased housing density, increasing age and diversity of residents and the uneven provision of public open space in various areas of the municipality.”*

Salta stated:

It can be accepted that the Council needs money for open space purposes, that a growing population will place greater demands on existing open space, that higher density development will generate demand for open space, that climate change and changing demographics may impose a cost.

There will always be a need to spend money on open space. The question raised by this Amendment is whether the current rates need changing to raise an appropriate contribution. That question has not been answered.

Salta argued that the details of open space acquisition or capital works costs were necessary to understand the quantum of money that needed to be raised. This work had not been undertaken and this analysis was critical to the setting of an appropriate open space levy.

It added that the MOSS set out actions, plans for land acquisition and works to open space but did not cost them. Salta stated:

... the strategy is noted as aspirational with the prospect of recommendations not being implemented in the life of the strategy. There is no way of knowing what the cost of actioning the strategy will be. It is entirely possible that collections under the current contribution rates will readily meet the cost.

Salta called evidence from Mr Milner. His evidence was that the MOSS and Municipal Strategic Statement have identified precincts such as Oakleigh, Oakleigh South and Clayton that will experience substantial growth and other areas where *“growth will be more tempered by the housing strategies and policies.”* This provides a more responsive framework upon which to base levy contributions. He added:

The MOSS is imprecise about the need, scope and cost of quality improvement projects to open space and yet this attribute forms a principal component justifying the higher rates of contribution that are sought.

He noted that PPN70 makes the following observation:

As part of the strategy development process, gaps in the open space network will be identified, along with an understanding of the type of open space required. There is an opportunity to rectify gaps through open space contributions, but it is important to specify the location where land is sought and provide criteria that defines the type of land sought.

Mr Milner gave evidence that a more nuanced framework was needed to identify and target open space acquisitions and improvements in order to justify higher contribution rates. This approach would provide a clearer nexus between the collection of an increased levy and the location of any additional or improved facilities. He added that without the identification of open space acquisitions and works, a flat rate levy fails the test of fairness.

Mr Milner's evidence was that the MOSS was founded on four principles:

- treating the municipality as one single planning unit
- an inclusionary obligation for both residential and non-residential development
- agreed standards

- open space service.

He stated that the inclusionary provision approach was “*conceptually flawed*” because residential and non-residential uses do not have the same need for and use of public open space. He added:

The quality and quantity of open spaces across the municipality and its ability to meet community needs is not uniform.

Mr Milner stated that the MOSS used a conservative definition of public open space which excluded:

- all private land
- all restricted public land
- visual amenity spaces, accessways and trails smaller than 0.1 hectares
- relaxation / contemplation spaces smaller than 500 square metres
- small to medium sized utility / buffer / environmentally constrained sites.

He added that the MOSS acknowledged that there were 1134 hectares of open space in Monash but 512 hectares of what it defined as community open space. He challenged the calculation based only on community open space and argued that it was at odds with the existing Clause 21.10 which identified 650 hectares including Jells Park. He added that open space on the other side of the municipal boundary should also be considered.

Mr Milner’s evidence was that the 400 metre proximity standard relied on the residential subdivision standard of Clause 56 which only applies to residential and not non-residential development.

He concluded:

... the MOSS and its recommendations for a greater contribution from subdivided land towards public open space relies upon a narrow, incomplete and unfair consideration of the spectrum of ‘public’ spaces that the community would perceive, use and value as open space available to them.

Salta called Mr Ainsaar to give evidence. His evidence was:

... that there is a fundamental misalignment between the Amendment, the MOSS and the SGS Report in relation to the calculation of open space contributions.

The MOSS follows a commonly adopted approach for open space strategies, whereby existing gaps are identified, the impact of future development and changing open space usage is considered, and actions are proposed to address issues identified. The findings of the strategy, however, are not translated into the calculation of open space contributions in any way other than through a highly simplistic open space land provision target of 30sqm per resident.

He stated that the majority of actions in the MOSS are designed to address existing under supply or improve existing open space. Mr Ainsaar gave evidence that the MOSS should include cost estimates, revenue analysis and actions needed by existing residents and new development if it is to be used as the basis for establishing a contributions rate.

Mr Ainsaar’s evidence was that the most important guidance on the preparation of a contribution rate is found in PPN70 and the principles of need, nexus, equity and accountability found in the development contributions system. He stated that there is no meaningful relationship between the MOSS and the contributions rate and that:

... the open space contributions rate should be calculated based on the expected cost of implementing the MOSS and the expected share of usage that new development will generate. This approach has not been applied in this case.

He added:

... the vast majority of actions in the MOSS are designed to either address existing under-provision/spatial gaps, or to make improvements to existing open space. This is directly at odds with the open space contributions rate which is calculated solely on the basis of increasing the quantity of open space land.

Ms Valente submitted on behalf of A & S Valente and Associates Pty Ltd that the recommendations of the MOSS related principally to improvements in existing open spaces and not the provision of additional open space:

There are a number of different funding opportunities for open space, as described in the MOSS report. However, collections under Clause 53.01 provide Council with a necessary ongoing funding stream to proactively plan for and deliver a quality open space network across the municipality.

Ms Valente submitted an increase in the levy could not be justified if Council could not provide an implementation plan with the MOSS *"to address the current and projected need and remove the inequities of current open space distribution."* She added that priority land acquisitions to reach the target of 30 square metres were not included in any of the Amendment documents.

She argued that the need for additional open space in the southern suburbs of the municipality would not be addressed by the Amendment in its current form and without an implementation plan. She added that the current inclusionary provision approach had not *"ensured an accountable, satisfactory and equitable distribution of open space."*

Mr Saisanas' submission reiterated the concerns of other submitters about the lack of a *"detailed list of projects and no actual costings."*

Council's response

In closing, Council submitted:

Nothing in PPN70 or any other document identifies a costed infrastructure plan to be mandatory and the Council does not consider it to be a superior approach to the standards based approach adopted in this Amendment.

(iii) Discussion

The MOSS is essentially made up of two components, the open space strategy and the SGS Report which is a separate piece of work undertaken to justify and quantify a change to the open space levy and included as an Appendix in the MOSS.

The question for the Panel is whether the MOSS provides the strategic justification for a change to the open space levy detailed in the Schedule to Clause 53.01. The justification for the quantum of the change is included in the SGS Report which is discussed in the following chapter.

The Panel notes that the legend in Map 2 of the MOSS refers to a 'Community open space gap' and the legend of Map 1 of the proposed Clause 22.15 to a 'Public open space gap.' This is further exacerbated in Table 5 of the MOSS where it identifies 792.4 hectares of 'All Council or Public Access Land' and 512.1 hectares of 'Monash Community Open Space'

which is land owned by Council. The difference in terminology is inconsistent, confusing and should be corrected.

Nevertheless, the Panel grappled with the concept of ‘community open space’ and what categories of public open space should be included and excluded in the gaps analysis which informs the provision standards. The MOSS adopted a proximity-based standard requiring 95 percent of all dwellings to be within 400 metres of a local park.

The MOSS adopts what is effectively the most restrictive definition of open space, ‘Monash Community Open Space’. It calculated the current provision of Monash Community Open Space at 2.7 hectares per 1,000 residents. Using this definition it calculated that 85 per cent of all dwellings in Monash were within 400 metres of a local park.

In the Panel’s view regional open space, while it has a greater catchment, still fulfils the role of open space, as does open space on the other side of a municipal boundary. The Panel notes that the 400 metre proximity standard based on community open space results in areas adjacent to regional open space and open space in adjoining municipalities being identified as under-provided.

The Panel does not consider this a significant issue to the Amendment but recommends that mapping in the MOSS be amended to correctly reflect where properties are proximate to public open space in neighbouring municipalities and regional open space, against the 400 metre walkable catchment standard. This should provide more accurate guidance for the allocation of resources by Council to increase public open space in ‘shortfall’ areas.

The basis for considering whether the MOSS provides the strategic justification for the Amendment is its consistency with the provisions of PPN70. In the Panel’s view the MOSS is largely consistent with PPN70 because it addresses the six of the seven matters that the practice note identifies as components of an open space strategy. However, the Panel does not support the Council’s view that the MOSS had not been the focus of criticism as submissions to the Amendment and Hearing as well as evidence criticised the MOSS for its lack of detail.

One of the criticisms of the MOSS by Mr Milner and Mr Ainsaar was that it lacked a detailed implementation strategy which would result in a more nuanced open space levy based on the provision in each precinct. However, the Panel notes that while the process of preparing an open space strategy outlined in PPN70 includes an implementation program, the practice note recognises that it can be part of the strategy or a separate document. PPN70 recommends that the implementation plan provide *“more detail on each of the implementation tasks, responsibilities, cost estimates and priorities”* as well as the statutory implementation of the strategy including the amendments or additions to the Municipal Strategic Statement, local policy and the Schedule to Clause 53.01.

In the Panel’s view the individual analysis of each of the precincts in the MOSS goes some way to dealing with these matters, but it is not enough. The Panel notes that the precinct key actions do not include indicative costings or estimates of the funds needed to implement the key actions. In addition, some of the actions are generic in their description.

Council submitted that it allocates substantial funds to open space as part of its annual capital works program and that, over the past five years, the funds collected from the open space levy have made up approximately half of this expenditure. Council argued that the MOSS provides strategic direction for the capital works program, which is adopted and

published by the Council and is linked to its corporate plan and part of its budget. However, the budget and consequently the capital works program are constructed on an annual basis and can change rapidly as Council's priorities change.

The Panel accepts that the demand for and use of open space changes with the demographic characteristics of the population and as a consequence costs estimated in year 1 of a strategy may have little relevance in year 10. As a consequence, PPN70 recommends regular monitoring and review of an open space strategy.

The Panel agrees with Council that a detailed costed infrastructure plan is not a requirement of PPN70 for an open space strategy but PPN70 does draw a relationship between the implementation plan and the statutory implementation of the strategy in the planning scheme which includes the open space levy rate.

Instead of an implementation plan the MOSS uses a municipal wide benchmark of 30 square metres per head of population, which will likely never be achieved. In a built-up area like Monash the opportunity to acquire additional open space is severely constrained. This view was supported by the evidence presented to the Panel by Dr Spiller and Mr Milner. Further, the MOSS says as much when it states:

However, the 30m² per capita benchmark will not be considered as a blanket figure for determining open space as there are other factors that need to be considered, such as 'proximity-based' standards.

The Amendment seeks to effectively double the open space contribution rate for residential land, include the capacity to go above this rate for strategic redevelopment sites. It also seeks to include previously excluded non-residential subdivision. This is a significant change.

The Panel acknowledges that increasing residential development will place additional strain on existing open space which will require further expenditure by Council. The Panel accepts that it is a reasonable proposition that projected new residential development should contribute to that open space which may, in turn, be an argument for increasing the open space levy rate. However, in the absence of any estimate of the amount of open space required to service that projected population it is, in the Panel's view, difficult to arrive at a fair increase to the open space levy.

It is not the Panel's view that an implementation plan needs to nominate specific locations for open space acquisition or contain detailed project specifications and specific costings. What is needed is:

- the identification of precincts in which open space acquisitions are a priority with an indicative budget. In some instances, it may be possible to obtain open space as part of a rezoning process or in the development of a Development Plan
- the nomination of open space improvements and works required in each precinct with timing and indicative costs
- major maintenance and renewal timing and costs
- a process for indexing the cost estimates.

The lack of a program of works that supports the need for a change in the levy is, in the Panel's view, a significant flaw in the MOSS's strategic justification of the Amendment. The Panel acknowledges Council's argument that it has used an alternative method to an implementation plan to calculate an appropriate open space levy and this is dealt with in the following chapter.

Nevertheless, in the Panel's view, if the MOSS is to provide the strategic justification for a significant change in the contribution rate, and the introduction of a new contribution for non-residential development, it should include an implementation plan that estimates the costs of the acquisitions and works required.

(iv) Conclusions

The Panel concludes:

- The lack of an implementation plan which nominates precincts in which land acquisition will be sought, in addition to open space projects and works with cost estimates, is a shortcoming in the MOSS. An implementation plan should be prepared, whether part of the MOSS or a separate document.
- The exclusion of regional open space and open space outside the municipality overstates the areas within the municipality that are not within 400 metres of open space.
- Map 1 of Clause 22.15 should be consistent with Map 2 of the MOSS, and terminology should be consistent within the MOSS and between the MOSS and the LPPF.

3.3 Council expenditure on public open space

(i) The issues

The issues are:

- whether the Council expenditure on open space is a relevant consideration for the Panel
- whether changes to the Schedule to Clause 53.01 to exempt open space required by Amendment C156 are appropriate.

(ii) Evidence and submissions

Council submitted that it has spent the money collected through the open space levy in accordance with the Subdivision Act and it has used the funds to purchase or improve land used for public recreation purposes. Council stated:

Based on the information available over the past 5 years, the Council spends appreciably more on open space related projects than it raises through public open space contributions.

Salta submitted that while Council has provided details of how the money collected had been spent there was no detail of open space acquisition or capital works costs to guide the future and increased levy and consequently no analysis of what money needs to be raised.

Ms Valente submitted that the Council had failed to acquire property for open space, including former schools and the Talbot Road Quarry, when the opportunities arose. She also argued that the southern suburbs of the municipality have not received an equitable share of the open space funding but have contributed a higher proportion of the open space levy fees.

Mr Saisanas submitted that there was no indication how the funds collected would be expended in that precinct.

Council argued that it is not the role of the Panel to determine whether specific areas of open space should be purchased. Council added that the Panel appointed to Monash Planning Scheme Amendment C129 considered, among other things, that matter in relation to the Talbot Quarry site. The C129 Panel determined that it could consider whether additional open space was required in Oakleigh South, but not whether a specific site could be purchased by the Council.

Council informed the Panel that its position is that:

... it is not the role of this Panel to determine whether or not the Council ought to purchase the quarry site. The Council has already resolved not to purchase the land. To the extent the Panel is minded to consider the issue however, the MOSS confirms that there is no immediate need for significant areas of additional public open space in Oakleigh South.

Make CRC Pty Ltd and Bewise (Clayton) Developments Pty Ltd (Make and Bewise) informed the Panel that they owned land occupied by the PMP printing business which has been identified as a strategically significant urban renewal site within the Monash NEIC. They informed the Panel that current negotiations about the future development of that site included an area, around 10 per cent of the site, designated as a public area. Make and Bewise submitted that any open space required through the implementation of Amendment C156 to the Monash Planning Scheme should be recognised in the revised Schedule to Clause 53.01 proposed by the Amendment.

Make and Bewise added that their concern was that they may be required to contribute an area of land through the rezoning to a Comprehensive Development Zone, the preparation of a Comprehensive Development Plan or a Development Contributions Plan (DCP) implemented by Amendment C156 and also pay the open space levy if the land is subdivided. Make and Bewise submitted the Amendment lacks strategic underpinning but recommended that the following two options for changes to Clause 1.0 of the Schedule to Clause 53.01 would alleviate their concerns.

Option	Land affected	Metric
Option 1 Addition of this Additional column at Part 1.0 of Clause 53.01	Land subject of a Comprehensive Development Zone, Comprehensive Development Plan or DCP which makes specific requirements for provision of credited public open space.	The amount specified in the relevant planning scheme provision.
Option 2 Modified version of proposed Amendment.	All land Except land that has been credited under any other provision of this planning scheme.	a nominated percentage to be determined

(iii) Discussion

The Panel accepts Council's submission that the focus of the Amendment is on the provisions of the Schedule to Clause 53.01 which deals with the collection of open space levies. How the funds collected are spent is a matter for the Council and neither the existing or proposed Clause 53.01 place any obligation on how and where the funds are to be spent. Nevertheless, if, over an extended period, the Council was spending considerably less on

open space than it was collecting, in the Panel's view, it would be difficult to justify a considerable increase in the collection rate.

From the information provided by Council detailing its expenditure on open space for the financial years from 2014/2015 to 2018/2019, it is clear to the Panel that all of the funds were directed at improving and upgrading facilities on existing open spaces. The Panel notes that Council develops a capital works program as part of its annual budget and that this program identifies the open space works to be undertaken over the coming 12 months. In addition, Council has developed the *Active Monash's Capital Works Priorities Framework* to determine open space priorities over a ten-year period. Neither of these have been used in calculating the quantum of the levy.

The Panel is satisfied with the capital works expenditure information provided by Council (Documents 13, 29 and 30) that demonstrates that over the past five years the Council has spent almost twice as much on open space than it has collected from the levy. That said, this is not necessarily an indication that this trend will continue going forward, particularly with an increase in the contributions sought under the Amendment.

The Panel does not agree with Mr Milner and Mr Ainsaar that there is a requirement for the funds to be spent in the precinct in which they are collected.

The Panel agrees with Council and the C129 Panel that it is not its role to determine whether specific areas of open space should be purchased. As discussed above, the MOSS does identify a number of key actions for each of the 12 precincts identified in the strategy.

With respect to the PMP printing site, the Panel understands that Amendment C156 is yet to be finalised. It would be inappropriate for this Panel to make recommendations that attempt to direct or fetter the consideration of another amendment, especially one that has not been subject to exhibition or public comment. In addition, the options proposed by Make and Bewise could equally apply to a number of sites, not only the PMP printing land.

(iv) Conclusions

The Panel concludes:

- How Council chooses to spend open space contributions it has collected is not a relevant consideration for the Panel.
- Changes to the Schedule to Clause 53.01 to exempt open space required by Amendment 156 are not appropriate.

3.4 Conclusions and Recommendations

For the reasons set out in this and the following chapter, the Panel concludes that the MOSS provides the strategic justification for a review and potentially an increase in the open space contributions levy. However, the MOSS and the SGS Report do not provide adequate strategic justification for the rates and the extent of application of the levy proposed in the Amendment.

The Panel accepts that, with a growing population there may be a need to increase the amount of the open space levy. The MOSS goes some way to justifying that need. However, the amount of the increase in the open space levy and the increase in its scope was not justified by the information presented to the Panel.

The Panel does not take the view that the Amendment is fatally flawed, but that additional work, analysis and justification are required to provide adequate strategic justification. The matters that need to be addressed are:

- The lack of an implementation plan that could be used to inform the change in the open space levy rate sufficient to meet the Council's open space needs. The key actions for each precinct in the MOSS go some way to this, however more detail on each of the implementation tasks, responsibilities, cost estimates and priorities need to be included.
- The lack of sufficient analysis and justification to apply the same open space levy rate to residential and non-residential subdivisions.
- The lack of clarity and consistency in the use and meaning of community open space.
- The identification of public open space gaps in Monash should be clarified because the use of 'Monash community open space' is too narrow and does not take into account open space in adjacent municipalities or regional open space. For example, this leads to that is an incongruous situation where dwellings abutting Jells Park are identified as being in an open space gap.

In the Panel's view the changes specified above would transform the Amendment. On this basis, if Council wishes to continue with the Amendment the altered Amendment would need to be re-exhibited, submissions received and assessed and if necessary, the Panel reconvened.

Alternatively, Council could abandon the Amendment.

For the reasons set out in this report the Panel Recommends:

- 1. Council should review the Amendment documents and undertake the following additional work:**
 - Develop an implementation plan either as part of the Monash Open Space Strategy or as a separate document, which nominates precincts in which land acquisition will be sought and projects and works in open spaces with cost estimates.
 - Use the implementation plan as the basis for the calculation of an open space levy rate in place of the 30 square metre macro-provisioning standard.
 - Develop a detailed justification for the application of the same open space levy rate to residential and non-residential subdivisions.
 - Clarify the use and meaning of community open space in the Monash Open Space Strategy and Clause 22.15.
 - Review the areas designated as public open space gaps in Map 1 in Clause 22.15.
- 2. Once this work is complete the Amendment should be re-exhibited.**
- 3. The Panel will then reconvene to consider any submissions.**
- 4. Alternatively, Council should abandon the Amendment.**

4 The SGS Report

The SGS Report recommended the adoption of an inclusionary provision approach in the determination of an open space levy. The inclusionary provision approach is based on the idea that each unit of development should meet a particular standard or rate of open space provision. Using a measure of 3 hectares per 1,000 population (30 square metres per capita), the SGS Report calculated the open space levy at 10 per cent for all development, residential and non-residential.

The SGS Report concluded that the current open space contribution rates in the Scheme at Clause 53.01 were inequitable and out of date. It concluded that the most appropriate mechanism for funding open space or open space improvements required due to increased population was to increase the open space contribution rate in the Scheme to 10 per cent.

The SGS Report calculated the open space contribution requirements using three key principles:

- The municipality is considered a single planning unit for open space planning purposes. Clause 53.01 allows for open space contributions collected to be spent anywhere within the municipality.
- All Monash residents (existing and future) are entitled to enjoy access to a reasonable standard of open space at a given horizon year, and planning for future open space acquisitions and upgrades should seek the most equitable distribution of open space services across the municipality. The SGS Report adopted a standard of 30 square metres per head of population as a reasonable standard.
- An inclusionary provisions approach means that all development should equip itself with sufficient open space to meet its needs as indicated by planning standards, and this can be through land or cash in kind contributions.

The Amendment proposes to include the SGS Report as a separate reference document in Clause 22.15 although it is included in Appendix 4 of the MOSS which is also a reference document in Clause 22.15.

4.1 The municipal wide rate – 10 per cent

(i) The issue

The issue is whether the application of a 10 per cent open space levy is legitimate.

(ii) Evidence and submissions

Council submitted that the current open space levy, which is a sliding scale based on the number of lots produced, is inadequate. It added that there is no correlation between the size of a subdivision and the demand for open space created. Council advised the Panel that only one other municipality used a sliding scale for its open space contributions.

Council argued that it had adopted a *“transparent and readily comprehensible”* method for calculating the open space contribution rate as detailed in the MOSS. This approach involved:

- adopting 30 square metres per person as an appropriate level of provision of public open space

- estimating the likely population of Monash as being 206,907 in 2028
- calculating that 620.72 hectares of open space was required to service that population
- determining that the net developable area available within the municipality is 6,494 hectares
- calculating that a percentage figure of 9.56 per cent, rounded up to 10 per cent, of each developable hectare was required to meet the standard of 30 square metres of open space per person.

Council advised the Panel that 920 hectares of parkland had been mistakenly included in the calculation of net developable area (6,494 hectares). As a consequence, the net developable area should be reduced to 5,574 hectares which would have the effect of increasing the contribution rate to 11.11 per cent. Nevertheless, Council was pursuing a 10 per cent contribution rate.

Dr Spiller's evidence was that inadequate open space *"both in quantity and quality"* limits urban consolidation, which is required to develop a *"more climate resistant, efficient and inclusive city."* He added that the 10 per cent contribution rate would provide Council with funding sufficient to achieve an appropriate provision of open space, both in quantity and quality.

Dr Spiller provided the following explanation of how the new rate was calculated:

As the inclusionary development standards framework is tied to a macro-provisioning standard, it is not an open-ended 'tax' to fund open space provision. All funds collected must be deployed in land acquisition or open space embellishment within the envelope dictated by achievement of a 30 m per capita provision standard.

To arrive at the uniform 10 per cent contribution rate for Monash under the inclusionary development standards framework, the macro-provisioning standard has been applied to all developable land in the City; that is, including land that is already developed as well as land that is likely to be developed or redeveloped over the planning period. This approach aligns with the setting of an overall open space reservation ratio in PSPs.

Were the provisioning standard of 30 m per capita to be applied only to land likely to be developed or redeveloped over the planning period, the percentage contribution rate for open space would likely be much higher, because the density of new development will typically be higher than the average density for Monash.

Salta submitted that there has been no analysis of the amount of contributions needed to meet the open space needs of the projected population and that:

It is wrong to assume that an under supply is due to the current rates being too low. In an established municipality, there will have been countless decisions made over a long period of time resulting in the present supply of open space. Drawing a straight line between current contribution rates and that position has not been justified.

Salta argued that Council is using a levy based on site value to fund works that have no relationship to site value. In addition, given land values in Monash, a 10 per cent levy may raise considerably more than projected, depending on the density of development.

Mr Milner's evidence was that, depending on the definition of open space used, the analysis of open space in Monash can arrive at different totals. In discussing open space standards he added:

The MOSS appears to favour the 10 per cent standard applied in the Precinct Structure Planning Guidelines but fails to acknowledge that standard was to only apply to residential use and does not acknowledge 2 per cent as a standard for employment areas.

Mr Ainsaar's evidence was that that the MOSS used a "*commonly adopted approach*" for open space strategies but failed to translate its findings into the calculation of an appropriate levy. He stated:

In my view, it is entirely inequitable for employment land uses to be required to make a contribution to public open space equivalent to 10 per cent of the land area or site value when:

- a. The need for open space has not been demonstrated in the supporting material; and
- b. There is consistent evidence which demonstrates that the quantity of open space required to meet the needs of workers is considerably less than the quantity needed for residents.

Ms Valente submitted that the flat 10 per cent rate did not take account of which properties needed to be acquired to achieve Council's 30 square metres per person.

The Housing Industry of Australia submitted that the 10 per cent was a substantial increase which was "*inequitable, discriminatory and inflationary, which erodes housing affordability*" and without appropriate strategic justification.

Mr Saisanas submitted that the Amendment lacked strategic merit because the work to justify the 10 per cent increase in the levy had not been undertaken.

The Association of Consulting Surveyors Victoria submitted that the increase to 10 per cent was excessive and that any change should be guided by a needs assessment.

Make CRC and Bewise submitted that a 10 per cent levy was an onerous contribution, especially if provided in the form of land.

(iii) Discussion

The submission of Salta and the evidence of Mr Milner and Mr Ainsaar went to some lengths to detail the DCP approach to contributions. This discussion has not been reflected above because it is largely irrelevant to the matter at hand. The PPN70 makes it clear that a council has the following tools for obtaining open space contributions as part of the development process:

- Subdivision Act 1988, sections 18-20
- Schedule to Clause 53.01 of the Victoria Planning Provisions
- DCP Overlay
- negotiated legal agreements.

In this respect the Panel agrees with Council when it stated:

... the Panel should not be swayed by arguments which seek to evaluate the striking of a rate for a public open space contribution under Clause 53.01 by reference to criteria that are not, having regard to the relevant statutory framework, intended to apply to that method.

The Panel agrees that the decision of the most appropriate method to obtain open space contributions rests with the planning authority. In this Amendment the planning authority

has chosen to seek an increase to the levy in the Schedule to Clause 53.01 and consequently the discussion about the DCP principles did not assist the Panel.

However, Clause 53.01 and PPN70 do not provide the same level of guidance that can be found in Part 3B of the Act. Council summarised this position as:

... the State has not provided any policy guidance on how such a contribution rate should be set. While Planning Practice Note 70 articulates how an open space strategy should be prepared and what it should include, it merely identifies a range of options for delivering public open space without setting out a preferred approach to doing so.

Council took the view that this approach provided it with the freedom to decide how it would calculate a rate.

In the Panel's view the change from a sliding scale five per cent contribution to a flat 10 per cent is a substantial increase, particularly as the Amendment would also include previously excluded non-residential development.

The Panel accepts Council's argument that it is a legitimate approach for it to seek open space contributions through the Schedule to Clause 53.01 and for it to determine how that rate is set. Council's position, supported by Dr Spiller, was that the adoption of an inclusionary provision approach and setting a standard of 30 square metres per person arrived at a rate of 10 per cent. That said, the Panel notes that the original calculation was for a rate of 9.56 per cent and the amended version presented at the Hearing of 11.11 per cent.

In the absence of any other criteria the objectives of the Act, particularly section 4(1)(a) which deals with the fair, orderly, economic and sustainable use and development of land, become an important consideration. The following sections examine the two criteria Council has used to justify the proposed increase in the open space contribution rate.

The Panel notes that PPN70 references Clause 52.01 which should be updated to 53.01. There is an opportunity to review the practice note more broadly to ensure it reflects current thinking on open space strategies and contributions.

(iv) Conclusions

The Panel concludes:

- Council can amend the contribution rate in the Schedule to Clause 53.01.
- Whether a change in the rate is justified depends on the basis for calculating the new rate.

4.2 The inclusionary provision approach

(i) The issues

The issues associated with the inclusionary approach are whether:

- the treatment of the whole municipality as a single planning unit is appropriate
- a flat rate of 10 per cent across the entire municipality is reasonable
- applying the same rate to non-residential land is justified.

(ii) Evidence and submissions

Council submitted that the inclusionary provision approach meant that:

... the entire municipality be considered as a single planning unit for open space, across which an acceptable standard of public open space must be met to facilitate future works.

The MOSS identifies precincts where there is a shortfall in open space across different parts of the municipality and Council acknowledged there is a disparity in the provision of open space across the municipality. Council submitted that while there are areas of projected high population growth and density, growth is occurring across the municipality in all precincts and this supports the single planning unit approach. Council argued that an inclusionary provision approach was chosen to prevent development in under supplied areas being overburdened with additional costs.

Dr Spiller's evidence supported Council's position. Dr Spiller indicated that an alternate approach that targeted a higher contribution in under supplied areas would mean new development would need to contribute more to address the existing shortfall. Dr Spiller stated that this was unfair and would make the cost of future development in those areas prohibitive. He added that funds collected under Clause 53.01 can be deployed anywhere within the municipality and Council can act "*opportunistically and optimally.*"

Council submitted that it was appropriate to apply a uniform requirement to non-residential subdivision on multiple grounds. First, all development should contribute to community open space equally. Second, overall use of open space in a non-residential area is likely to be lower but there might be an intensity of use at lunchtimes and more intensive use means more expensive infrastructure such as seats and hard surfaces. Third, non-residential use might be converted to residential use over time and Council would not be able to levy for public open space. In summary:

Council does not support adopting a differential rate for industrial land because of the potential for the land use to change.

Dr Spiller's evidence was that all development in a municipality should contribute to community open space, whether a residential or non-residential use, because each unit of development then contributes to the overall planning outcome of a network of open space across the municipality.

Dr Spiller's evidence was that land use change from non-residential to residential will continue and it would not be equitable if non-residential land in these circumstances was excluded from contributing to open space. He added:

I do not accept that employment land has different demand than residential. While the employment areas may not use the open space in the same way, employment areas benefit from an appropriate network of open space.

Further, Dr Spiller stated:

Employment uses are increasingly of a mixed use nature and can translate to residential uses in future, with the exception of hazardous land.

Salta submitted that actual population or demand associated with a development is not a factor in the concept of inclusionary provision and that each developed lot will not be contributing 30 square metres of open space per person. In cross examination Dr Spiller acknowledged "*the greater the density the less per capita provision.*"

Salta added that the Victorian Planning Authority (VPA) Precinct Structure Plan Guidelines set different contribution rates for residential and non-residential development and this different rate has not been acknowledged or used in the SGS Report or by Council.

Salta submitted that there was no evidence base in the MOSS, the SGS Report or in Dr Spiller's evidence of the demand for public open space generated by employment uses. In addition, the inclusionary provision approach unfairly and inequitably burdened development scenarios (such as for Salta Properties), where a number of existing buildings have been developed on a site and are currently occupied but may be subdivided in future. It submitted that the future subdivision in these circumstances creates no additional demand.

Further, Salta submitted:

There is no planning scheme policy or planning principle that says development in an area with an abundant supply of open space should contribute to the supply of open space that is to be used by a different development on the other side of the municipality.

It argued that just because Council has a discretion under Clause 53.01 to spend funds raised anywhere in the municipality, it does not justify adopting a municipal wide approach or inclusionary provision approach.

Mr Milner's evidence was that treating the municipality as a single planning unit was simplistic. He noted Monash is not a greenfields situation where everyone develops over time, but rather a situation where subdivision is limited and there is a set framework of open space in place. Mr Milner added:

... the inclusionary requirements approach with a uniform rate is flawed and there is no sound reason why employment land should be required to contribute at the same rate as residential land.

Mr Milner noted student housing is being encouraged in the NEIC and that this generates demand for public open space. He added that student housing is *"exactly why the MOSS needs more sophistication."*

Mr Milner's evidence was that proximity to open space, for example Jells Park, was a key consideration. He noted that a question of equity arises where areas that are already well provisioned have the same inclusionary requirement in absence of any analysis of a significant need in those areas.

Mr Milner stated that a precinct by precinct analysis of need is required and that precinct-specific levies should then be set accordingly. He added that the starting point should be the calculation of rates at a precinct level which would enable demand generated by redevelopment and urban renewal to be considered. Mr Milner cited the example of the approach by the City of Kingston where different rates were set based on a precinct level analysis.

Mr Ainsaar's evidence was that neither the MOSS nor the SGS Report included any analysis of the demand for open space generated by employment land and there was no forecast growth or reflection of intensification of growth of employment areas. Mr Ainsaar also noted that in Precinct Structure Plans, employment uses contribute to passive open space, not active.

Ms Valente submitted that the risk to the community in Council's inclusionary provision approach is that the money raised will be spent by Council without any reference to areas of greatest need.

Ms Valente challenged Dr Spiller's evidence that a flat rate was a better approach than increasing contributions based on shortfalls particularly in the southern part of the municipality.

Dr Spiller stated in response:

... historically some areas were the beneficiaries of previous open space contributions but this doesn't privilege redevelopment in those areas from making contributions towards open space across the municipality.

Dr Spiller noted that collections from parts of the city that are well served can help pay for open space in areas with low provision.

(iii) Discussion

In the Panel's view there are three elements to the inclusionary provision approach:

- the issue of public open space shortfalls and disparity of provision across the municipality
- the merit of a single planning unit in light of the localised shortfalls
- the merit of a uniform inclusionary requirement across non-residential and residential subdivisions.

A single planning unit, while ostensibly about the methodology being used for setting a contribution, inevitably leads to a discussion on allocation of funds raised.

The effect of a single planning unit is that future development in areas with adequate existing provision may subsidise expenditure in areas where provision is poor. Submitters held substantially different views as to whether this potential cross subsidy is fair and equitable.

The Panel notes that the concept of cross-subsidy is effectively built into the provisions of Clause 53.01 because it provides no direction on where the funds collected should be spent.

The Panel notes Council's argument that a single planning unit has been chosen to avoid overburdening development in shortfall areas. If the inclusionary provision approach is about establishing a single municipal wide benchmark standard for future development, then the argument of 'burdening new development' equally applies to well provisioned areas, although the Panel accepts that the burden is equally shared among new development in areas that are underprovided and new development areas with adequate open space.

The Panel accepts that the Council can designate a single planning unit for the purposes of collection of a contribution. This is how the current provisions of Clause 53.01 operate. The Panel agrees that, notwithstanding higher growth is expected in some areas of the municipality over other areas, the allocation of funds raised through an open space contribution is a matter for the Council through its budget process.

Nevertheless, the Panel does not agree that Council has provided sufficient justification for the uniform inclusionary provision to be applied to non-residential land. The Panel agrees that non-residential land should contribute to open space but was not convinced that an

equal rate to residential land was fair or justified by the MOSS. The 30 square metre standard adopted by the MOSS applies only to residents. As the basis for the calculation of a 10 per cent levy, the Panel cannot see how the application of a standard based on provision per resident can be applied to non-residential land at the same rate.

The MOSS does not include analysis that could underpin an argument for an increase in the demand for new and improved open space generated by non-residential land. Given the anticipated growth within the NEIC, including demand for student housing, this is an omission.

Council argued that workers use open space differently and infrastructure in open space near or in employment land is more costly therefore an equal contribution is warranted. However, this argument was not supported by evidence.

The Panel was not convinced by Council's argument that non-residential use might convert to residential over time as a basis for justifying a uniform rate. Employment land in Monash is highly valued as evidenced by the designation of the NEIC in Plan Melbourne.

(iv) Conclusions

The Panel concludes:

- The treatment of the whole municipality as a single planning unit is appropriate.
- An inclusionary requirements approach is reasonable.
- Applying the same rate to employment land is not justified.

4.3 The 30 square metres per person standard

(i) The issues

The issues are:

- The merits of using an area/population-based provision (i.e. 30 square metres per resident) as a proxy metric of open space services, and an *equivalent* measure of open space quality which includes upgrades and embellishments and quantity including land acquisition/contribution
- whether 30 square metres per person is an appropriate standard.

(ii) Council's approach

The standard

The SGS Report recommends a provision standard of 30 square metres per capita, or 3 hectares per 1,000 people of community open space. The SGS Report indicates this standard is an *equivalent* measure of open space services, which is a combination of the quantity and quality of open space. The SGS Report provided the following explanation of open space services:

'Services' refers to a combination of the quantity and quality of open space. Better spaces deliver a greater amount of open space 'services' to the local community than poorer quality open spaces of the same size. Better quality open spaces can have a range of improvements, including: increased infrastructure, improved maintenance, etc.

The quality of open space is increasingly important, particularly in higher density areas where providing additional public open space is challenging. Increased investment in

open space can make it useable for a wider range of activities. Higher amenity parks include a broader suite of elements such as lighting, water features, increased planting, seating, shade trees and accessible pathways. This allows for the open space to be used by a wider range of people, for a broader range of activities. It also means the open space is more desirable for use throughout the day and into the evening.

Conceptually then, by improving the quality of open space via increased investment the intensity and diversity of uses that can occur there is also increased. It provides a higher level of 'service'.

The SGS Report points to various quantity based provision rates in the United Kingdom, the United States of America, across Australia and in the open space strategies of the Cities of Kingston (24 square metres per capita), Wyndham (30 square metres per capita) and Frankston (30.3 square metres per capita) as support for the 30 square metres per person.

Current open space provision

The MOSS calculates that there is 1,134 hectares of public open space in Monash, including *"all public, private and restricted public land and public land owned or managed by other authorities such as Parks Victoria, VicRoads and Melbourne Water."* This amounts to 14 per cent of the total area of the municipality.

The MOSS separates Monash community open space as a subset of community open space. Community open space includes all Council land fully available to the public (i.e. not restricted public access) and land that is owned by other agencies (for example Melbourne Water). The MOSS calculates community level open space to be 792 hectares, of which it identified Monash community open space as 512 hectares or 2.7ha of open space per 1000 residents.

The VEAC Discussion Paper concludes with respect to public open space for Monash:

Monash has 776 hectares of public open space on public land and local council owned land, and 4.6 hectares of public open space per thousand people. The median for the investigation area is seven hectares per thousand people.

and further:

Increasing population and limited opportunities for the creation of new public open space are likely to result in levels of public open space per thousand people within Monash remaining lower when compared to Melbourne's outer and growth municipalities.

The VPA published *Metropolitan Open Space Network – Provision and Distribution*, which provides an inventory of open space across Melbourne, in June 2017. It calculates 8.8 per cent of the Monash municipal area is public open space and a provision of 38.3 square metres of public open space per person. Council advised the Panel that the VPA used a definition of open space which included public open space, restricted public land and private open space.

The MOSS indicates that in general, residents in the north and east of the City of Monash are closer to Council's benchmark of 30 square metres of open space per person than residents in the southern and western parts of the municipality. The disparity can be broadly attributed to historic development patterns, with predominately industrial and commercial land use in the south and west, including the Monash University.

(iii) Evidence and submissions

Council submitted that the Discussion Paper sets out the benefits of public open space and the trajectory identified by VEAC would see a further decline in the provision of open space in Monash. Council added that one of the challenges for the municipality was climate change and the Discussion Paper presents the case for the role of open space in mitigating the urban heat island effect:

Parks and other treed areas and bodies of water can create cooler areas within a city by providing shading and evaporative cooling. In metropolitan Melbourne, public land containing treed nature strips and parks can reduce the impacts of urban heat islands and protect Melbourne's liveability.

Council also submitted that the Monash Urban Landscape and Canopy Vegetation Strategy identified the pressures of a decline in the permeability of open space, population growth, more hard surfaces and an increased urban heat island effect. It submitted that these pressures require a material change in the provision of open space. Council also relied on open space benchmarks set by the VPA for growth areas on the basis that:

... it is reasonable for residents in urban and infill areas to have access to the same provision standard as residents in growth areas.

Council informed the Panel that the 400 metres standard is in the VPA Precinct Structure Plan Guidelines and in common use by Councils in both growth areas and non-growth areas.

The 30 square metre provision standard was recommended in the SGS Report. It is derived from the conversion of the 10 per cent Net Developable Area for residential open space used in growth areas and tested against a review of national and international norms and similar standards used by some Melbourne Councils. Council informed the Panel that the 30 square metres per capita or 3 hectares per 1000 people is a provision standard to be applied to 'community open space'.

Council added that a number of panels, notably Moreland C122 and Melbourne C209, recognise the impact of increased development on the need and demand for public open space. Council submitted that objectives in Clause 19.02-6S and Clause 19.02-6R of the Planning Policy Framework, and supporting strategies, provide further strategic justification for improving open space provision, along with the current Clause 21.10.

Ms Valente also questioned the merit of a 30 square metre per person standard, in light of the disparity in existing open space provision across the municipality. She cited the example of Clayton which has 0.6 hectares per 1000 residents and Oakleigh East/Huntingdale with 1.2 hectares per 1000 residents.

Mr and Ms Valente submitted that most of the precincts in the southern suburbs of the municipality fall well short of a public open space provision of 30 square metres per capita and this is projected to continue to 2028 in absence of any strategy by Council to acquire land. Ms Valente added:

... this draws into question the value of a macro-provisioning standard and the Amendment documentation does not contain anything to direct Council to address the shortfall in the southern part of the municipality.

Dr Spiller's response was that historic open space allocations and land use patterns do not mean a per capita provision standard is flawed. Rather, the setting of a per capita provision standard provides direction for Council to allocate funds to address the inequity in open

space access across the municipality by applying a uniform requirement for all new development.

Salta tabled *Open Space Planning Standards in Australia: in Search of Origins* (Australian Planner 2013) by A.J. Veal of the University of Sydney (Document 15) that examines the obscure origins and lack of rigour underpinning provision rates for open space standards, and argued that there was no analysis or needs assessment underpinning 30 square metres. Dr Spiller in response suggested standards were practice based and 'tried and tested', rather than scientific.

Salta submitted that the 30 square metres per capita cannot be achieved in a developed municipality like Monash and that the VPA Precinct Structure Plan Guidelines do not deal with open space as an 'equivalence'. It argued that it was a flawed approach to rely on a planning standard which could not be achieved, to derive a contribution rate.

Salta added that the exclusion of other open space in Monash such as Jells Park and smaller local open space limits the comparison to other municipalities and that if those areas were included the current provision in Monash would be closer to 4 hectares of open space per thousand residents.

Dr Spiller acknowledged that the metrics in the international and interstate references were not directly translatable to the 30 square metres standard for community open space but rather gave an indication of a range. He also acknowledged a lack of metrics on open space services that are derived from public open space contributions.

Mr Milner's evidence cited the City of Monash Annual Report which describes the municipality as having "*an abundance of open space.*" Mr Milner's evidence was that there will be a need for public open space due to an increase in density but that climate change considerations should encompass the entirety of public open space and private open space.

Mr Ainsaar's evidence supported recognising the quality aspect of public open space, and the importance of embellishments and improvements, but noted that:

Dr Spiller did not present a measurement of quality, but rather turned a quality concept into a quantity measure.

(iv) Discussion

A key question for the Panel is what relationship, if any, should there be between the current municipal wide provision of Monash community open space of 27 square metres per capita, the significant shortfall in suburbs generally to the south and west (Notting Hill, Clayton, Oakleigh East, Hughesdale, Huntingdale) and Council's proposed uniform inclusionary requirement of 30 square metres *equivalent* per capita.

In addition, a fundamental challenge for open space planning is:

- there are multiple methodologies to define open space
- there are multiple ways to classify open space
- there are multiple approaches to describe access to, provision of and distribution of open space.

The Panel appreciates the challenges of different methodologies but notes Council's submission was not assisted by the MOSS and confusion in evidence and argument around the concepts of community level open space, Monash community open space and public

open space. The Panel was not assisted by the lack of an adopted definition of the basis for the 27 square metres existing provision, and the 30 square metres per capita standard.

The SGS Report states 30 square metres is a reasonable open space provision standard for Monash. However Table 7 in the SGS Report compares provision rates that are not calculated in the same way and there are no qualifiers to indicate the standards are not directly comparable.

At a municipal-wide level, Monash benchmarks are lower on public open space than many metropolitan councils. However, the difficulty with Council's submission is that there is a large disparity across the municipality. Seven of the 12 precincts in the city have a current provision rate above 30 square metres per capita, while the remaining five precincts have significant areas of former and existing non-residential land. To this end, the Panel recognises the issues raised by Mr and Ms Valente that neither the inclusionary provision approach, nor the 30 square metres standard, are likely to improve access to open space in parts of the municipality.

Nevertheless, the Panel accepts that Council has conceptualised the 30 square metres as a macro-provisioning standard that future development should meet, and not as a tool to allocate resources. As stated above, the Panel agrees that Council's annual budget process is the appropriate process by which resources are allocated.

An area per capita metric is a useful measure to compare open space provision across and within municipalities and over time. 'Quality' is an important aspect of open space and the Panel acknowledges the challenge of establishing metrics for measuring quality of open space services.

However, the Panel finds that in absence of metrics or detail on the 'quality' component, the conceptual framework underpinning the open space contribution rate lacks rigour. The Panel notes Council's submissions and evidence to support 30 square metres as a standard were all quantity measures.

In light of all of the above the Panel considers that a distinction needs to be drawn between setting a benchmark or aspiration of 30 square metres of community open space per capita, and such a metric evolving to:

- be applied conceptually or in practice, as a requirement to be met at the subdivision or development scale
- represent an equivalence of open space services, incorporating a measure of quality
- become a planning standard, which is then used as a variable in an equation to calculate a contribution rate.

The Panel does not dispute the importance of quality in open space provision and the idea of open space services. However, further work on metrics of quality and the conceptual framework of 'open space services' would better support arguments for investment in embellishment and improvements against contribution or purchase of land. This is important because in a built-up area like Monash the opportunity to acquire additional open space is severely constrained, a view supported by the evidence presented to the Panel. Consequently most, if not all of any levy collected will be spent on upgrades and improvements and not land acquisition.

This is additionally important where concepts like climate change impacts, health and wellbeing and proximity to nature are cited as benefits of increasing and improving access to public open space.

The idea of 30 square metres per capita as a benchmark or aspiration or a comparative metric has merit. However, the Panel does not support the metric being used as a planning standard from which to derive a contribution rate. Planning standards require testing, debate and contest before being generally accepted as a planning standard. They should be derived from the Victoria Planning Provisions, from a government authority or from other sources where they have been tested through a process of review, debate and consultation. The 30 square metres per capita concept as the basis for a contribution rate has not been subject to any such process.

The Panel was not convinced that the methodology to derive the contribution rate is sound. The application of Net Developable Area as it is used in a growth area context to a developed municipality requires further review.

As discussed above, the Panel took the view that a municipal wide benchmark of 30 square metres was something of an illusory target. In a built-up area like Monash the opportunity to acquire additional open space is severely constrained, a view supported by the evidence presented to the Panel. In addition, as population increases the ratio per capita will, of necessity, decrease and so a per capita standard has only limited value. The Panel concludes that it is a flawed metric for the calculation of an appropriate open space levy rate.

(v) Conclusions

The Panel concludes that:

- Council's standard of 30 metres square per person does not adequately support the calculation of a 10 per cent contribution rate.
- An implementation plan which nominates precincts in which land acquisition will be sought and projects and works in open spaces with cost estimates is a more appropriate basis for the calculation of a contribution rate

Appendix A Submitters to the Amendment

No.	Submitter
1	Knox City Council
2	Friends of Damper Creek Reserve Inc.
3	Ralph Pane
4	Whitehorse City Council
5	South East Water
6	STM Developments
7	Bello Designs Pty Ltd
8	Aldo DiNicolantonio
9	Yaohua Zheng
10	Anthea Hall
11	Di and Chris Carra
12	Environment Protection Authority
13	Richard Menegatti
14	Ratio Consultants on behalf of Minsmere Pty Ltd
15	Urbis on behalf of Huntingdale Estate Nominees
16	Martha Morrow
17	Colin Nicholls
18	Tract Consultants on behalf of Golf Road Project Development Pty Ltd
19	Urban Development Institute Australia (Victoria)
20	Rebecca Czajkowska
21	Lyell Schoknecht
22	Sue-Ellen Kerr
23	Julia Spina
24	Friends of Scotchmans Creek and Valley Reserve Inc.
25	Neighbours for Public Green Space, Oakleigh South, Inc.
26	Sharyn Gordon
27	Hollerich Town Planning
28	George Saisanas
29	Rebecca Hateley
30	Planning and Property Partners on behalf of Salta Properties Pty Ltd
31	Marisa Mowszowski
32	Matthew Ellis

33	A & S Valente & Associates Pty Ltd
34	Planning and Property Partners on behalf of Ferntree Hill Project Pty Ltd
35	Planning and Property Partners on behalf of Make CRC Pty Ltd and Bewise (Clayton) Developments Pty Ltd
36	Housing Industry Association Ltd
37	Association of Consulting Surveyors Victoria
38	Oksana Thompson
39	Kathie Toth
40	Ying Chan
41	Brooke Flanders
42	Collie Pty Ltd
43	Susan Chua
44	Peter Chua

Appendix B Parties to the Panel Hearing

Submitter	Represented by
City of Monash	Susan Brennan SC and Rupert Watters instructed by Kristin Richardson of Maddocks, who called expert evidence on: <ul style="list-style-type: none"> - open space contributions from Dr Marcus Spiller, SGS Economics & Planning
Salta Properties (West) Pty Ltd, Golf Road Project Development Pty Ltd and Talbot Road Finance Pty Ltd	Paul Chiappi of Counsel instructed by Mark Naughton and Andrew Iser of Planning Property Partners who called expert evidence on: <ul style="list-style-type: none"> - open space planning from Rob Milner of David Lock Associates - open space analysis from Matt Ainsaar of Urban Enterprise.
Make CRC Pty Ltd and Bewise (Clayton) Developments Pty Ltd	Paul Little of Planning Property Partners
A & S Valente and Associates Pty. Ltd	Angelo and Silvana Valente
Housing Industry Association	Teresa Davis and Mike Hermon
Association of Consulting Surveyors Victoria	Gerry Shone
George Saisanas	

Appendix C Document list

No.	Date	Description	Presented by
1	25/11/2019	Request for further information	A & S Valente and Associates Pty Ltd
2	2/12/2019	Council response to Silvana Valente request	Council
3	16/12/2019	Letter from Salta Properties Pty Ltd and Ferntree Hill Projects Pty Ltd - Expert Confirmation	Planning and Property Partners for Salta Properties Pty Ltd and Ferntree Hill Projects Pty
4	3/02/2020	Letter from Monash City Council to Panel - regarding Part A submission	Council
5	"	Monash City Council - Part A submission with attachments	"
6	7/02/2020	Letter from Salta Properties, Talbot Road Finance and Golf Road Project to Panel - Expert Witness Reports	Planning and Property Partners for Salta Properties Pty Ltd, Talbot Road Finance Pty Ltd and Golf Road Project Development Pty Ltd
7	"	Salta Properties and others - Expert Witness Statement - Matt Ainsaar - Open Space Contributions	"
8	"	Salta Properties and others - Expert Witness Statement - Rob Milner - Open Space Contributions	"
9	10/02/2020	Letter from Monash City Council to Panel - regarding evidence	Council
10	"	Monash City Council - Expert Witness Statement - Marcus Spiller - Open Space Contributions	"
11	12/02/2020	Monash City Council - Expert Witness Statement - Marcus Spiller - Appendix B and C – with correction	"
12	17/02/2020	Monash City Council – Part B submission	"
12(a)	"	VEAC Discussion Paper	"
12(b)	"	VEAC Final Report	"
12(c)	"	VPA Report 2017	"
12(d)	"	Moreland C122 Panel Report	"
12(e)	"	Little Lane Learning v Minister for Planning	"

No.	Date	Description	Presented by
12(f)	"	Stubbs Street Kensington v Melbourne CC	"
12(g)	"	Planning and Environment Act s 4	"
12(h)	"	Subdivision Act s 18	"
12(i)	"	Maribyrnong C137 Panel Report	"
12(j)	"	Melbourne C209 Panel Report	"
12(k)	"	Subdivision Act s 20	"
12(l)	"	Stupak v Hobsons Bay CC	"
12(m)	"	Yarra Ranges C148 Panel Report	"
12(n)	"	Planning and Environment Act s 46K	"
12(o)	"	PSP Guidelines	"
12(p)	"	Arden Macaulay Structure Plan	"
12(q)	"	Monash Planning Scheme Clause 21.01	"
12(r)	"	VPA Report 2017	"
12(s)	"	SGS 2018 report.	"
12(t)	"	Monash Open Space Strategy (MOSS) – October 2018	"
12(u)	"	Maribyrnong Clause 53.01 schedule.	"
12(v)	"	Subdivision Act s 18A	"
12(w)	"	Monash C129 Panel Report	"
12(x)	"	Eddie Barron Constructions v Pakenham	"
12(y)	"	Maroondah City Council v Fletcher - [2009] VSCA 250	"
13	"	Open Space Collection Documents – Summary of previous POS Expenditure	"
14	"	Update of Table 8 of SGS Open Space Contribution Framework – including updated population forecasts	"
15	"	Open Space Planning Standard in Australia	Salta Properties Pty Ltd, Golf Road Project Development Pty Ltd and Talbot Road Finance Pty Ltd
16	19/02/2020	Dr Spiller Slides - Calculating Open Space Contributions, SGS	Council
17	"	Revised Table 8 and Table 5, SGS	"
18a	"	Batch of Documents relating to Salta: Landscape Masterplan 14 12 02	Salta Properties Pty Ltd, Golf Road

No.	Date	Description	Presented by
			Project Development Pty Ltd and Talbot Road Finance Pty Ltd
18b	"	Extracted pages from 190528 DPO RFI	"
18c	"	Extracted pages from Landscape Concept Masterplan Rev3	"
18d	"	Nexus Aerial with annotations	"
18e	"	Nexus Corporate Park – Landscape Master Plan – April 2019	"
18f	"	633 Springvale Road – New office Development	"
19	"	Open Space Strategies Planning Practice Note 70	Council
20	20/02/2020	Submission for Salta Properties Pty Ltd, Golf Road Project Development Pty Ltd and Talbot Road Finance Pty Ltd	Salta Properties Pty Ltd, Golf Road Project Development Pty Ltd and Talbot Road Finance Pty Ltd
21	"	George Saisanas submission	Mr George Saisanas (by email)
22	"	Submission by Make CRC Pty Ltd and Bewise (Clayton) Developments Pty Ltd	Make CRC Pty Ltd and Bewise (Clayton) Developments Pty Ltd
23	"	PMP Printing site	"
24	"	Public Open Space Contributions	A & S Valente and Associates Pty Ltd
24	"	Angelo and Silvana Valente submission	"
24a	"	Monash C129 Panel Report dated 11 September 2018	"
24b	"	Work Plan (existing conditions) approved by ERR on 28 September 1998	"
24c	"	Work Plan (rehabilitation works) approved by ERR on 28 September 1998	"
24d	"	Reclamation Management Plan approved by ERR on 28 September 1998	"
24e	"	Section 173 Agreement 1221-1249 Centre Road, Oakleigh South	"
25	"	Housing Industry Association (HIA) Submission	Housing Industry Association
26	21/02/2020	VPA Metropolitan Open Space Network Provision and Distribution (June 2017)	Council

No.	Date	Description	Presented by
27	"	Explanatory Note – Figure 4 and Community Open Space	"
28	"	SGS Document - Exclusions in Figure 4: Access to Open Space	"
29	"	Public Open Space Contribution at the City of Monash	"
30	"	Summary of Council's total Capital Expenditure (past 5 years)	"
31	"	Monash City Council Closing submission	"
32	"	Kingston and Maribyrnong Planning Scheme extracts	"
33	"	Consulting Surveyors of Victoria - presentation notes for Hearing	Mr Gerry Shone
34a	21/02/2020	Documents used in the cross examination of Mr Milner: - Taylors-Hill-West-Precinct-Structure-Plan-May-2010	Council
34b		Wyndham C141 Incorporated Document-Ballan Road Precinct Structure Plan December 2014 Approval Gazetted	"
34c		Point-Cook-West-Precinct-Structure-Plan-October-2012	"
34d		Metropolitan-Open-Space-Strategy-Open-Space-Category-Definitions	"
34e		Minta-Farm-Precinct-Structure-Plan-approved-and-gazetted-December-2018	"
34f		GC75-Incorporated-Documents-Botanic-Ridge-Development-Contributions-Plan	"
34g		Manor-Lakes-Precinct-Structure-Plan-March-2012	"
34h		Kingston Public Open Space Contributions Review final report-170608	"
34i		GC28 Incorporated Document -Donnybrook-Woodstock Precinct Structure Plan October 2017	"
34j		Casey-C125-Cranbourne-North-Stage-2-Precinct-Structure-Plan-June-2011-approved	"
34k		Epping North East Local Structure Plan	"
35	13/03/2020	Monash City Council - Final Proposed amended wording for Clause 22.15 and Schedule to Clause 53.01	"

Monash Planning Scheme Amendment C148 | Interim Panel Report | 7 April 2020

7.5 INTENTION TO DECLARE A SPECIAL CHARGE: SOLAR SAVER RESIDENTIAL (BATCH 3)**Author:** Coordinator Solar Saver**Reviewed By:** General Manager City Sustainability and Strategy

PURPOSE

To recommend that Council give notice of its intent to declare a Special Charge for the first batch of the residential Solar Saver program for the 2020-21 financial year.

EXECUTIVE SUMMARY

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

The proposed Special Charge scheme relates to the 2020-21 program. Officers are recommending starting consultation with community ahead of the new financial year (via the intention to declare the special charge process) so that installation could take place early in the 2020-21 year. After it has received any community feedback, Council would decide whether to declare the special charge in July 2020.

Council has already arranged for quotes for the 41 residential properties identified in this batch and this would add **189.09kW** of solar to Darebin. In line with Council's planned focus in 2020-21 as included in the draft budget, these are all residential and low income households.

The proposed Special Charge scheme totals **\$259,351.44 (Special Charge Amount** - see also Appendices A and B) (\$374,112.68 gross including GST and pre Small-scale Technology Certificate [STC] claim).

Council will pay upfront for installation and supply of the solar power systems as listed in Appendix C. Council will be repaid these costs, also as detailed in Appendix C. Around 30% to 40% of this cost is returned to Council at the point that works are invoiced for the STC credits generated by the solar systems. The balance is repaid by beneficiaries of the Special Charge Scheme over 10 years. All participants are also expected to be eligible for state government rebates and this is expected to reduce the amount of the Special Charge that would be required to be raised, as well as the upfront cost to Council. Officers estimate that the total upfront cost will be reduced by approximately \$70,340.71 after rebates are confirmed.

No interest is charged to ratepayers on Special Charge repayments. Annual repayments are more than offset by participants' savings on their energy bills, and therefore the program provides financial and environmental benefits to participants from the outset.

Recommendation**That Council:**

- 1) Council hereby gives notice of its intention to declare a Special Charge in accordance with section 163 of the *Local Government Act 1989 (Act)* as follows:
 - (a) Council declares a Special Charge for the period commencing on the day on which Council issues a notice levying payment of the special rate and concluding on the tenth anniversary of that day.
 - (b) We declare this Special Charge for the purpose of defraying any expense incurred by Council in relation to the provision of solar energy systems on residential properties participating in the Solar Saver scheme, which:
 - i. Council considers is or will be a special benefit to those persons or organisations required to pay the Special Charge (and who are described in succeeding parts of this resolution); and
 - ii. Arises out of Council's functions of advocating and promoting proposals which are in the best interests of the community and ensuring the peace, order and good government of Council's municipal district.
 - (c) The total:
 - i. Cost of performing the function described in paragraph 1(b) of this resolution is \$259,351.44; and
 - ii. Amount for the Special Charge to be levied is \$259,351.44, or such other amount as is lawfully levied as a consequence of this resolution
 - (d) We declare the Special Charge in relation to all rateable land described in the table included as Appendix B to this report, in the amount specified in the table as applying to each piece of rateable land.
 - (e) Ownership of any land described in paragraph 1(d) of this resolution is the basis of the Special Charge.
 - (f) The Special Charge will be assessed and levied as follows:
 - i. Each Special Charge is calculated by reference to the size of the solar energy system being installed and the particular costs of installation at each property participating in the Solar Saver scheme, in respect of which an Owner Agreement has been executed, totalling \$259,351.44, being the total cost of the scheme to Council;
 - ii. The Special Charge will be levied each year for a period of 10 years.
 - (g) Having regard to the preceding paragraphs of this resolution and subject to section 166(1) of the Act, it is recorded that the owners of the land described in paragraph 1(d) of this resolution will, subject to a further resolution of Council, pay the Special Charge in the amount set out in paragraph 1(f) of this resolution in the following manner:
 - i. Payment annually by a lump sum on or before one month following the issue by Council of a notice levying payment under section 163(4) of the Act; or
 - ii. Payment annually by four instalments to be paid by the dates which are fixed by Council in a notice levying payment under section 163(4) of the Act.

- 2) Council considers that there will be a special benefit to the persons or organisations required to pay the Special Charge because there will be a benefit to those persons or organisations that is over and above, or greater than, the benefit that is available to persons or organisations who are not subject to the proposed Special Charge, as a result of the expenditure proposed by the Special Charge, in that the properties will have the benefit of a solar energy system being installed.
 - 3) For the purposes of having determined the total amount of the Special Charge to be levied:
 - (a) Council considers and formally records that only those rateable properties included in the Solar Saver scheme as proposed will derive a special benefit from the imposition of the Special Charge, and there are no community benefits to be paid by Council; and
 - (b) Formally determines for the purposes of section 163(2) (a), (2A) and (2B) of the Act that the estimated proportion of the total benefits of the Special Charge to which the performance of the function or the exercise of the power relates (including all special benefits and community benefits) that will accrue as special benefits to the persons who are liable to pay the Special Charge is 100%.
 - 4) Council will give public notice in the Northcote Leader and Preston Leader newspapers of Council's intention to declare, at its ordinary meeting to be held on 16 December 2019, the Special Charge in the form set out above.
 - 5) Council will send separate letters, enclosing a copy of: this resolution; Appendix B to this report; and the public notice referred to in Paragraph 4 of this resolution, to the owners of the properties included in the scheme, advising of Council's intention to levy the Special Charge, the amount for which the property owner will be liable, the basis of calculation of the Special Charge, and notification that submissions and/or objections in relation to the proposal will be considered by Council in accordance with sections 163A, 163B and 223 of the Act.
 - 6) Council will convene a meeting of the Hearing of Submissions Committee, at a date and time to be fixed, to hear persons or organisations who, in their written submissions made under section 223 of the Act, advise that they wish to appear in person, or to be represented by a person specified in the submission, at a meeting in support of their submission.
 - 7) Council authorises the Manager Climate Emergency and Sustainable Transport to carry out any and all other administrative procedures necessary to enable Council to carry out its functions under sections 163A, 163(1A), (1B) and (1C), 163B and 223 of the Act.
-

BACKGROUND / KEY INFORMATION

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

Key aspects of the program include:

- The Solar Saver program is currently offered to residential rate payers for solar systems up to 10kW and for businesses up to 99kW.
- 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 an Owner Agreement (see **Appendix D**)
- Council declares a Special Charge and pays the upfront cost of the solar system and installation for participants when the solar systems are installed.
- Solar Saver participants pay the Special Charge over a 10 year period to reimburse council's upfront payment – which is more than offset by their energy bill savings.
- As detailed below Council has resolved that interest is not charged to residential participants and that the program will be funded through Council's existing cash reserves.

Over 1,800 households have participated in previous Darebin Council Solar programs.

Previous Council Resolutions

At the **13 August 2018** meeting it was resolved that Council:

Offers the Darebin Solar Saver Program to all residential properties, with no interest charged as part of the special charge scheme for the contract period.

Authorises inclusion in the Darebin Solar Saver Program of non-residential properties up to 30kW in size, with no interest charged as part of the special charge scheme for the contract period.

Awards the appointment of Solargain, Enviro Group and Energy Matters as supply panel membership of contract number CT201842 for the supply and installation of Solar PV Systems for the Darebin Solar Saver Program for Supply Panel 1 - residential and small, non-residential installations: 1.5-10kW systems. The contract terms are to commence on 20 August 2018 and conclude on 30 June 2021 with a contract sum of \$16,134,030 GST inclusive.

Awards the appointment of Solargain, Enviro Group and Energy Matters as supply panel membership of contract number CT201842 for the supply and installation of Solar PV Systems for the Darebin Solar Saver Program for Supply Panel 2 - non-residential installations: 10-30kW systems. The contract terms are to commence on 20 August 2018 and conclude on 30 June 2021 with a total contract sum of \$1,980,000 GST inclusive.

Approves the award of Stage 1 of implementation for Supply Panel 1 – residential and small non-residential Solar PV Systems to Solargain to deliver the supply and installation of solar PV systems between 1 January 2019 and 30 June 2019 with a total contract sum of \$2,406,030 GST inclusive.

Authorises the Chief Executive to finalise and execute the supply panel membership contracts on behalf of Darebin Council, and Stage 1 of implementation for Supply Panel 1 - Residential and Small, non-residential Solar PV systems.

At the Council meeting on **16 December 2019** Council appointed EnviroGroup as the provider for this round of the residential program:

- 9) [Council] *Awards Contract CT2019140A for the supply and installation of solar PV Systems for the Darebin Solar Saver Residential Program (Second Installation Period) with a contract sum of \$5,830,000 including GST to The Environment Shop Pty Ltd as the trustee for Environment Futures Trust, trading as EnviroGroup for the period 1 January 2020 to 30 June 2021, with the possibility of extension to September 30 2021.*

COMMUNICATIONS AND ENGAGEMENT

Consultation

All participants have received a site visit and quotation to participate in the program.

Communications

Households on Council's waiting list were contacted directly. No broad promotional activity was engaged in given that there were still many people on the waiting list. In the future the program may be advertised on the Council website, through Darebin News, newsletters and through networks, as required, to gain more participants, particularly once the Solar Bulk Buy recommences.

COVID-19 safety measures are being communicated to households who are currently progressing through the installation process.

ANALYSIS

Alignment to Council Plan / Council policy

Goal 1 - A sustainable city

Climate Emergency Plan

Environmental Sustainability Considerations

Climate Emergency

This project is a key action in the *Darebin Climate Emergency Plan 2017*. The current Special Charge batch is expected to install 189.09kW across 41 installations, with an estimated equivalent annual greenhouse gas saving of 278.28 tCO₂-e.

Equity, Inclusion and Wellbeing Considerations

This batch is made up of high priority households (i.e. those who are pensioners or on a low income) and a small number of households who had missed out on previous rounds due to financial, health or other issues. All are expected to be eligible for the Solar Homes rebate from the Victorian Government.

Cultural Considerations

Households who need interpreters or other communication support are prioritised.

Economic Development Considerations

The program is designed so that participants will save more on their energy bills than they will be paying back to Council so that they are financially better off from the outset.

Financial and Resource Implications

Should the proposed Special Charge scheme proceed, Council would pay up to **\$374,112.68** (including GST and pre STC claim), for the supply and installation of the solar PV systems on the properties in **Appendix A**.

Council will pay upfront for installation and supply of the solar power systems as listed in Appendix B. Council will be repaid these costs, also as detailed in Appendix B. Around 30% to 40% of this cost is returned to Council at the point that works are invoiced for the STCs generated by the solar systems (in 2020). The balance is repaid by beneficiaries of the Special Charge Scheme over 10 years. All participants are also expected to be eligible for state government rebates and this is expected to reduce the amount of the Special Charge that would be required to be raised, as well as the upfront cost to Council. Officers estimate that the total upfront cost will be reduced by approximately \$70,340.71 after rebates are confirmed.

The adjustments will be made after council's decision and when rebates for all participants is confirmed.

In accordance with their respective Owner Agreements Property owners will pay for the cost of the solar energy system (less any approved Solar Homes rebates), listed in confidential **Appendix C** (and subject to adjustments as above), by equal instalments apportioned over a 10-year period, commencing from January 2021.

Council is expected to receive approximately **\$19,000** in Special Charge repayments annually for this scheme over the 10-year period (after rebates have been deducted). Some participants may pay the total amount in the first year. The Special Charge scheme is effectively an interest free loan to these participants.

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.

The administrative, contract management, community engagement and communications and compliance costs associated with administration of the Solar Saver program is provided for within the 2019-2020 and draft 2020-2021 budget. The installation and supply of these solar systems is done under contract at the contract rates as adjusted for any applicable variations.

Legal and Risk Implications

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

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

A separate risk assessment has been completed in light of the recent COVID-19 outbreak, and adjustments have been made to work practices such that contact between the solar provider and households is avoided wherever possible and minimised where necessary, and in line with Victorian and Australian Government guidelines, as approved by the Darebin Council Incident Control Team for COVID-19. Council continues to monitor the outbreak and changing guidelines.

DISCUSSION

COVID-19 outbreak and impacts on the Solar Saver program

A separate risk assessment has been completed in light of the recent COVID-19 outbreak, and adjustments have been made to work practices (see risk section above).

Both residential and especially non-residential uptake has slowed due to uncertainty and other factors related to the coronavirus pandemic. Solar Saver households and businesses who have chosen to proceed at this time are well-informed, understanding, and cooperative in assisting Council and the solar providers to manage risks carefully while conducting site assessments and installations.

The solar industry can keep operating even during current restrictions as part of the wider construction industry.

Proposed Special Charge declaration

See **Appendix A** for details of the Special Charge declaration. Note that officers have sought and received legal advice regarding moving this section to an Appendix so as to make Special Charge reports more streamlined. This does not alter the validity of the Special Charge Scheme under consideration.

OPTIONS FOR CONSIDERATION

Council does not have to progress the proposed Special Charge Scheme. It could choose to defer or abandon the proposal at this stage. This is not recommended as participants would be expected to be disappointed given their long-standing interest in participating.

IMPLEMENTATION STRATEGY

Timeline

Subject to Council resolution

- Council report – intention to declare Special Charge scheme – 9 June 2020
- Copies of the proposed declaration to property owners – from 17 June 2020
- Copy of proposed declaration available for public inspection – from 17 June 2020
- Public notice of proposed declaration – from 17 June 2020
- Receipt of written submissions – by 15 July 2020
- Hearing of submissions (if required) – TBA
- Council report – declaration of Special Charge scheme – 20 July 2020
- Subject to declaration of the Special Charge scheme, installation of solar will occur from 20 July 2020 onwards over a period of around 2-3 months.
- Council may consider the establishment of another Special Charge scheme in 2020-2021

RELATED DOCUMENTS

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

Attachments

- Solar Saver - Intention to Declare a Special Charge (**Appendix A**) [↓](#)
- Solar Saver - Property Addresses (**Appendix B**) [↓](#)
- CONFIDENTIAL - Solar Saver - Property Addresses and prices (**Appendix C**)
Confidential - enclosed under separate cover
- Owner Agreement - Solar Saver Residential - Round 3.3 (**Appendix D**) [↓](#)

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 D**DISCUSSION****Proposed Special Charge declaration**

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

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

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

The guideline requires that Council identify the following:

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

A. Purpose of the Works

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

B. Ensure Coherence

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

C. Calculate the Total Cost

The proposed solar system installation includes the following items:

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

For the purposes of section 163(1) of the Act, the total cost of the works is the **Special Charge Amount** as listed in the report, calculated 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 an Owner Agreement with Council to participate in the scheme, are listed in **Appendix B**.

E. Determine Properties to Include

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

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

F. Estimate Total Special Benefits

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

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

- **TSB** is the estimated total special benefit for all properties that have been identified to receive a special benefit

- **TSB_(in)** is the estimated total special benefit for those properties that are included in the scheme
- **TSB_(out)** is the estimated total special benefit for those properties with an identified special benefit that are not included in the scheme

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

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

G. Estimate Community Benefits

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

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

H. Calculate the Benefit Ratio

The benefit ratio is calculated as:

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

Where:

$$\begin{aligned} TSB_{(in)} &= \text{Special Charge Amount;} \\ TSB_{(out)} &= 0 \\ TCB &= 0 \\ R &= 1 \end{aligned}$$

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

$$\text{Therefore } S = 1 * \text{Special Charge Amount} = \text{Special Charge Amount}$$

Note there is no community benefit amount payable by Council.

Apportionment of Costs

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

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

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

Statutory Process

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

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

COUNCIL MEETING

9 JUNE 2020

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

Each listed property has been assessed as to the size of solar panel and installation costs and the owner has been provided a quotation to have a solar energy system installed at their property. The Special Charge will not be declared for properties who have not signed an Owner Agreement.

RESIDENTIAL BATCH 3**FULL LIST OF ADDRESSES**

	Address
1	3 Nash Street NORTHCOTE VIC 3070
2	3/1B Bower Street NORTHCOTE VIC 3070
3	147 Hutton Street THORNBURY VIC 3071
4	11 Claude Street NORTHCOTE VIC 3070
5	259 Clarke Street NORTHCOTE VIC 3070
6	48 Ballantyne Street THORNBURY VIC 3071
7	127 The Fairway KINGSBURY VIC 3083
8	541 Murray Road PRESTON VIC 3072
9	139 Wood Street PRESTON VIC 3072
10	170 Gladstone Avenue NORTHCOTE VIC 3070
11	5 Alfred Street PRESTON VIC 3072
12	35 Walker Street NORTHCOTE VIC 3070
13	4 Butler Street PRESTON VIC 3072
14	21 Grange Boulevard BUNDOORA VIC 3083
15	12 Ellesmere Street NORTHCOTE VIC 3070
16	25 James Street PRESTON VIC 3072
17	1/11 Erskine Avenue RESERVOIR VIC 3073
18	2/18 Bradshaw Street KINGSBURY VIC 3083
19	19 Frankston Street RESERVOIR VIC 3073
20	5 Adeline Street PRESTON VIC 3072
21	26 Clements Grove RESERVOIR VIC 3073
22	100 Bent Street NORTHCOTE VIC 3070
23	14/41-43 Leinster Grove NORTHCOTE VIC 3070
24	21 Etnam Street PRESTON VIC 3072
25	11/2A Crookston Road RESERVOIR VIC 3073
26	1/273-275 Mansfield Street THORNBURY VIC 3071
27	79 Hotham Street PRESTON VIC 3072
28	2 Greenock Street RESERVOIR VIC 3073
29	3/50 Whitelaw Street RESERVOIR VIC 3073
30	134 North Road RESERVOIR VIC 3073
31	16/25 Veronica Street NORTHCOTE VIC 3070
32	3/14 White Street RESERVOIR VIC 3073
33	67 Victoria Road NORTHCOTE VIC 3070

COUNCIL MEETING

9 JUNE 2020

34	33B Whalley Street NORTHCOTE VIC 3070
35	115 Raleigh Street THORNBURY VIC 3071
36	4 Blythe Street THORNBURY VIC 3071
37	41A Mc Lachlan Street NORTHCOTE VIC 3070
38	16 Mercil Road ALPHINGTON VIC 3078
39	58 Queen Street RESERVOIR VIC 3073
40	29 Keith Street ALPHINGTON VIC 3078
41	151 Harold Street THORNBURY VIC 3071

SUMMARY

TOTAL kilowatts to be installed	189.09
Number of installations	41
TOTAL cost to households (ex GST, post STC, pre rebate)	\$ 259,351.44
Cost to Council inc GST	\$ 285,286.58
Projected price of STCs to be claimed inc GST	\$ 88,826.10
Projected rebates from Solar Victoria (ex GST)	\$70,340.71
Projected GROSS total cost to Council (inc GST, before STCs claimed or rebates applied)	\$374,112.68

Darebin Solar Saver Program

Owner Agreement



[Name of property owner]
Address line 1
Address line 2

Key details

Commencement Date:	This agreement commences when Council receives and acknowledges a valid signed copy of this document from you.
Expiry date:	10 years after issuing of first Special Charge Notice OR when cost is paid out in full (whichever is the later date).
Cost of the Solar Energy System:	<p>[MERGE quote amount (ex GST, post STC)]</p> <p>See also Schedule 2 (your quotation).</p> <p>Note: IF you apply for the Solar Homes rebate from the Victorian Government and your application is approved, the final cost to you will be:</p> <p>[MERGE post-rebate total ex GST, post STC] (Please refer to information about Solar Homes rebate provided separately.)</p>
Amount payable by the Owner in each quarterly Special Charge notice:	<p>An amount equal to 1/40th of the total cost, being approximately:</p> <p>\$ (MERGE amount) per quarter (for forty quarterly payments – please note the first payment will be slightly higher)</p>
This includes:	The supply and installation of the solar system, and any repair or replacement covered by the warranty during the warranty period.
This does not include:	Any fee charged by your energy retailer or distributor (apart from meter consolidation if required) or unforeseeable associated electrical works such as rewiring, general maintenance, service calls or repair or replacement outside the warranty, or any Council planning permit fees required, such as heritage application fee (if applicable).
Option to withdraw from agreement:	This agreement is entirely voluntary. The Owner can withdraw their agreement, without penalty, any time up to one week (5 business days) before their installation date (as scheduled by EnviroGroup). If the Owner chooses to withdraw less than one week (5 business days) before their scheduled installation, the Owner may be charged a cancellation fee.
For any queries please contact:	<p>Darebin City Council 03 8470 8888 www.darebin.vic.gov.au solar@darebin.vic.gov.au PO Box 91, Preston VIC 3072</p>

BACKGROUND

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

It is agreed as follows:

1) Term of Agreement

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

2) Pre-Conditions

- a) The provision of a Solar Energy System to the Owner under this Agreement is conditional on the following taking place and remaining in place:
- i) Council entering into and maintaining a contract with a company to supply and install the Solar Energy System to the Owner as part of the Program;
 - ii) Council declaring the Special Charge Scheme to recover the costs of the Program and this Scheme remaining valid;
 - iii) Council granting a permit to the Householder, if required for heritage reasons as set out in the Darebin Planning Scheme;
 - iv) The Owner paying for the above permit;
 - v) If the property is tenanted, the Owner securing the permission of the Tenant to enter the Owner's property for the purposes of installation (see also Clause 6 and Schedule 2 (your quotation);
 - vi) The Owner paying any other outstanding Rates or Charges owed to Council;
 - vii) The Owner not exercising the option to withdraw.
- b) If the pre-conditions in clause a) have not been satisfied by May 31 2021 this Agreement immediately ends and each Party is released from its obligations under this Agreement.

3) Payment for Solar Energy System

- a) The Cost of the Solar Energy System is the total amount set out under Key Details on page 1 and itemised in Schedule 2 (your quotation). This amount purchases the supply and installation of the Solar Energy System and any required repair or replacement covered by the warranty during the warranty period. This amount does **not** cover any fee charged by your energy retailer or distributor (apart from meter consolidation if required) or unforeseeable associated electrical works such as rewiring; general maintenance, service calls or repair or replacement outside the warranty, or any Council planning permit fees required, such as heritage application fee (if applicable).
- b) The Cost of the Solar Energy System under clause a) may be adjusted by Council during the term of this Agreement if, for a reason beyond the control of Council or the Contractor, further costs are required to be incurred in supplying or installing the Solar Energy System.
- c) Council envisages that any adjustment to the Cost of the Solar Energy System under clause b) will only arise where the Owner agrees to the change and where:
 - i) there is a change to legislation applicable to, or regulation of, the installation of the Solar Energy System (eg changes to Renewable Energy Certificates); or
 - ii) the installation of the Solar Energy System originally quoted for changes as a result of building works undertaken at the Owner's property or a request to change the location or design of the Solar Energy System by the Owner (which could also alternatively be charged separately to the Special Charge as a once-off invoice)..
- d) Any adjustment under clause b) that is more than 10% above the Cost of the Solar Energy System as on Page 1 will be made by way of a variation to the Scheme, in accordance with section 166 of the *Local Government Act 1989*. That is, where a variation would result in a change to the Owner's liability under the Scheme of 10% or more, the Owner will have an opportunity to make submissions to Council in respect of it and, if the Solar Energy System has not already been installed, withdraw from the Scheme.
- e) Payment for the Cost of the Solar Energy System will by default be apportioned in quarterly instalments over a 10-year period, commencing after the system has been installed (depending on rates timelines, this may be up to 6 months after installation). The amount payable by the Owner per quarter is set out in Key Details (page 1).
- f) Commencing after the installation of the solar system the Owner will receive a Special Charge notice each quarter setting out their liability under the Scheme for the property at which the Solar Energy System is installed, until their liability under the Scheme is discharged in full.
- g) The Owner may alternatively choose to pay the Cost of the Solar Energy System sooner by arrangement with Council's Rates Team.
- h) Unless otherwise agreed between the Parties, all payments are due at the date set out in each Special Charge notice. In the event that payment has not been made by the due date, Penalty Interest may be payable upon any outstanding amounts, in accordance with the *Local Government Act 1989* and this Agreement.
- i) Any delay or adjustment to the delivery date for the Solar Energy System within the installation period or adjustment to the Cost of the Solar Energy System under clause b) does not entitle the Owner to delay or withhold payment under this Agreement.

4) Council's Obligations

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

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

5) The Owner's Obligations

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

6) Assignment of Warranties

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

7) No Guarantee of Savings

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

8) No Liability

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

9) Ownership of Solar Energy System

- a) Ownership of the Solar Energy System remains fully vested in Council during the term of the Agreement, unless the Solar Energy System is otherwise paid for in full in accordance with Section 3, at which time the ownership of the Solar Energy System vests in the Owner.
- b) Once all payments payable under this Agreement have been made by the Owner in accordance with Section 3, the full ownership of the Solar Energy System will pass from Council to the Owner.

10) Termination

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

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

11) No Fettering of Council's Powers

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

12) Entire Agreement

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

13) Joint and Several Liability

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

14) Severability

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

15) Governing Law

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

16) Disputes

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

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

17) Definitions

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

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

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

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

Program means the "Solar Saver Program" of Council.

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

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

Special Charge Scheme means the mechanism by which Council, under the *Local Government Act 1989*, recovers the costs of the Solar Energy Systems provided as part of the Program. This scheme allows Council to buy your solar system upfront and you to pay back the cost over time. The way this works is that Council will charge you a small payment each quarter (a Special Charge). This is issued on a Special Charge Notice which is separate from but similar to your rates notice. You can repay Council over 10 years in this way. You can choose to pay your system off sooner if you choose.

Tenancy Act means the *Residential Tenancies Act 1997*.

18) SIGNED as an agreement between:

 DATE: SIGNED for and on behalf of Darebin City Council ACN 75 815 980 522 by Sally MacAdams Coordinator Solar Saver Darebin City Council	Owner 1: _____ Owner 2 (if applicable): _____ DATE: SIGNED by [Ratepayer name (s)]
--	---

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

Cost of the Solar Energy System	[MERGE quote amount (ex GST, post STC)] See breakdown provided at Schedule 2 (your quotation). Note: IF you apply for the Solar Homes rebate from the Victorian Government and your application is approved, the final cost to you will be: [MERGE post-rebate total ex GST, post STC]
Amount payable by the Owner in each quarterly rates notice	An amount equal to 1/40 th of the total cost, being approximately: \$ (MERGE amount) per quarter (for forty quarterly payments)
This includes:	The supply and installation of the solar system, and any repair or replacement covered by the warranty during the warranty period.
This does not include:	Any connection fee charged by your energy retailer or distributor or unforeseeable associated electrical works; any general maintenance, service calls or repair or replacement not covered by the warranty.
Option to withdraw from agreement:	This agreement is entirely voluntary. The Owner can withdraw their agreement, without penalty, any time up to one week (5 business days) before their installation date (as scheduled by EnviroGroup). If the Owner chooses to withdraw less than one week (5 business days) before their scheduled installation, the Owner may be charged a cancellation fee.

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

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

Schedule 1

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

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

I,

[Tenant's full name]

a tenant to whom the premises at.....

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

«Installs.Install Suburb VIC Postcode»

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

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

SIGNED by:

.....
Signature

Date:

.....
Full Name

7.6 TRAFFIC MANAGEMENT AROUND SCHOOLS IN DAREBIN AND CHEDDAR ROAD LOCAL AREA PLACE-MAKING PROJECT

Author: Transport Engineer

Reviewed By: General Manager City Sustainability and Strategy

EXECUTIVE SUMMARY

This report outlines the work Council has done to progressively and significantly improve safety around schools over the last five years. Council has invested over \$ 3.5 million in improvements and new infrastructure and has also reduced speed limits on roads within Darebin. In that time the collision rate and severity have reduced by 30% on both Darebin and State Government managed roads.

Council commenced improvements by initially addressing all the high-risk issues and more recently has also addressed the majority of the medium-risk issues around schools. These issues were identified through safe travel to school audits.

However, there remains more work to be done to further improve the safety on Darebin's roads. The Safe Travel Strategy 2018 identifies the benefits and priorities for where safety improvements around schools could be made.

This report also recommends that Council consult the community on a draft proposal for improvements in the Cheddar Road Local Area which are expected to further improve safety and make the area less attractive for non-local traffic to use as a through-route. To develop this draft proposal, officers have sought community input and to understand needs and issues and also completed technical assessments.

Recommendation

That Council:

- (1) Notes the progress of traffic safety improvements work near schools.
- (2) Endorses the draft concept designs for the Cheddar Road Local Area Place-making and seeks community feedback on these draft proposals.

BACKGROUND

At its meeting of 6 November 2019 Council sought a report on work that addresses safety and traffic calming measures around schools in Darebin.

Since starting Safe Travel to School audits in 2012, an action from the Safe Travel Strategy, improvements have been made to the road environment to address all the high-risk items identified as well as the majority of the medium risk items in the audits.

The projects that remain from those audits are evaluated and prioritised along with other road safety improvements identified through other means (such as via reports from residents, or other similar programs) to be considered for delivery through the standard budget process.

Darebin's Safe Travel Strategy 2018-2028 has been developed to assist people of all ages to be free to travel on road and path networks safely and with confidence and plays an important role in implementing aspects of Age Friendly Darebin.

Work has also been progressing to design safety improvements within the Cheddar Road Local Area, which will also improve safety when travelling to school. Draft concept designs have been developed with substantial input from community.

Previous Council Resolution

At its meeting on 6 November 2019, Council resolved the following:

***That** Council requests that Council Officers prepare a report for Council which provides an update on work that addresses safety and traffic calming measures around schools in Darebin, and that this report:*

- a) Identifies priorities for works near primary and secondary schools that need further improve safety and traffic calming measures within a 400m radius.*
- b) Maps the calming measures put in place around and near the schools, and*
- c) Identifies how priorities have considered accidents that have occurred near schools.*

COMMUNICATIONS AND ENGAGEMENT

Consultation

Darebin Safe Travel Strategy

To develop this strategy, community members were engaged. This included telling us what type of traveller they are, and what types of issues they have when getting around by their preferred mode of transport. A key feature of this and previous relevant Strategy is safe travel to school audits.

Safe Travel to School audits have been taking place since 2012 to identify the priorities around the schools. During the audit process, schools are engaged to provide the feedback on main travel routes by their students and associated challenges to reach the school.

Projects for Construction

Schools and the surrounding community have been consulted prior to and through the development of any infrastructure improvements around the schools.

Cheddar Local Area Place Making project

In February and March 2018, an area wide consultation was undertaken for the Cheddar LAPM which included two community drop in sessions at the Keon Park Children's Hub with over 100 people attending. This allowed valuable information to be gathered from the community so a better understanding was held of residents' issues, concerns and treatments they would like for area. Following these initial engagement events and evaluation of traffic and collision data, an issues and opportunities report with draft concept designs was prepared.

A working group was formed from various residents within the Cheddar LAPM area that were a representative cross-section of demographics and dispersed throughout the area to review the draft report and concept designs and to provide feedback.

There have been two working group meetings with a request for more information about the treatment types at the meeting in September 2018 and support was received in October 2019 from the working group on the draft concept designs.

Communications

Road Safety Projects

Schools and surrounding community have been engaged for the road safety projects that have been delivered around schools to date. This is an embedded practice and a similar approach will be taken for any upcoming projects.

Cheddar LAPM

A comprehensive communications and engagement plan for the Cheddar LAPM project will be developed. Subsequent to a Council decision on the draft concept designs, public consultation will be progressed in alignment with the plan.

The communications materials will ensure that the impact of the proposals is clear, including any changes to parking arrangements and also any removal of vegetation and trees.

Due to the current Covid-19 pandemic and restrictions on the size of gatherings, the community engagement will be without face to face events. We will ensure to reach out to community and stakeholder groups ensuring we are able to contact those most vulnerable.

ANALYSIS

Alignment to Council Plan / Council policy

Goal 1 - A sustainable city

The infrastructure delivered near schools has and will continue to support people walking, wheeling and riding safely. Future improvements that are planned will further improve the safe operation of our road network and support people in choosing sustainable modes of transport.

Goal 3 - A liveable city

The Cheddar LAPM project closely aligns with the expected outcomes of several Council policies/strategies, including the Darebin Transport Strategy, Walking Strategy, Safe Travel Strategy, Darebin Cycling Strategy, Breathing Space Streetscape Strategy, and Climate Emergency Plan.

Goal 1 of Safe Travel Strategy 2018-2028

The substantial work completed over time to improve safety near schools is an important part of delivering on the goals of the Safe Travel Strategy, which aims to prioritise the safety of vulnerable road users. Council has a current and future commitment to significant safe travel programs including the Cheddar LAPM, a range of other safety works, the Streets for People program and the Octopus Schools program which will continue to improve safety and deliver on this strategy.

Environmental Sustainability Considerations

The safety improvements around the schools and Cheddar Road Local Area Place making project focuses on vulnerable road users and improving conditions in the street environment to increase the number of participants in active travel, while minimising the use and impact of vehicles. Where possible, passive irrigation and water sensitive urban design principles are applied to road safety treatments, along with landscaping.

Four mature Desert Ash trees, which are non-native and an invasive species, with some dead wood are proposed to be removed as part of the Cheddar / Dole Avenue intersection changes. Up to 23 other small trees recently installed would also be required to be relocated to places nearby so they can be retained for community enjoyment.

Climate Emergency

These works contribute to addressing the Climate Emergency by creating safer road infrastructure around schools, to support the use of sustainable modes of transport such as walking and cycling and helps to lower the number of cars dropping students at schools. Therefore, reductions in traffic and greenhouse gas emissions.

These projects have a clear alignment with Key direction 4 of the *Climate Emergency Plan 2017-2022*, in particular Objective 1 “Reduce the number of private vehicle kilometres travelled in Darebin by increasing the share of public transport use, walking and cycling”, and Key direction 7 to reduce the heat island effect, by increasing tree cover.

Equity, Inclusion and Wellbeing Considerations

An Equity, Inclusion & Wellbeing Planning Audit assessment was completed for Cheddar LAPM, through which it was recognised that the project has key outcomes for Darebin’s diverse community including:

- Accessibility compliance through design (DDA)
- Designing of facilities for all ages and abilities
- Outcomes that encourage more physical activity, general wellbeing & health through walking and cycling
- Streets becoming safer and less intimidating for local communities to use
- Providing spaces for people to gather and be socially connected to their neighbourhoods

Cultural Considerations

Cultural and creative responses to issues around schools and Cheddar LAPM project will be considered through the engagement process, and at the design point of the process.

Economic Development Considerations

With lower traffic speeds and improved amenity through greening / shading opportunities, this will encourage more walking, wheeling and riding trips locally to support businesses.

Financial and Resource Implications

The detailed design and delivery of work as proposed in the Cheddar LAPM draft concept designs will be prioritised and delivered over many years, subject to Council’s available budget and competing works of similar type. State Government safer roads and annual

Federal Government Blackspot grant funding applications will continue to be prepared to assist in funding the delivery of the proposals.

An application has been made for improving the safety at the intersection of Cheddar Road with Carrol Street and Gladstone Avenue that falls within the scope of the Cheddar LAPM. Confirmation has yet to be received on the outcome of this application.

Legal and Risk Implications

Overall improvements around schools and as part of the Cheddar LAPM project are expected to reduce safety risk, including by slowing traffic and reducing traffic volumes through local streets. Road improvement designs are done to required standards.

DISCUSSION

Safety Changes around Schools

Safe Travel to School Audits (audits) were started in 2012 as a goal in the previous Safe Travel Strategy 2010— 2015. This goal has been important for being able to identify and prioritise safety changes near schools, which has been retained in the current Safe Travel Strategy 2018-2028. Specifically, goal no 1 “*Prioritise the safety of vulnerable road users*”.

Information from the audits including common routes provided by the schools, route safety assessment and review of collision data has been used to design and implement improvements to the road environment to substantially improve walking, wheeling and riding.

All of the high-risk items identified in the audits have been addressed as well as the majority of the medium-risk items. Projects that were identified in the audits but which have not yet been implemented are prioritised along with other road safety improvements identified through other means (such as via reports from residents, or other similar programs) for consideration for funding through Council’s annual budget process.

Mapped safety changes

The map of safe travel to school improvements (**Appendix A**) provides an overview of where safety treatments have been constructed. The majority of these treatments were built after 2012. The map is colour coded to demonstrate the following categories of changes that have been installed. The following list forms the categories:

- School crossings and raised thresholds
- Pedestrian operated signals and traffic signals
- Speed humps and speed cushions
- Central pedestrian islands
- Raised intersections
- Other (including; traffic island extensions, kerb outstands, flashing 40km signs, shared path and separate bike entry/exit points)

The map shows all schools in Darebin but is not an exhaustive list of road safety treatments in Darebin. The locations on safe travel to school routes and within 400m radius of schools are shown. All schools except the Ivanhoe Grammar School, which we have been working with separately since their opening, have had a safe travel to school audit completed.

The table below provides an example of the details that underpin the safe travel to school treatments map in **Appendix A** – detailing, for illustrative purposes, the specific improvements made near four of the schools.

School	Treatments
William Ruthven Secondary Collage	Two raised children's crossings on Merrilands Road
	Raised intersection at Merrilands Rd and Balfour St
Reservoir West Primary School	Raised pedestrian crossing at the intersections of Carrington Rd / Bonview St
	Raised pedestrian crossing at Kingsley Rd / Bonview St
Northern School of Autism	Raised children's crossing on Gertz Ave
Bell primary school	Raised children's crossings on Scotia St
	Raised children's crossings on Oakover Rd

Cheddar Road Local Area Place-making Project (Cheddar LAPM)

Study Area

The area was defined as the Cheddar Road local area place-making area and prioritised for investigation due to the findings of a previous study that showed there is a cluster of high-risk roads in this area. The area was defined as shown in Figure 1 using major roads, the municipal boundary and the northern end of the Darebin Creek.

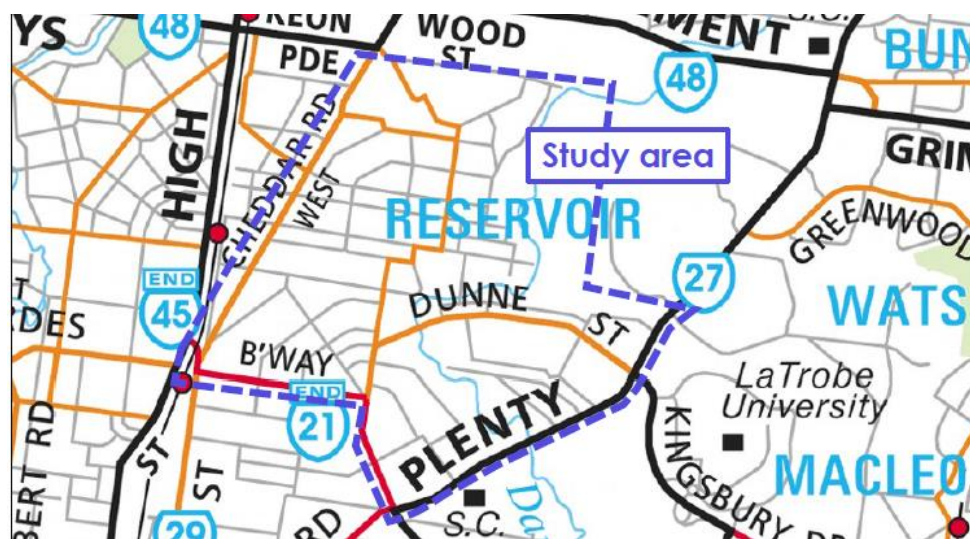


Figure 1: Study Area of Cheddar LAPM

Through analysis of the existing conditions data (crash history, speed and volume surveys) it was confirmed that there are high volumes of non-local traffic within residential streets in the study area, vehicle speeds were high (especially around schools) and collision rates involving vulnerable road users is above average. This information can be seen in **(Appendix B)** the Cheddar Road Local Area Place-making Project study report.

Round 1 Community Engagement Summary

Community feedback has been received through the first round of engagement about issues across the area including items related to the main roads on the boundary of the area. These items have been referred to the Department of Transport where relevant and the information from the community and transport data is being used to advocate for change.

Advocacy to the Department of Transport supported by the information collected so far on the Cheddar LAPM project includes:

- An improved crossing of Broadway at Fordham Road for people walking, wheeling or riding to access the Reservoir leisure centre, and
- Improved safety at the roundabout of Broadhurst Avenue and Broadway to support safer access for students attending Reservoir East Primary School to travel by foot to the Reservoir Leisure Centre.

It is known that the level crossing removal project in Reservoir will assist in addressing the concern of congestion along Broadway.

The consultation and technical work identified a clear need to provide for a safe pedestrian crossing of Cheddar Road, near Crookston Road. Given the size of this road, works to do this would be substantial and there are several possible solutions with different pros and cons. Considering a crossing at this intersection would therefore need specific and targeted consultation in alignment with the endorsed Northern Streets for People corridor and a proposal to introduce a crossing at this point is not included in the draft concept designs. Further investigation into this issue is proposed to be done in future years.

The main needs of the community are to improve safety and reduce vehicle speeds through local streets, especially from non-local traffic.

Cheddar Road LAPM Study Report Summary

Collision Data

Every casualty crash which is attended to by Victoria Police throughout the state is recorded in the publicly available VicRoads CrashStats database.

An analysis of the collision data showed the following:

- There were 254 casualty crashes in study area over the previous 5 years
- Of these crashes, 1 resulted in a fatality, 60 in serious injury and the remaining 180 'other injury'
- There are several locations with an identified pattern of crashes on the local road network, on Cheddar Road at the median crossings, and at the intersection of St Vigeons Road / Invermay Street
- A total of 34 casualty crashes involving motorcycles, 35 involving pedestrians and 21 involving cyclists
- Of crashes involving vulnerable road users (i.e. cyclists and pedestrians), 30% were serious injury or fatal crashes as opposed to 20% of vehicle only crashes
- 30% of all casualty crashes across the area involved a cyclist or pedestrian, which is higher than the Victorian average of 20%

The collisions throughout the area are shown on Figure 2 below.

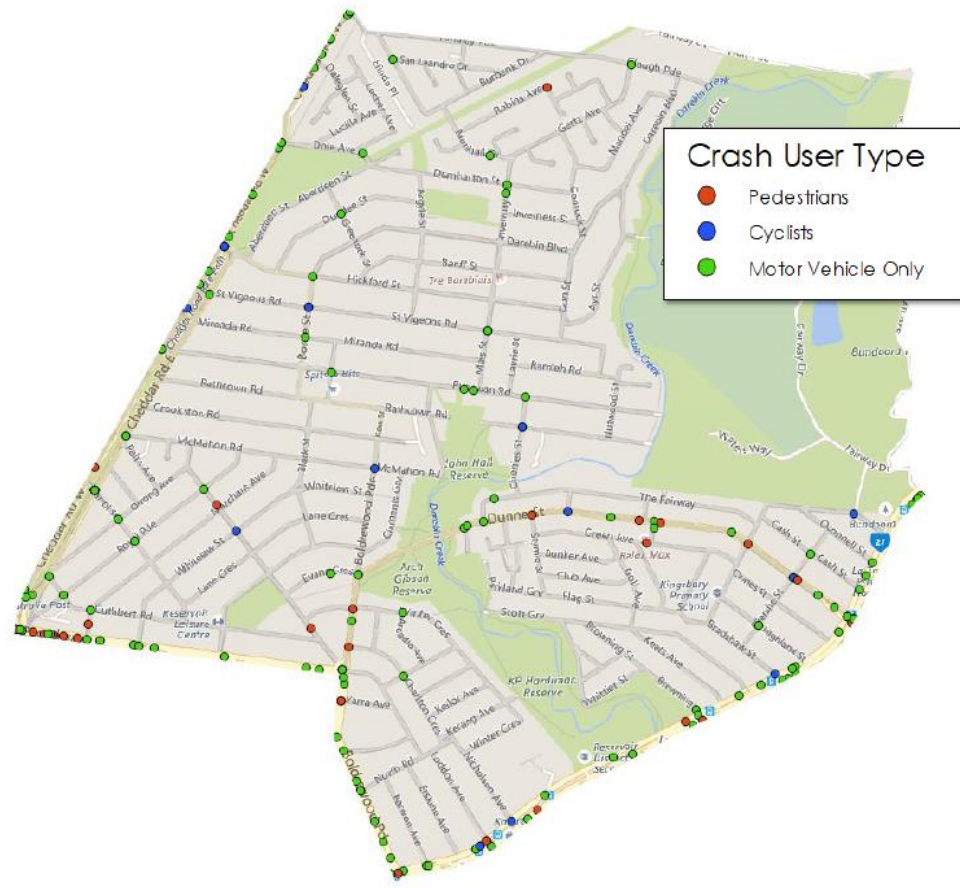


Figure 2: Collision records for the Cheddar LAPM

Vehicle Speeds

Speeding was recorded in 40km/h areas around schools, with the majority of these streets experiencing speeds of greater than the speed limit within the study area. Other roads in the area were generally operating at around the default speed limit of 50km/h in urban built-up areas with some vehicles choosing to travel well beyond the limit. This generally confirmed that the perceived issues regarding speeding were supported by evidence.

The 85th percentile speed has been used when referring to speed in this section. An explanation of the use of the 85th percentile speed is detailed in **Appendix B**.

Each of the coloured lines on the roads in Figure 3 below represent the measured speed profile for that street. A speed factor of 1.0 corresponds to the recorded speed equalling the posted speed limit in that street. The streets without coloured lines had no current traffic speed information. If there was no information about vehicles speeds, generally an enquiry regarding speeding would not have been received on that street in the 3 years prior to the investigation.

Streets which had existing traffic management devices, or had existing road environments which supported lower speeds, were also validated with speeds lower than the speed limit in most cases.

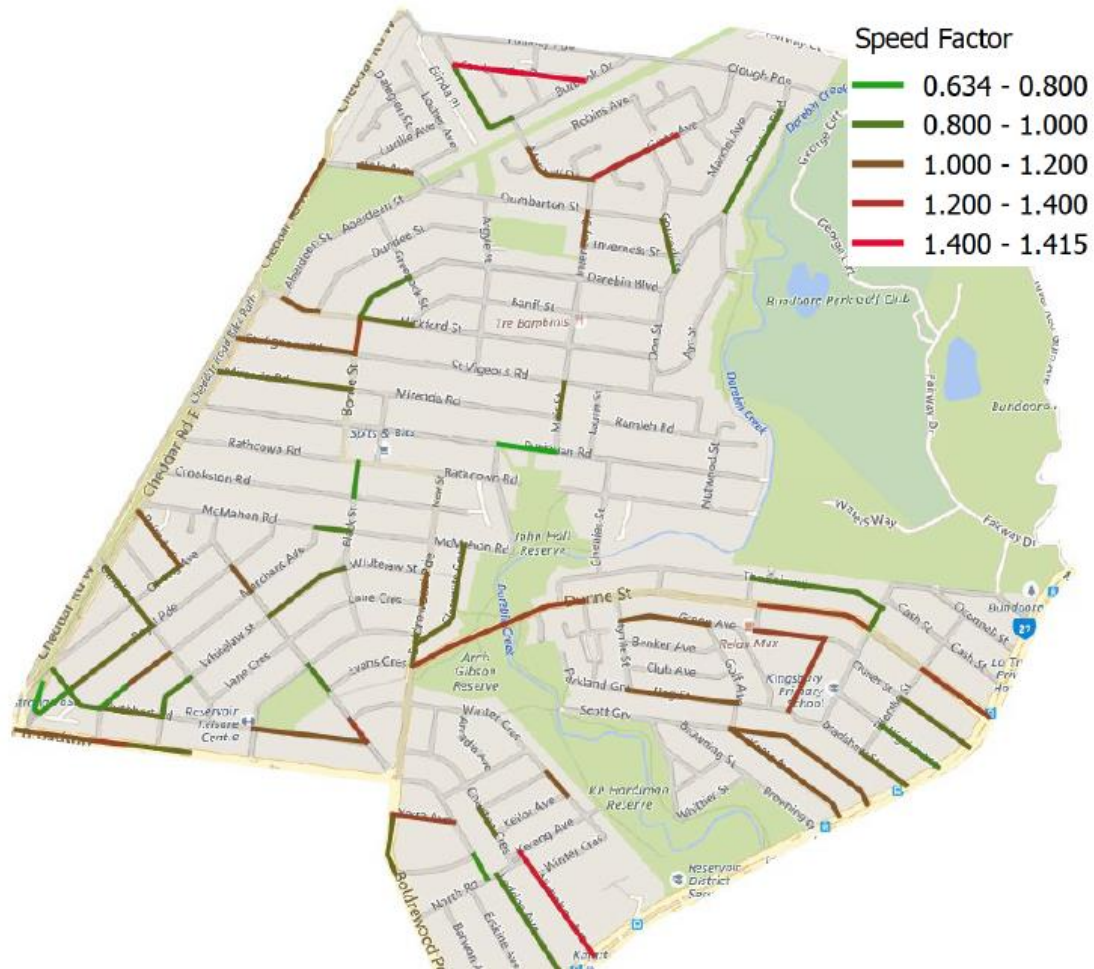


Figure 3: Vehicle Speeds in the Cheddar LAPM

Traffic Volume

The area within the project boundary is a mixture of local access roads and collector roads that have different maximum operating conditions. As shown on Figure 1, the orange lines are collector roads on Darebin's road hierarchy network and should support the movement of vehicles through the area. The other roads are local access roads that should operate with lower traffic volumes to access properties or local destinations.

While data is not available for all streets, the information available shows the preferred traffic routes for vehicles travelling through the area are aligned with the collector road network (Figure 4), with the exception of Strathmerton Street, Hickford Street, Borrie Street and Cuthbert Road. The information used in this assessment was collected and evaluated prior to the commencement of the Reservoir Level Crossing Removal Project.

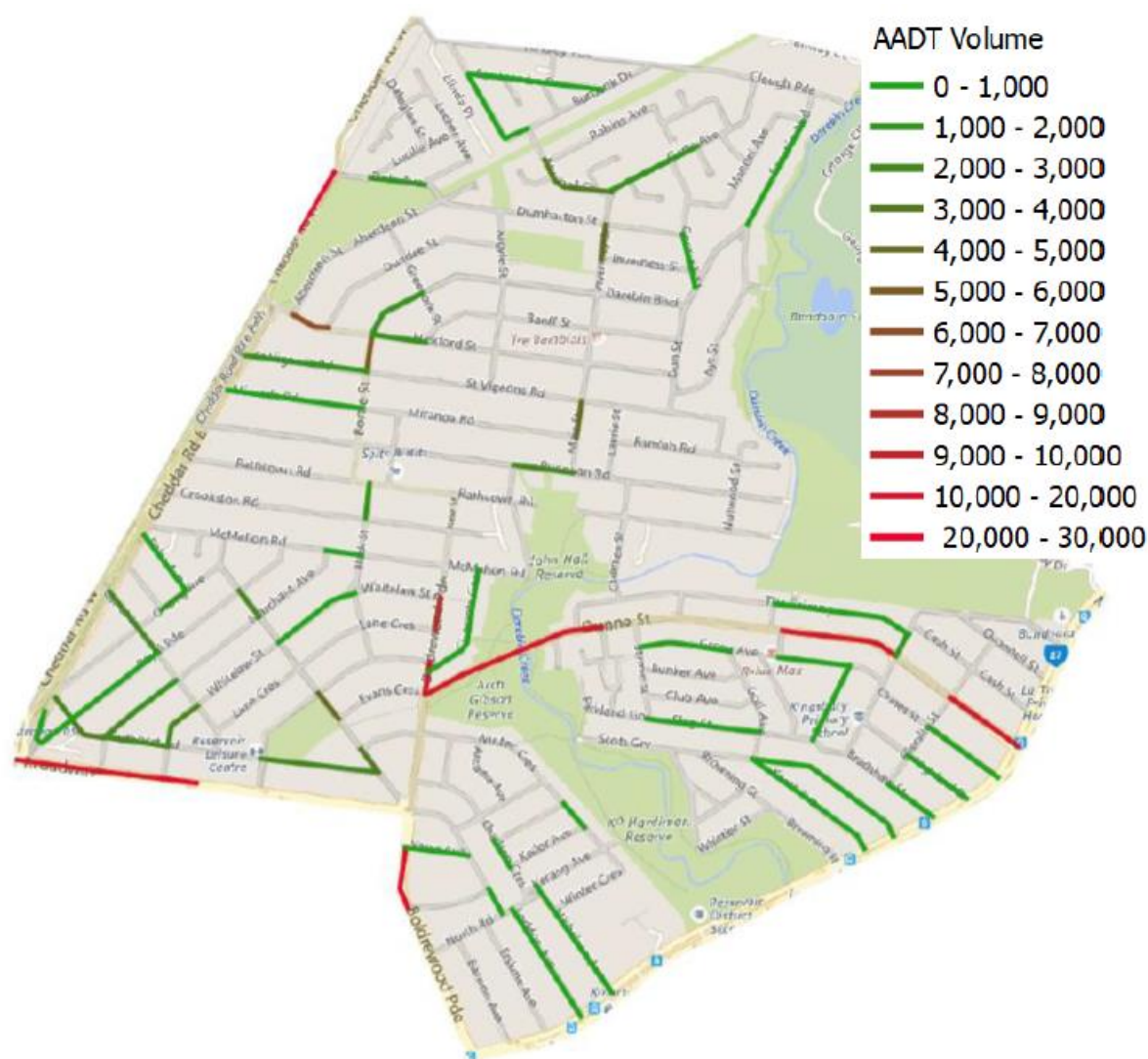


Figure 4: Traffic Volumes in the Cheddar LAMP

Road Hierarchy and Network

While Reservoir has good arterial road access from all directions, connectivity within the study area is provided by the collector roads as highlighted orange in Figure 1. Collector roads include; Dunne Street, Boldrewood Parade, New Street, Rathcown Road, Beenak Street, Purinuan Road, Mais Street, Invermay Street, Dumbarton Street, Dole Avenue, Marshall Drive, Burbank Drive and Tunaley Parade.

Connectivity from the Western Ring Road is most direct for this community from Dalton Road, which is an extension of Cheddar Road. As such, vehicles are more likely to use the Council road network if coming from the direction of Plenty Road as opposed to High Street and Keon Parade.

Given the geographical barriers, delays on main roads and connectivity of the road network, the route through the Cheddar LAMP area utilising residential streets is highly appealing, further compounded by the delays for vehicles moving through the Broadway shopping precinct.

Community Feedback Details

Two community engagement workshops were held at the Keon Park Children's Hub in February and March 2018. The purpose of the workshops was to validate the understanding of existing transport issues and seek feedback from residents as experts in their local area. Over 100 residents attended over the two nights and many written submissions were received from people that could not attend. The feedback has been summarised below into themes.

Non-local traffic

The most common issue raised throughout the workshops was non-local traffic using residential streets to avoid traffic congestion on the arterial road network, especially at the north and south ends of Cheddar Road.

Traffic Congestion

Several locations within the study area were identified by residents to have varying levels of traffic congestion. One particular location is where Tunaley Parade connects to Cheddar Road and Keon Parade. The other areas identified included arterial roads such as Broadway.

Vehicles Speeding

While it was not the main concern raised in the community workshops, speeding was still a problem perceived by residents at many locations, including streets with traffic calming.

Safety

The majority of concerns relating to road safety were regarding the safety of pedestrians, in particular around schools and crossing points along the collector / arterial road network. Cheddar Road was specifically mentioned as being difficult to cross as a pedestrian.

Car Parking

This was raised as a significant concern through the feedback to the community engagement workshops.

The above themes and specific details with locations that were received through the engagement process generally aligned with the investigation findings. All of the information can be found in detail in (**Appendix B**) the Cheddar Road LAPM study report. Minor amendments to the draft concept designs have been made from those in the report in response to feedback received from the two community working group sessions.

Draft Concept Designs

All issues raised through community feedback and validated by investigation and site inspection have been considered in determining the layout of the draft concept designs. Due consideration was given to the retention of on-street parking where required, the operation of the bus network and good value for money treatments.

A locality plan and list of the treatments is included as **Appendix C** and the locations and concept detail information is provided for each location in **Appendix D**. Not every location along a road nominated for a series of road safety treatments has been shown, only one example of what the treatment may look like has been shown with the locations of those treatment types indicated by the red circles along the road.

Alignment with Northern Reservoir Streets for People corridor on Crookston Road

The Northern Reservoir Corridor is an east-west aligned corridor that predominately includes Broadhurst Avenue and Crookston Road, extending from Merri Creek to Darebin Creek Reserves. Sections of this route are being considered for designation as a primary or secondary transport cycling route as part of the State Government's Strategic Cycling Network. The section of this corridor that relates to the Cheddar LAPM is the section along Crookston Road, Boldrewood Parade and McMahon Road, between Cheddar Road & Darebin Creek (circled in red in Figure 5 below).



Figure 5: Section of Streets for People corridor in Cheddar LAPM

As part of this council endorsed streets for people project, there will be road safety treatments installed over years on Crookston Road, New Street/Boldrewood Parade, McMahon Road. The treatments are shown in Figure 6 and 7 below and will complement the Cheddar LAPM work currently being proposed.

Concept Plan



Figure 6: Concept plan of Crookston Road part of the Streets for People corridor.

Concept Plan

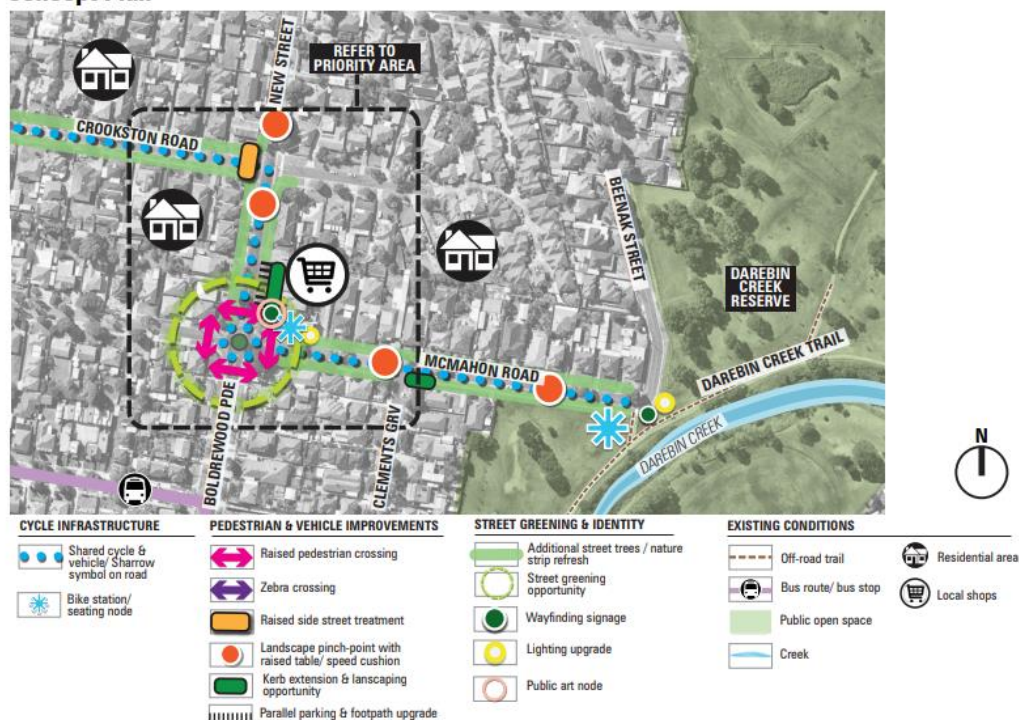


Figure 7: Concept plan of Boldrewood Parade and McMahon Rd part of the Streets for People corridor.

OPTIONS FOR CONSIDERATION

The endorsement of Cheddar LAPM draft concept designs is the next step in further improving the safety of the Reservoir community. The following options are possible ways of approaching road safety in Reservoir for Council's consideration:

1. Endorse the draft concept designs and progress with next round of consultation for the Cheddar Road Local Area Place making project (recommended)
2. Not endorse the draft concept designs and request additional information to be brought back to Council prior to progressing with next round of Consultation for of the Cheddar Road Local Area Place making project

IMPLEMENTATION STRATEGY

Details

Council will continue to work on improving safety around the schools based on the goals and priorities identified in Action Plan 2019-2020 and Safe Travel Strategy 2018-2028 and safe travel to school audits.

After endorsement of draft Cheddar LAPM draft concept designs, the next step will be to engage with the community for consultation in upcoming months.

Timeline

Commence consultation with residents – consultation period (16 June – 7 July 2020).

RELATED DOCUMENTS

Safe Travel Strategy 2018-2028

Attachments

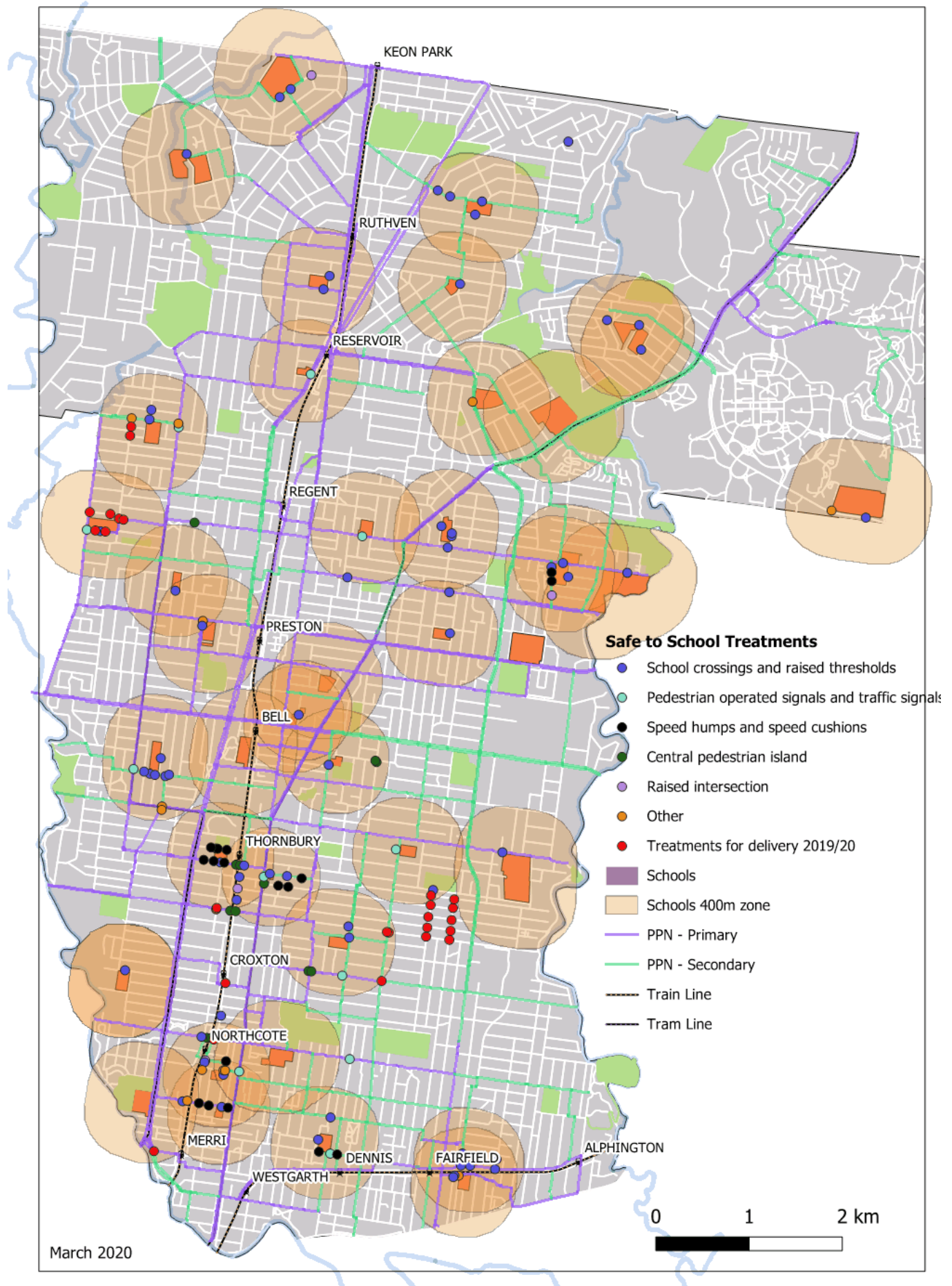
- List relevant documents (legislation, policies, reference papers, previous Council reports or Briefing papers) using the Infocouncil Attachments Screen. Pedestrian and Road Safety Infrastructure Around Schools in Darebin (**Appendix A**) [↓](#)
- Cheddar Road LAPM Study Report (**Appendix B**) [↓](#)
- Cheddar Road LAPM Draft Concept Plans, Locality Plan and List of Treatments (**Appendix C**) [↓](#)
- Cheddar Road LATM Draft Concept Plans, Locations and Details of Treatments (**Appendix D**) [↓](#)

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 Council Safe Travel to School Program





Cheddar Road and Plenty Road Local Area Traffic Management Study

V127140
23 July 2018

Prepared for:



Executive Summary

“ It has been identified that between Cheddar Road and Boldrewood Parade many local roads are experiencing significant through traffic volumes as a result of drivers rat-running to avoid Broadway. - Darebin City Council brief

Why?

The catalyst for this project stemmed from Council being made aware through resident reports and traffic survey data that there has been a significant increase in volumes of non local traffic using residential streets, often at high speeds, to avoid arterial roads within the study area (referenced through this report as “rat running”). GTA was engaged to investigate the claims and undertake an independent assessment of the raised issues, with the aim of treating these issues in a way that is sympathetic of the area and considers the needs of vulnerable road users.

Approach

The approach to the study was to maintain an open-mind while reviewing and evaluating the available background data to determine the needs of the area. This included a thorough desktop review, analysis of the speed and traffic volume data provided by Council and a review of the crash history over the most recent five year period. This analysis was complemented with fieldwork to review pedestrian movement patterns and desire lines.

In developing the recommendations for the study area, the approach has included:

- Establishing the real need (differentiating between perceived concerns)
- Identifying the focus areas – school zones and shopping strips
- Concentrating efforts at locations with issues supported by data
- Focussing on the needs of vulnerable road users
- Supporting a mode shift towards active and sustainable transport
- Applying a tailored, multi-faceted approach to treat the causes
- Creation of a consistent and intuitive road environment

Findings and Recommendations

Through the analysis and review of the existing conditions data (crash history, speed and volume surveys) it became apparent that there are high volumes of non-local traffic within residential streets in the study area. Another issue which is quite evident from the data is the number of casualty crashes involving pedestrians. In the last 5 years, a total of 30% of all casualty crashes across the study area involved a cyclist or pedestrian which is higher than the Victorian average of 20%.

Speeding is also a concern in 40km/h areas around schools, with the majority of these streets experiencing 85th percentile speeds of greater than the speed limit within the study area. The findings of the data analysis and on site inspections found that most of the perceived issues were supported by evidence.

Based on these outcomes, the recommendations of the study focus primarily on reducing “rat-running” and speeding in areas where there is high pedestrian activity including shopping strips and around schools.

Other factors should also be considered including the potential for any new traffic management installations to be sympathetic to buses and not push traffic onto other streets without treating them also.

Table of Contents

Section	Content	Page #
1	Overview	4
2	Identifying Objectives	7
3	Analysing the Data	9
4	Verifying the Problem	17
5	Engaging the Community	30
6	Traffic Management Plan	37

Quality Record

Issue Final

Date 23/07/2018

Description Final

Prepared By Phoebe Hollins
Ben Krastins
Dan Mead

Checked By Chris Coath

Approved By Chris Coath

Signed

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OVERVIEW

Study process

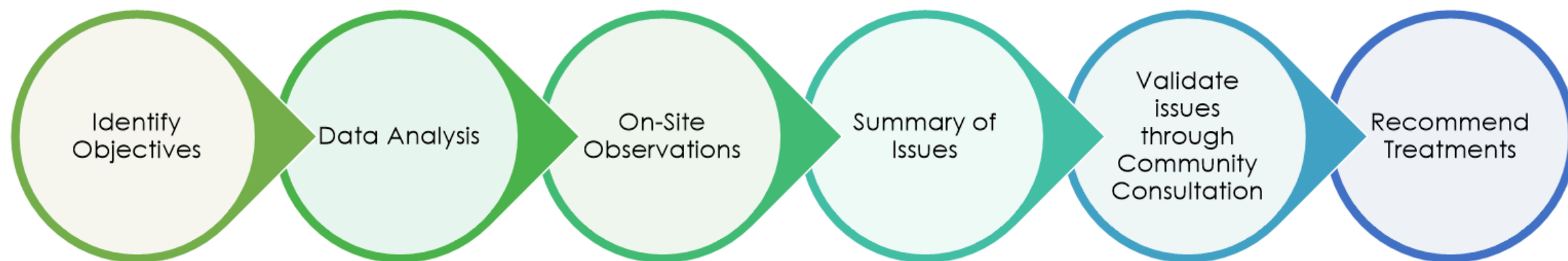


The approach for this traffic management plan has been to review the available evidence, including traffic speed data, volumes and crash history within the study area and to evaluate the issues from an evidence base. In addition to a review of the data, GTA inspected the study area on a typical weekday and participated in several community workshops to validate and better understand the issues being faced by the community.

With an understanding of the issues within the study area (from consultation and review of the evidence), the purpose of the study is to develop a tailored approach to address the established issues.

The treatments for locations which were identified as having a speeding problem will be further workshopped by the resident working group, while treatments to reduce the permeability of the road network and treat road safety problems have been recommended.

By undertaking a LATM study over such a large area, it ensures consistency and familiarity with the types of treatments and road environment. Furthermore, it ensures that the area is treated as a whole, rather than a piecemeal approach whereby locations are treated individually.



Overview



Local area traffic management (LATM) is “concerned with the planning and management of the usage of road space within a local traffic area, often to modify streets and street networks which were originally designed in ways that are now no longer considered appropriate to the needs of residents and users of the local area.” (Austroads Guide to Traffic Management Part 8: Local area traffic management, 2016)



Evaluation of Data

The initial stage of the project involved the collation of all available existing data. Council provided GTA with traffic survey data at multiple locations. Based on an initial assessment of the road network layout and crash history, GTA recommended additional traffic surveys were conducted.

The data that was evaluated through out this project included: traffic volumes and speeds, crashes type and history, and land use.

An important component of the project was to spend time investigating the study area to understand the existing conditions and ensure consistency with the desktop review of the issues. The study area was inspected between 8am and 5pm on 22 November 2017.

The fieldwork enabled an improved understanding of driver behaviour, general vehicle speeds and pedestrians crossing patterns and desire lines at the beginning and end of the school day.



Review of Need

Once the existing conditions data was reviewed, an understanding was developed between the relationship this has with the issues that were raised. This included a review that sought to ascertain the real issues from those that could be perceived.

It is also included assessing the concerns raised against actual recorded (85th percentile) speeds at key locations, including the additional information that was sought to ensure data related to site-specific locations.

The review established that there was a definite need to address speeding during school hours.

Crash data was also reviewed in relation to the concerns that were raised. The only location identified as a Black Spot (under the Black Spot funding program eligibility criteria) was the intersection of St Vigeons Road and Invermay Street.



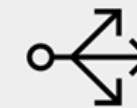
Consultation

Following the completion of the data analysis and validations based on site observations, two community engagement sessions were conducted by Council during February and March 2018.

These workshops provided further validation to the data analysis and on-site observations, as well as identifying additional concerns from the community.

The key issues and concerns which came out of the workshops were rat-running due to the permeability of the road network, speeding and hooning, and issues surrounding parking associated with increased medium density development.

The community sessions also gave the opportunity to workshop some potential traffic management solutions for these areas of greatest concern.



Options Development

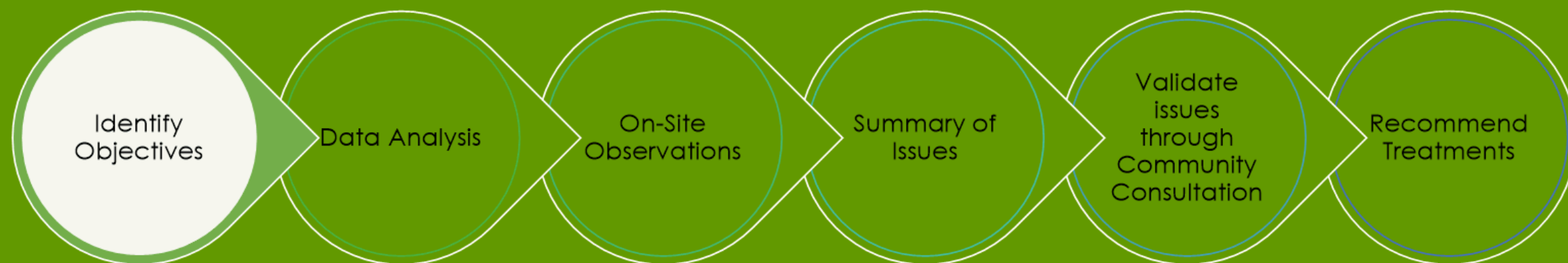
The insights and feedback obtained from the data analysis, site inspections and public consultation were valuable in understanding the local community issues, geographical constraints and pedestrian movement patterns.

Using this collective information, along with an understanding of LATM best practice, various options investigated and considered which sought to address the primary needs while simultaneously delivering enhanced safety and amenity for the local community.

Following the completion of the preliminary traffic management plan for the area, a working group established from the community workshops will meet to further workshop the proposed treatments and treatment locations, including development of concept plans for consideration in future capital works funding submissions.

01

IDENTIFYING OBJECTIVES



Objectives



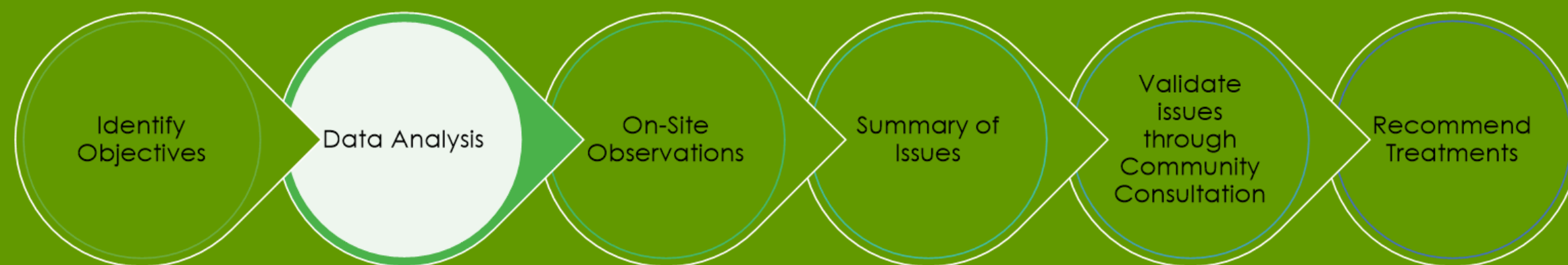
The LATM study has originated from Council being made aware through both community feedback and traffic survey data identifying the area bounded by Cheddar Road, Broadway and Plenty Road as requiring improvements to treat rat-running and road safety issues.

The key objectives of the local area traffic management plan are to:

- reduce the permeability of the road network in order to discourage non-local through traffic in local residential streets and reinforce the status of collector and arterial roads
- reduce the number and severity of crashes, especially those involving vulnerable road users
- improve the overall amenity and safety of the road environment including with regards to walkability and cycling
- support Council's wider transport objectives
- incorporate community feedback and concerns into the plan
- ensure treatment types and locations are sympathetic to public transport and do not hinder the movement of pedestrians or cyclists

02

ANALYSING THE DATA



Understanding the local context



From the evidence collected and reviewed for this study, it is clear that there are evident speeding and rat-running issue through areas of Reservoir and Kingsbury.

While Invermay St / Marshall Dr / Burbank Dr is a designated higher order collector road, there are speeding and safety issues identified along this route.

The identified rat-run routes from Cheddar Rd East to Plenty Rd are not a designated higher order collector road and as such, the amount of traffic in these streets is potentially unacceptably high. However, there is existing traffic management and the streets do not allow for simultaneous 2-way traffic when vehicles are parked either side of the road, resulting in lower speeds.

Speed around schools was also identified as a problem, both in 40km/h areas directly adjoining schools and in adjacent streets. Furthermore, the number of pedestrian and cyclist related crashes throughout the study area was high, although there was no distinguishable pattern, except that these crashes were occurring mainly on Council collector roads.

Wider streets or streets with no existing traffic management, were identified as areas with higher occurrences of speeding vehicles.

Road Hierarchy



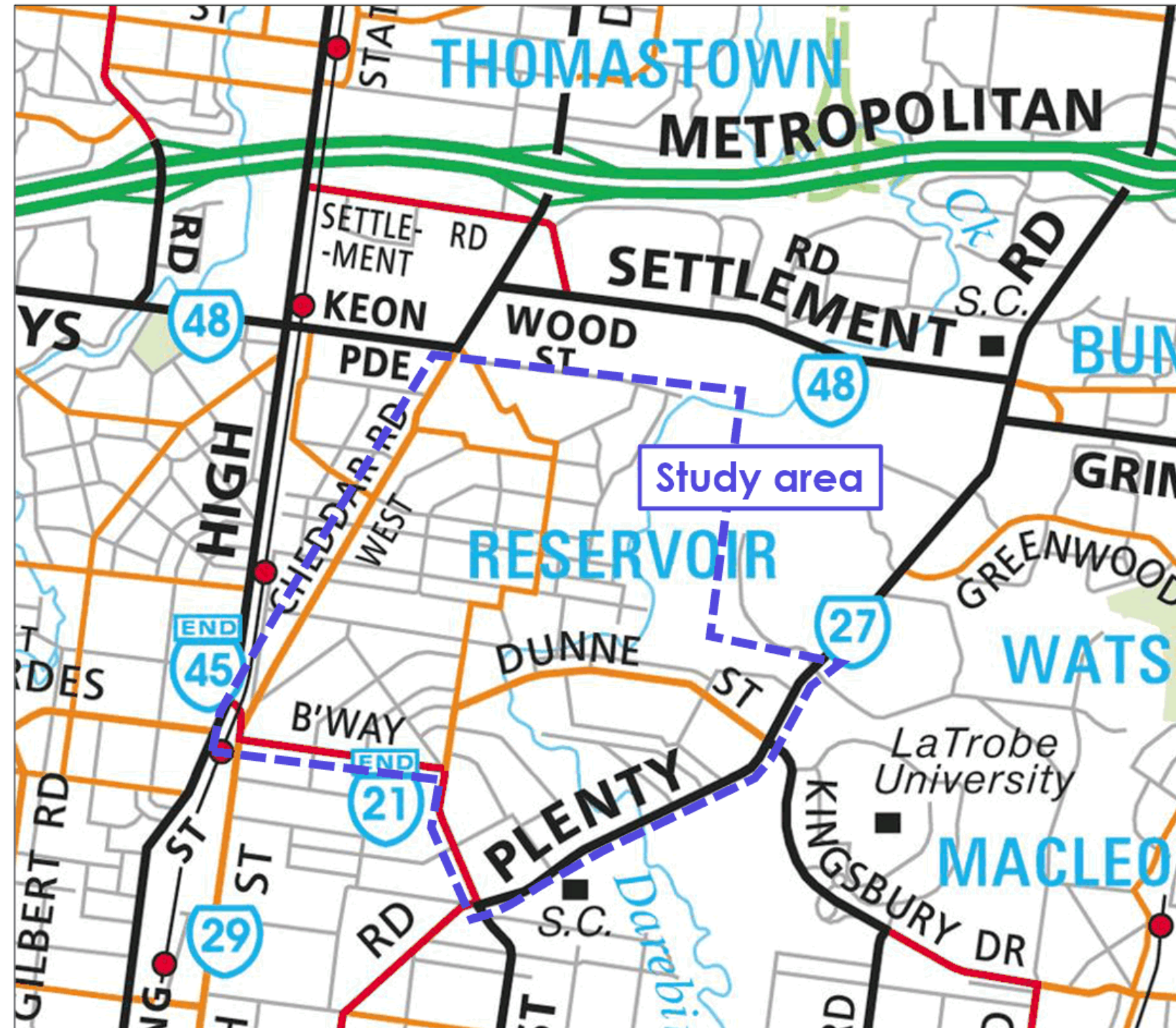
While Reservoir has good arterial road access from all directions, connectivity within the study area is poor with Dunne Street, Dole Avenue and Invermay Street providing the only collector road access to properties.

Connectivity from the Western Ring Road is only possible from Dalton Road, which is an extension of Cheddar Road. As such, vehicles are more likely to use the Council road network as opposed to High Street and Keon Pde.

Given the geographical barriers and layout of the road network, the route through Reservoir utilising residential streets is highly appealing, further compounded by the level crossing at Reservoir Station, however this is soon to be removed.

The local area traffic impacts of the level crossing should be mitigated through the level crossing removal project.

- Freeway (VicRoads)
- Primary Arterial (VicRoads)
- Secondary Arterial (VicRoads)
- Collector (Council)
- Local Access (Council)
- Railway Station



Source: Melway

Trip Attractors / Generators

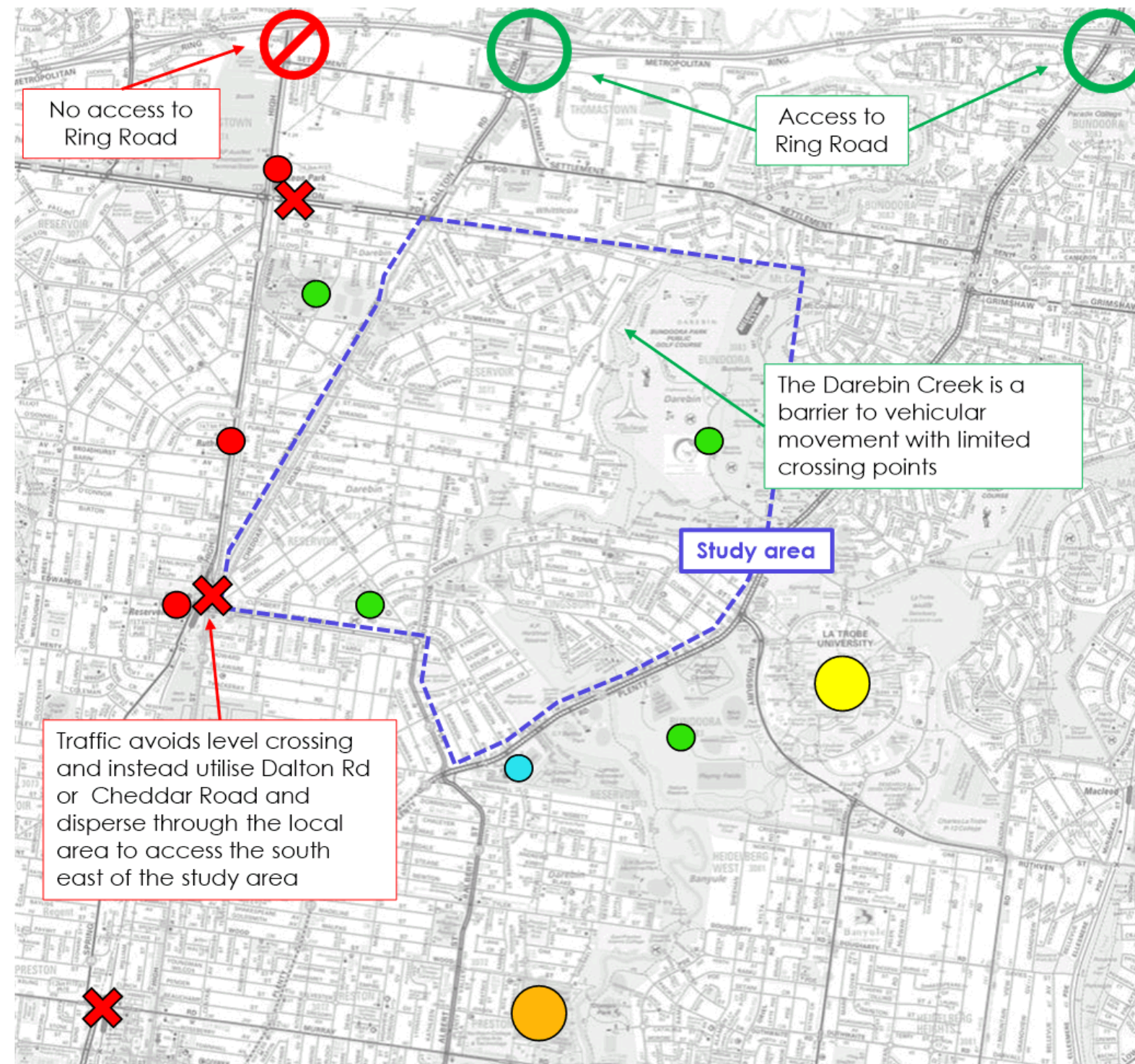


Reservoir is well served by education, retail and open space infrastructure.

Directly to the south of the study area, located off Plenty Road is Latrobe University, Summerhill Village Shopping Centre and Northland Shopping Centre, which are all major traffic generators.

Large open space reserves along the Darebin Creek, as well as Keon Park and Bundoora Park are significant open space and recreation attractors of local significance in the northern suburbs of Melbourne.

- La Trobe University
- Northland Shopping Centre
- Summerhill Village Shopping Centre
- ✕ Level Crossing
- Railway Station
- Open Space / Recreation



Source: Melway

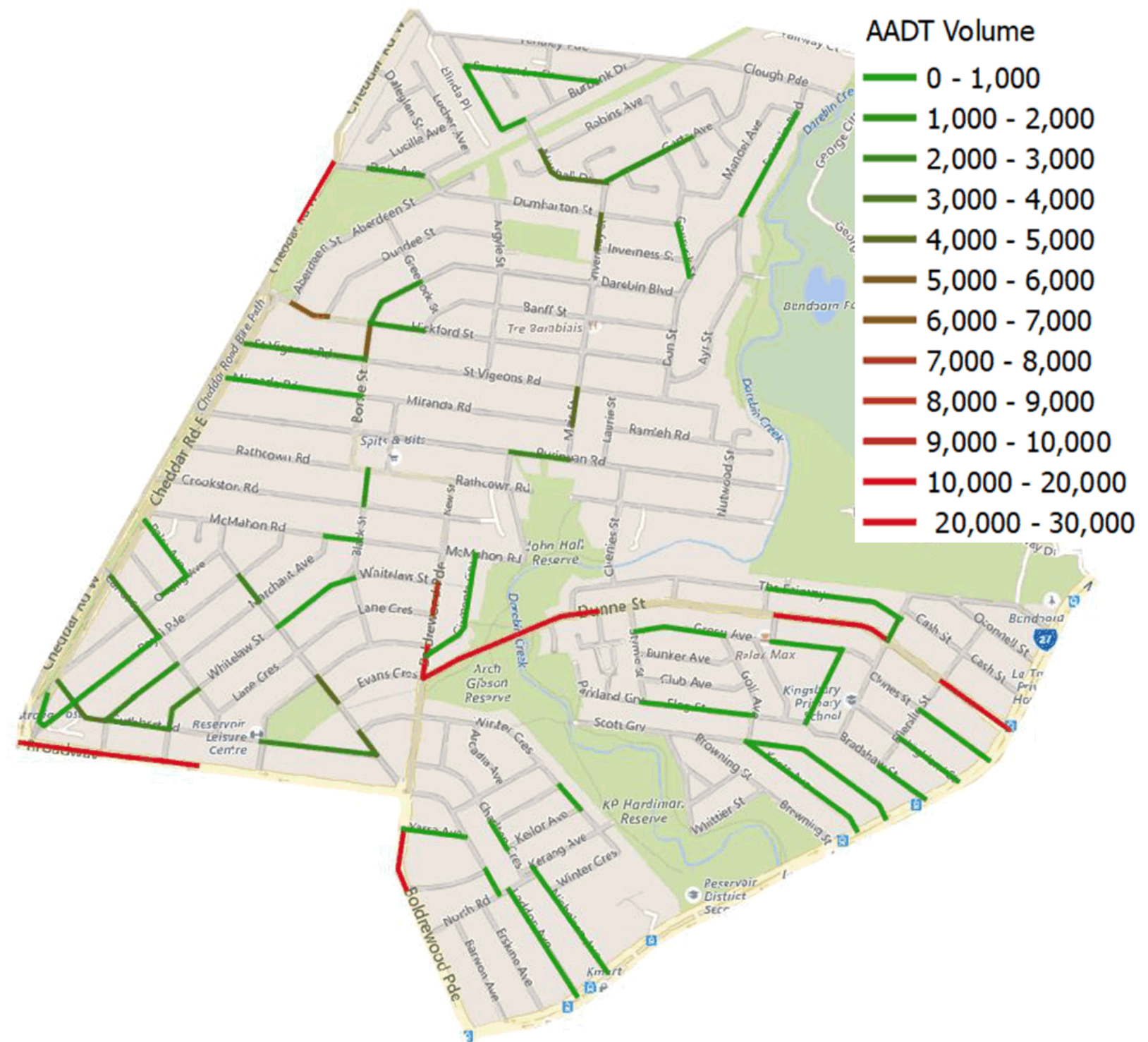
Data Analysis – Traffic Volumes



While data is not available for all streets, the data shows the clear preferred traffic routes for vehicles travelling through the area.

The volumes do not exceed the expected volumes for local and collector roads in a metropolitan location however it is noted that traffic in Hickford Street / Borrie Street is high, given its local access road classification.

As shown by the vehicle speeds, streets with traffic calming generally had higher volumes however it is noted that traffic calming does not result in lower volumes. Instead, traffic calming is avoided on preferred traffic routes, to assist with traffic flow and therefore reducing rat-running through local streets.



Data Analysis – Vehicle Speeds



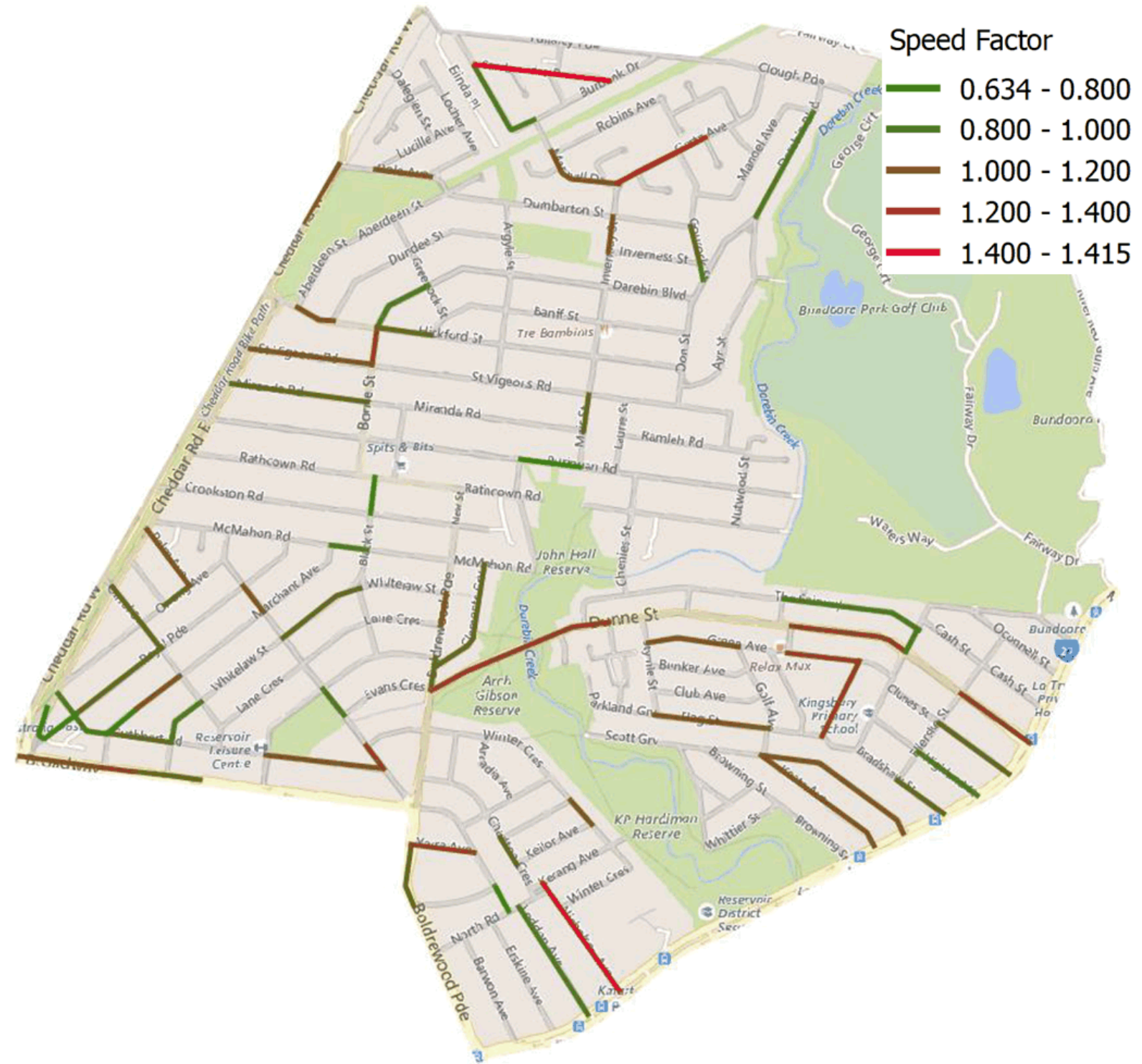
All recent traffic classifier count data in the LATM area was supplied by Council and analysed to give an understanding of the existing patterns and characteristics of traffic travelling along local streets.

The accepted standard for determining the speed profile of a particular street is 85th percentile vehicle speed. It is the speed at which 85% of vehicles travel at or below.

Each of the colours on the map represent the measured speed profile for that street. A speed factor of 1.0 corresponds to the 85th percentile recorded speed equalling the posted speed limit in that street.

The data shows that while vehicles are generally compliant with the speed limits, there are some particular areas, including around schools, which had high recorded speeds.

Streets which had existing traffic calming, or had existing road environments which supported lower speeds, were also validated with 85th percentiles lower than the speed limit in most cases.



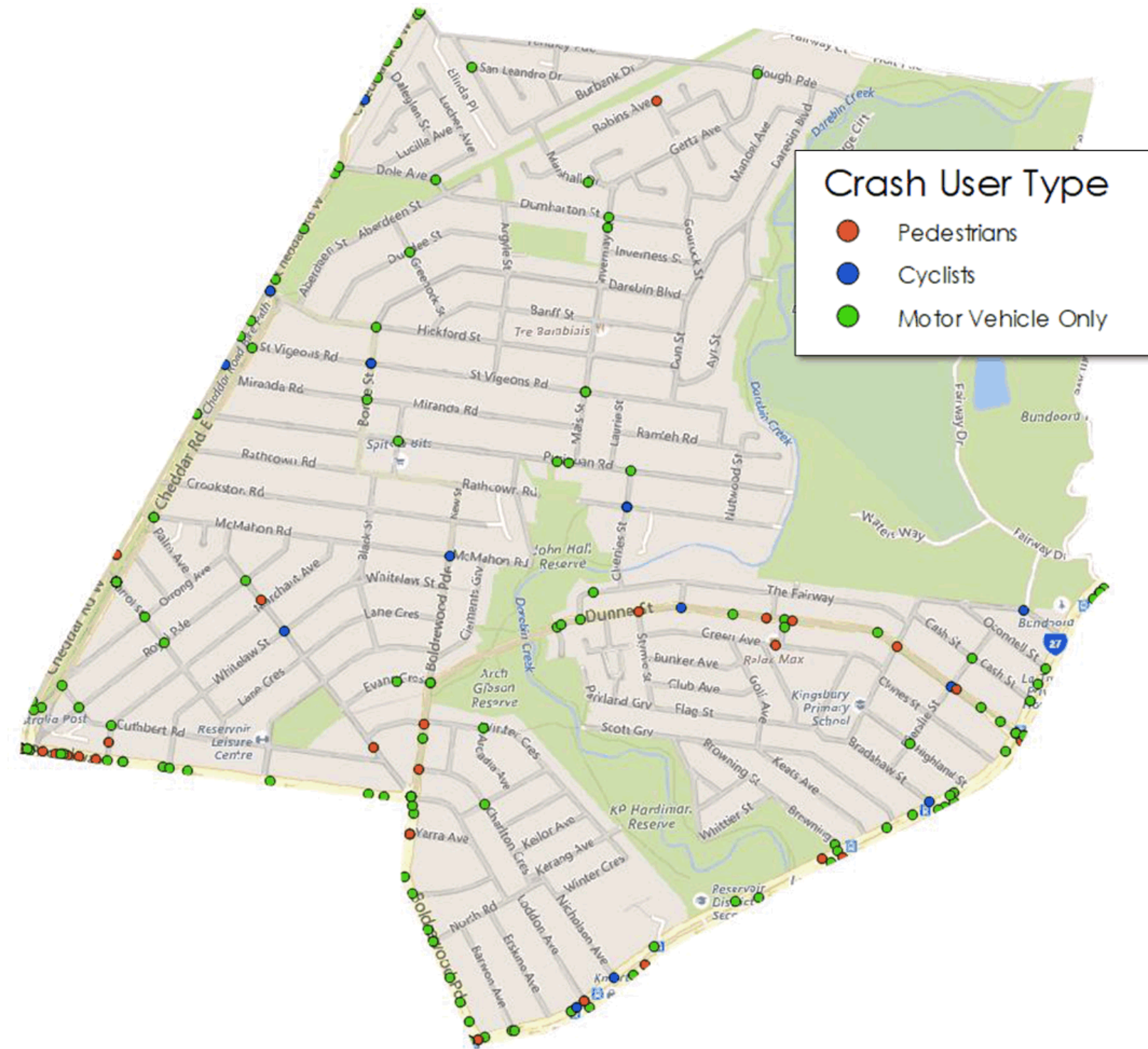
VicRoads Crash Data



Every casualty crash which is attended to by Victoria Police throughout the state is recorded in the publicly available VicRoads CrashStats database.

An analysis of the data showed the following:

- There was 254 casualty crashes in study area over the last 5 years
- Of these crashes, 1 resulted in a fatality, 60 in serious injury and the remaining 180 'other injury'
- There are several locations with an identified pattern of crashes on the local road network, on Cheddar Road at the median crossings, and at the intersection of St Vigeons Road / Invermay Street
- A total of 34 casualty crashes involving motorcycles, 35 involving pedestrians and 21 involving cyclists.
- Of crashes involving vulnerable road users (i.e. cyclists and pedestrians), 30% were serious injury or fatal crashes as opposed to 20% of vehicle only crashes



Summary of Issues Raised by Residents

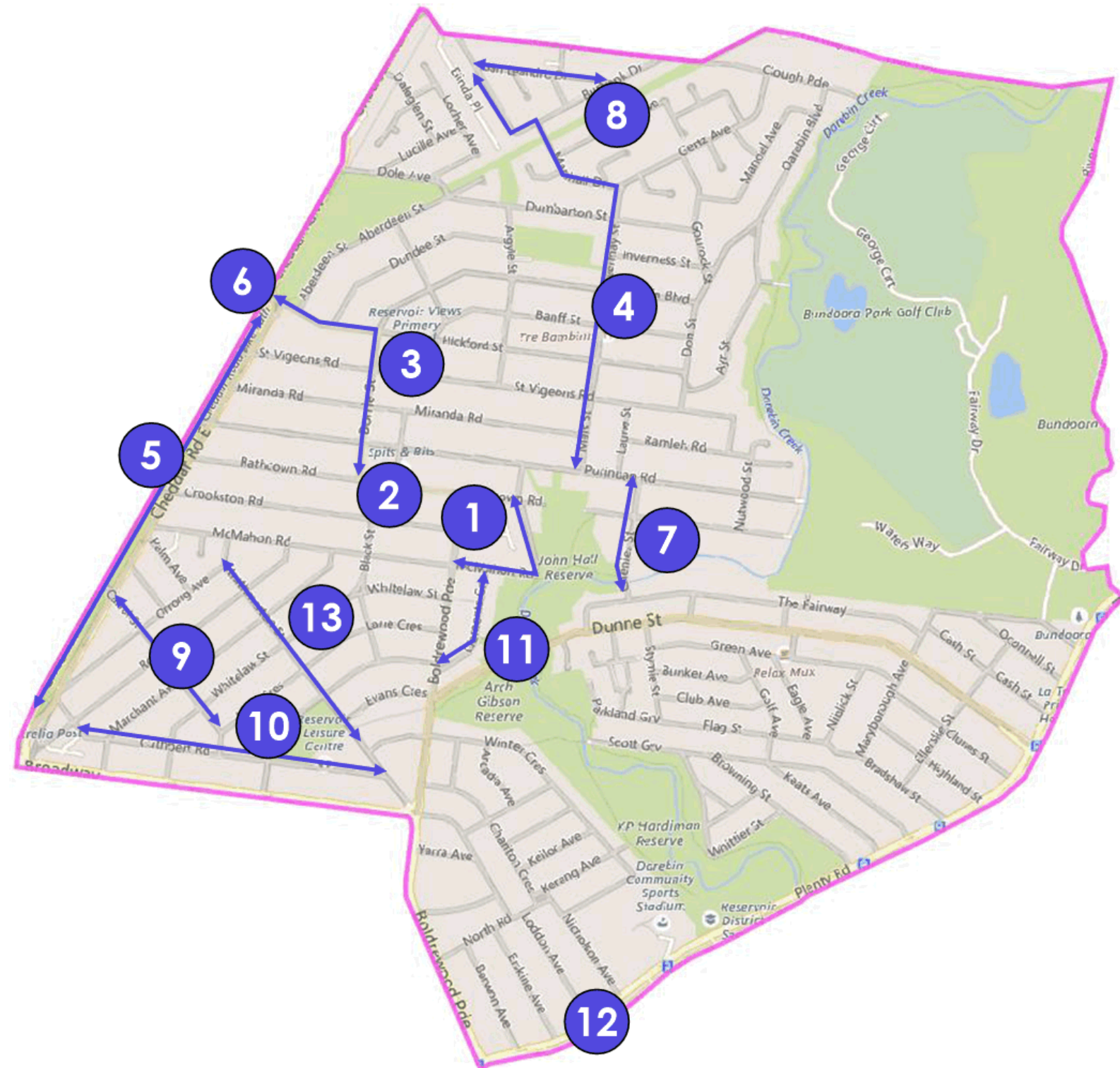


Community Feedback

The following list of issues has been summarised from historic community complaints and requests received by Council regarding transport and road safety issues.

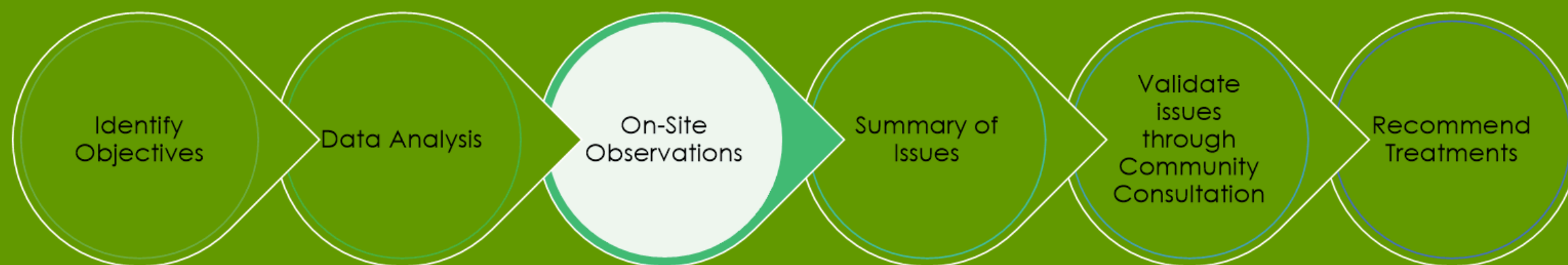
In general, most of the comments related to non-local through traffic and speeding in residential streets. These locations contributed to the targeted inspection locations.

Site	Street	Community Comment
1	Beenak Street	Rat Running
2	Rathcown Road	Hoon Activity
3	Hickford Street / Borrie Street	Rat Running
4	Burbank Drive to Invermay Street	Rat Running
5	Cheddar Road	Hoon Activity and Speeding
6	Cheddar Road and Hickford Street	Dangerous Roundabout
7	Chenies Road	Speeding
8	San Leandro Drive	Speeding
9	Carrol Street	Rat Running and Speeding
10	Cuthbert Street	Rat Running and Speeding
11	Clements Grove	Hoon Activity and Speeding
12	Loddon Avenue	Entering Wrong Way
13	Strathmerton Street	Speeding



03

VERIFYING THE PROBLEM



Verifying the Problem



A comprehensive site inspection was conducted in order to gain an appreciation of the local area. Several streets (identified on the map over the page) were targeted during the inspection after they were identified as potential problem areas through data analysis or community feedback.

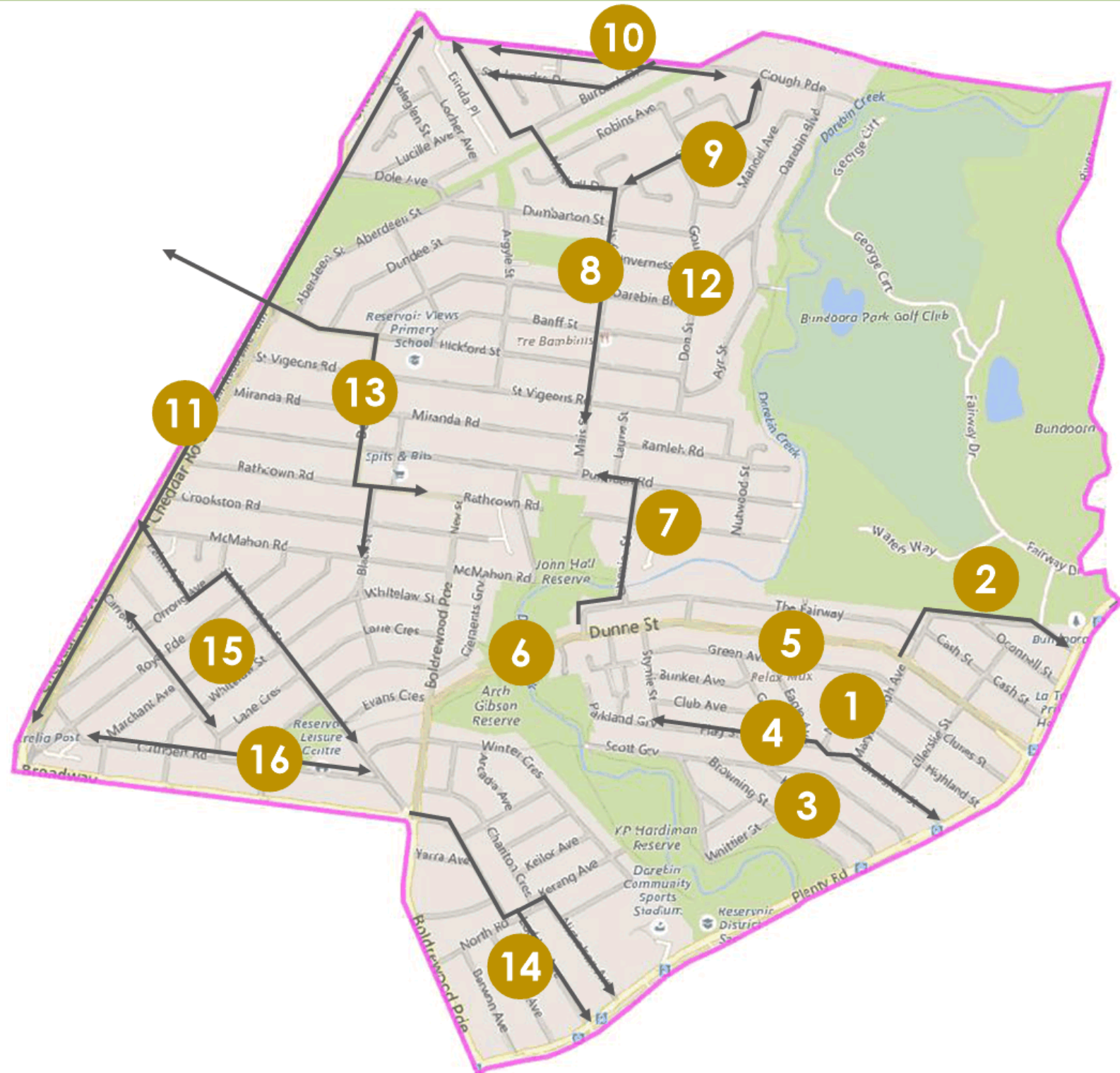
Each site was inspected for the surrounding land use, mode share and other factors which may be not be evident during a desktop audit such as road geometry and topography.

The site inspection assisted us to make a professional judgement as to whether the concern was a perceived issue or supported by evidence.

Details on the issues facing each of the streets identified are shown in the following pages. Based on the traffic survey data and the site inspection, a professional judgement was made as to whether the issue was supported by evidence.

Sites Proposed for Inspection

Site	Street	Potential issue
1	Kingsbury Primary School	Speeding, safety
2	Curtain Street	Rat-running
3	Keats Ave / Scott Gr / Browning St	Speeding
4	Flag Street / Bradshaw Street	Speeding, safety
5	Link Street (Kingsbury Place)	Pedestrian safety
6	Dunne Street	Pedestrian and bicycle safety
7	The Fairway / Chenies St	Rat-running, speeding
8	Burbank Dr / Marshall Dr / Invermay St	Speeding, safety
9	Gertz Avenue	Speeding
10	San Leandro Dr / Tunaley Pde	Speeding, safety
11	Cheddar Road (and xing points)	Speeding, rat-running
12	Inverness Rd / Darebin Blvd	Safety, rat-running
13	Hickford St / Borrie St	Rat-running, speeding, safety
14	Reservoir East P.S. / Reservoir H.S.	Pedestrian safety, speeding
15	Carrol St / Strathmerton St	Speeding, safety
16	Cuthbert Street	Speeding, safety



On-Site Observations: Findings

1/ Kingsbury Primary School



The school was inspected during the morning peak. There was a high occurrence of pedestrians and school drop offs by vehicle.

Also adjacent to the school is *Our Lady of the Way* and *Maryborough Kindergarten*

40km/h hour speed limits apply to streets along the frontage of the two primary schools.

Green Avenue (pictured), Niblick Street and Maryborough Avenue all have carriageway widths of approx. 7.2-7.5m



Green Avenue (looking east)

2/ Curtain Street



Curtain Street is a local residential street with Bundoora Park on the northern side, including a fenced dog park.

There is limited traffic calming at the eastern section of Curtain Street, including along the whole length of O'Connell Street.

Parking along the north side is indented at 90 degree and parallel in different sections. There is no continuous footpath along the northern side of the street and no clear crossing point.

Curtain Street has an undivided carriageway width of approx. 7.0m.

Data analysis

- 85th percentile speeds in Niblick Street were 45.2km/h
- 85th percentile speeds in Green Avenue were 45.4km/h
- Posted 40km/h speed limit and school crossings (both supervised and unsupervised) in Green Ave, Niblick Street and Maryborough Ave
- Intersection at northern end is slightly skewed which could promote high speed entry
- Extensive parking bans at the southern end during school times may encourage higher speeds due to increased trafficable road width and removal of the requirement to give way to oncoming vehicles.

SUPPORTED BY EVIDENCE



Curtain Street (looking east)

Data analysis

- No traffic classifier information available for Curtain Street
- 85th percentile speeds in Maryborough Ave between Dunne Street and The Fairway were 43.0km/h (default 50km/h speed limit)
- One casualty crash involving a cyclist attempting to cross to or from Bundoora Park stuck by a vehicle

NOT SUPPORTED BY EVIDENCE

On-Site Observations: Findings

3/ Keats Ave and Browning St



Keats Ave, Browning St and Scott Gr provide access from residential properties to Plenty Road. Several intersections, including the one shown below have a Y-configuration and insufficient pedestrian facilities.

There is a shopping centre along Plenty Road at the end of these streets and recreational and open space facilities are located at the eastern end of Browning Street.

All streets generally have an undivided carriageway width of 7.0-7.2m.



Intersection of Keats Ave / Scott Grv and Golf Ave

Data analysis

- 85th percentile speeds in both Scott Grove and Keats Avenue were 51.0km/h (speed limit 50km/h)
- Volumes in both streets are low (300-400vpd) as expected for a local access street
- No recorded casualty crashes in last 5 years

NOT SUPPORTED BY EVIDENCE



Bradshaw Street (looking east)

4/ Flag St / Bradshaw St



Flag Street / Bradshaw Street for the most part is a long and straight road with no requirement to give way to side road traffic.

There is a series of horizontal and vertical curves near Kingsbury Primary School. At this location is also a 'recommended crossing point'.

Flag Street / Bradshaw Street has an undivided carriageway width of approx. 7.2 – 7.4m.

Data analysis

- 85th percentile speeds in Flag Street west of Golf Ave were 53.0km/h
- 85th percentile speeds in Bradshaw Street, near Plenty Road were 48.0km/h
- Both streets have a default 50km/h speed limit
- No recorded casualty crashes in last 5 years
- Long and straight road, with the exception of multiple consecutive curves near Kingsbury P.S.

NOT SUPPORTED BY EVIDENCE

On-Site Observations: Findings

5/ Kingsbury Place (Link St)



Kingsbury Place consists of a small shopping strip on one side of the road and a playground and park on the other.

Included in the shopping strip is footpath trading and alfresco dining as well as seating and bicycle hoops.

90 degree parking is indented and provided on both sides of the road. There is an unprioritised pedestrian crossing point half way between Dunne Street and Green Ave.

Link Street is 75m long and has an undivided carriageway width of approx. 7.4m.



Link Street (looking south)

6/ Dunne Street



Dunne Street is a Council collector road with a posted speed limit of 50km/h and connects Broadway and Boldrewood Pde to Plenty Road.

Several bus routes operate along Dunne Street. There is an on road bicycle route which is not consistently marked along the entire length. Open space and recreation facilities to the north and south also require users to cross Dunne Street at designated points.

The carriageway width varies along the length of Dunne Street however there is generally one lane of traffic unobstructed in each direction except at some bus stops.

Data analysis

- There has been five casualty crashes in the vicinity of Kingsbury Place in the last 5 years but only one in Link Street.
- 3 of the crashes involved pedestrians crossing to or from land adjacent to Link Street.
- Supervised school crossing on Dunne Street adjacent to the park
- 85th percentile speeds along Dunne Street at this location are 58.2km/h (including 5.5km/h over the speed limit between the school drop off period of 8am-9am)

SUPPORTED BY EVIDENCE



Dunne Street near Darebin Creek (looking east)

Data analysis

- As mentioned above at site 5, 85th percentile speeds are high in Dunne Street
- At No.10, 86 Dunne St and Darebin Creek, 85th percentile speeds were 56.5km/h, 58.2km/h and 59.0km/h respectively
- At No.86 Dunne Street, 56% of vehicles were exceeding the speed limit
- Not including the intersections of Plenty Road and Boldrewood Pde, there has been 15 casualty crashes in the last 5 years
- Dunne Street is part of the PBN and has bicycle and bus priority under the VicRoads SmartRoads system
- Of these crashes, 5 involved pedestrians and 2 cyclists

SUPPORTED BY EVIDENCE

On-Site Observations: Findings

7/ The Fairway and Chenies St



The Fairway is a one way street and provides connectivity to properties north of the creek travelling from the east (Plenty Road) without having to go around Boldrewood Pde.

This section of the Fairway has high volumes of traffic for a residential street. Observed speeds on site including around corners were high as there is no requirement to give way to other vehicles.

There is a crossing point for the Darebin Creek Trail along Chenies Road however it is offset and the bridge has narrow footpaths, potentially pushing pedestrians or cyclists onto the road at this location.



Chenies St (looking north)

Data analysis

- One single vehicle crash in The Fairway, and three other crashes at the intersections of Chenies Road and Purinuan Street and Rathcown Road
- No traffic classifier data available
- Concerns are observational

NOT SUPPORTED BY EVIDENCE



Invermay Street (looking south)

8/ Burbank Dr to Invermay St



Burbank Dr through to Invermay Street is a designated higher function collector road which connects the intersection of Keon Rd and Dalton Pde to Boldrewood Pde and properties in between.

It is a bus route and part of the bicycle shimmy route through Reservoir.

There is no clear direction for traffic to travel and difficult to navigate, given the layout of the road network.

Carriageway widths generally range from 7.0-7.4m.

Data analysis

- Marshall Drive: 85th percentile speeds were 51.5km/h and weekday average volumes were 3500 vpd
- Invermay Street: 85th percentile speeds were 53.2km/h and weekday average volumes were 4200 vpd
- Mais Street: 85th percentile speeds were 48.4km/h and weekday average volume 4100 vpd
- Approx. 25% of vehicles exceeded the speed limit of 50km/h in Invermay Street.
- There is a Black Spot at the intersection of St Vigeons Street with 3 other injury crashes in the last 5 years. St Vigeons Street is also adjacent to a recreation reserve and nearby to a small shopping strip.
- In the last 5 years, there has been a total of 9 crashes along this route, from Marshall Drive to Purinuan Road including 2 serious injury crashes.
- None of the injury crashes involved cyclists or pedestrians.

SUPPORTED BY EVIDENCE

On-Site Observations: Findings

9/ Gertz Avenue



The northern side of Gertz Avenue has both a small 'off street' shopping strip as well as the Northern School for Autism.

A 40km/h speed limit applies to the western section in front of the school.

Gertz Avenue is a bus route in one direction only and the bus stops are on the south side of the road.

Gertz Avenue has an undivided carriageway width of 8.6-8.8m with parking permitted on both sides of the road.



Gertz Avenue (looking west)

Data analysis

- The speed limit in front of the school is a posted 40km/h
- 85th percentile speeds along Gertz Avenue in front of the school are 49.9km/h
- No recorded casualty crashes in last 5 years

SUPPORTED BY EVIDENCE

10/ Tunaley Pde and San Leandro Dr



Tunaley Pde and Clough Pde make up part of the on road bicycle route which connects the Cheddar Road bicycle path to the Darebin Creek.

Tunaley Pde has traffic calming in between the two entrances to Burbank Dr and San Leandro Dr runs parallel and does not have traffic calming.

In between Tunaley Pde and San Leandro Dr is a Aged Care Facility and a retirement village.

Tunaley Dr and San Leandro Dr have undivided carriageway widths of approx. 8.9m and 7.1m respectively.



Curtain Street (looking east)

Data analysis

- Traffic classifier data showed that the 85th percentile speed in San Leandro Dr was 56.6km/h however volumes only 191 vehicles per day.
- There was no recorded crashes in Tunaley Pde, Clough Pde or San Leandro Dr in the past 5 years.
- Speeds on Tunaley Pde and Clough Pde were observed on site to be excessive, even though traffic calming was present.

PARTIALLY SUPPORTED BY EVIDENCE

On-Site Observations: Findings

11/ Cheddar Road



Cheddar Road is a major multi-modal Council road which runs in a north-south direction, connecting Dalton Road / Keon Road to Broadway / High Street. The road is a bus route and carries heavy vehicles and has a shared path along the entire length.

North of Hickford Street, the road is undivided and has a undivided carriageway width of approx. 9.6m. There is multiple pedestrian refuges along the length of the road, connecting residential properties and open space / recreation facilities on both sides of the road.

South of Hickford Street, the road is divided by a large median strip. There are several openings in the median strip similar to that shown below. Pedestrians do not have priority along the shared path at each of these median crossings.

There are 2-lanes of traffic in each direction and carriageway widths vary between 7.2 and 9.6m. Although parking is permitted along the residential side southbound there are no vehicles parked on the road. There is however indented parking provided on the right hand side of the carriageway.



Cheddar Road (looking south)



Cheddar Road median opening at Purinuan Rd

Data analysis

- 34 casualty crashes have occurred in Cheddar Road in the past 5 years (between Keon Road and High Street) including 11 crashes (32%) at median strip crossings
- Speed limit is 60km/h an hour and observations on site suggested that many vehicles were travelling at speeds over 60km/h however survey data suggests an 85th percentile of around 60km/h.
- No traffic classifier data available for the divided section of Cheddar Road (south of Hickford Street)

PARTIALLY SUPPORTED BY EVIDENCE

On-Site Observations: Findings

12/ Inverness St and Darebin Blvd



The intersection of Inverness St, Gourock St and Darebin Blvd has poor visibility approaching from the west due to the topography of the land. There is also a Y-intersection at Gourock St and Darebin Blvd.

There are three intersections which surround a small pocket park and the priorities are not clear given the triangular shape of the intersection.

Darebin Blvd has an undivided carriageway width of approx. 8.6m while Inverness St and Gourock St have widths of 7.0-7.2m.



Darebin Blvd (looking west)

Data analysis

- No recorded crashes at this location in the past 5 years
- The 85th percentile in Gourock Street was recorded at 48km/h and volumes were below 300vpd

NOT SUPPORTED BY EVIDENCE

13/ Hickford St and Borrie St



Hickford St and Borrie Street are heavily used local streets connecting Cheddar Road to Boldrewood Street.

Hickford St west of Cheddar Rd connects Keon Rd in the north. The intersection of Cheddar Rd and Hickford St is controlled by a roundabout making it more appealing than the median strip openings on Cheddar Rd to the south.

Hickford St and Borrie Street are both residential areas and the route passes Reservoir Views Primary School.

The route is also a bus route and does not have any traffic calming devices.

Carriageway widths vary between 7.0m and 8.6m.



Hickford St / Borrie Street roundabout

Data analysis

- In the past 5 years, there has been 4 casualty crashes in Borrie Street, including 1 serious injury crash.
- The crashes occurred at the intersection of Hickford Street, Miranda Road and St Vigeons Road.
- There was also 4 other injury crashes at the roundabout at Hickford Street and Cheddar Road.
- Along Hickford Street between Cheddar Road and Borrie Street, the recorded average weekday volume was 6,787 vehicles per day and the 85th percentile was 50.2km/h (speed limit 50km/h)
- In Borrie Street adjacent to Reservoir Views Primary School, the average weekday volume was 5197 vehicles per day and the 85th percentile speeds were 44.2km/h in a 40km/h zone.

SUPPORTED BY EVIDENCE

On-Site Observations: Findings

14/ Reservoir East PS and Reservoir HS



Streets directly fronting Reservoir East Primary School and Reservoir High School with a school gates have a 40km/h speed limit.

There is a small strip shopping centre at Yarra Avenue near Boldrewood Drive. A bus route exists through the area and there are no traffic calming devices.

Gisborne Cres is accessible from the roundabout at Boldrewood Pde and Broadway and provides access to non local traffic avoiding the lights at Plenty Road.

Streets within the area generally have carriageway widths of between 7.2-7.6m.



Yarra Ave (looking east)

15/ Carrol St and Strathmerton St



Carrol St and Strathmerton St both provide alternative routes to Cheddar Rd and Broadway, through residential streets.

Strathmerton St has a carriageway width of approx. 8.6-9.0m and is controlled by several roundabouts. There is no delineation for lanes along the length of the road.

There is also a small shopping strip at the northern end of Strathmerton St and Reservoir Leisure Centre and adjacent playground at the south-eastern end.

There was multiple locations which showed evidence of hoon behaviour along Strathmerton St and surrounding area.

Data analysis

- Nicholson Avenue used as major drop off pick up point for Reservoir HS.
- 85th percentile speeds along Nicholson Avenue in front of the school are 52.1km/h within the 40km/h limit
- No supervised school crossing in Nicholson Ave
- Complex and potential unsafe intersection at North Rd / Charlton Cres / Nicholson Ave / Kerang Ave
- Bus route uses local streets in the vicinity and is a bus priority route under the VicRoads SmartRoads system.
- High speeds also recorded in Yarra Street (85th percentile was 45.1km/h in a 40km/h zone) and in Winter Crescent (85th percentile was 51.9km/h in a 50km/h zone)

PARTIALLY SUPPORTED BY EVIDENCE



Intersection of Strathmerton St and Marchant St

Data analysis

- Evidence of burnouts was found along the length of Strathmerton Street
- 85th percentile speeds along Strathmerton Street at between Dunnolly Cres and Cuthbert St, and between Royal Pde and Marchant Ave were found to be 57.8km/h and 53.5km/h respectively (speed limit 50km/h)
- Volumes in Strathmerton St were found to be up to 4300+ near No.38 which makes up part of the on-road bicycle route.
- 85th percentile speeds in Carrol Street were found to be 47.9km/h with an average daily volume of 2800+ vehicles per day (speed limit 50km/h)
- Crash data shows 2 other injury crashes in Carrol Street in the last 5 years
- In the past 5 years, there was a total of 4 crashes in Strathmerton St, including 2 serious pedestrian injuries and 1 crash involving a cyclist

SUPPORTED BY EVIDENCE

On-Site Observations: Findings

16/ Cuthbert St and Broadway



Broadway connects High Street to Plenty Road and is a secondary arterial road (VicRoads) with a 400m long shopping strip. The majority of parking is on street, including centre median, with one large off street car park situated off Bernard Street (south of Broadway)

There is marked on street bicycle lanes in both directions and a very high occurrence of pedestrians on the footpath and crossing the road

The permanent speed limit along this section of Broadway is 40km/h

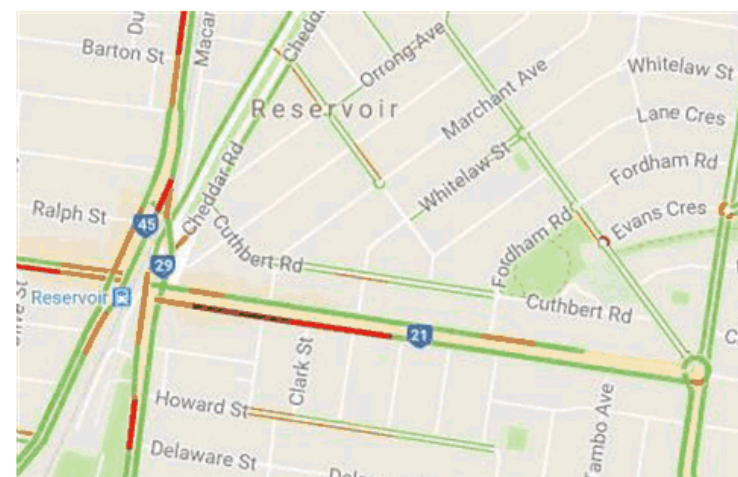
Cuthbert Street runs parallel to Broadway also provides access to Reservoir Leisure Centre and TW Andrews Reserve.

A default speed limit of 50km/h applies to Cuthbert Street.

Cuthbert Street has an undivided carriageway width of approximately 7.2-7.5m



Broadway during PM peak hour (looking west)



Source: VicTraffic, Broadway 5pm 20/11/17

Data analysis

- In the past 5 years, there was a total of 6 crashes involving pedestrians on Broadway including 3 serious injuries and 1 fatality
- Recent traffic classifier counts found that the 85th percentile was between 4.3km/h and 6.9km/h above the speed limit (40km/h)
- Average weekday volumes along Broadway were between 18,000-20,000 vehicles per day
- On Cuthbert Street, average weekday volumes were between 2,100 and 3,050, with 85th percentile speeds recorded between 41-48km/h (speed limit 50km/h)

SUPPORTED BY EVIDENCE



Cuthbert Street looking west

Site Conditions - Summary



Mais Street Modified 'T' treatment



Kingsbury Place Pedestrian Crossing Point



General Observations

- There is not much consistency with regards to types of traffic management devices across the study areas but it was noted that vehicles in streets with traffic calming had visibly less traffic and lower speeds.
- Most streets within the study area do not meet the generic definition of a narrow street, and as such, vehicles could park on both sides of the road without obstructing traffic.
- The only areas witnessed which experienced any level of parking congestion was near Broadway and Plenty Road.
- Vehicles appeared to avoid parking on roads with high traffic volumes such as Invermay Street and Cheddar Road. This has the effect of making the roads look wider. When vehicles parked on trafficable areas of road, this creates the visual sense of a narrower roadway and may require vehicles to give way to oncoming traffic.

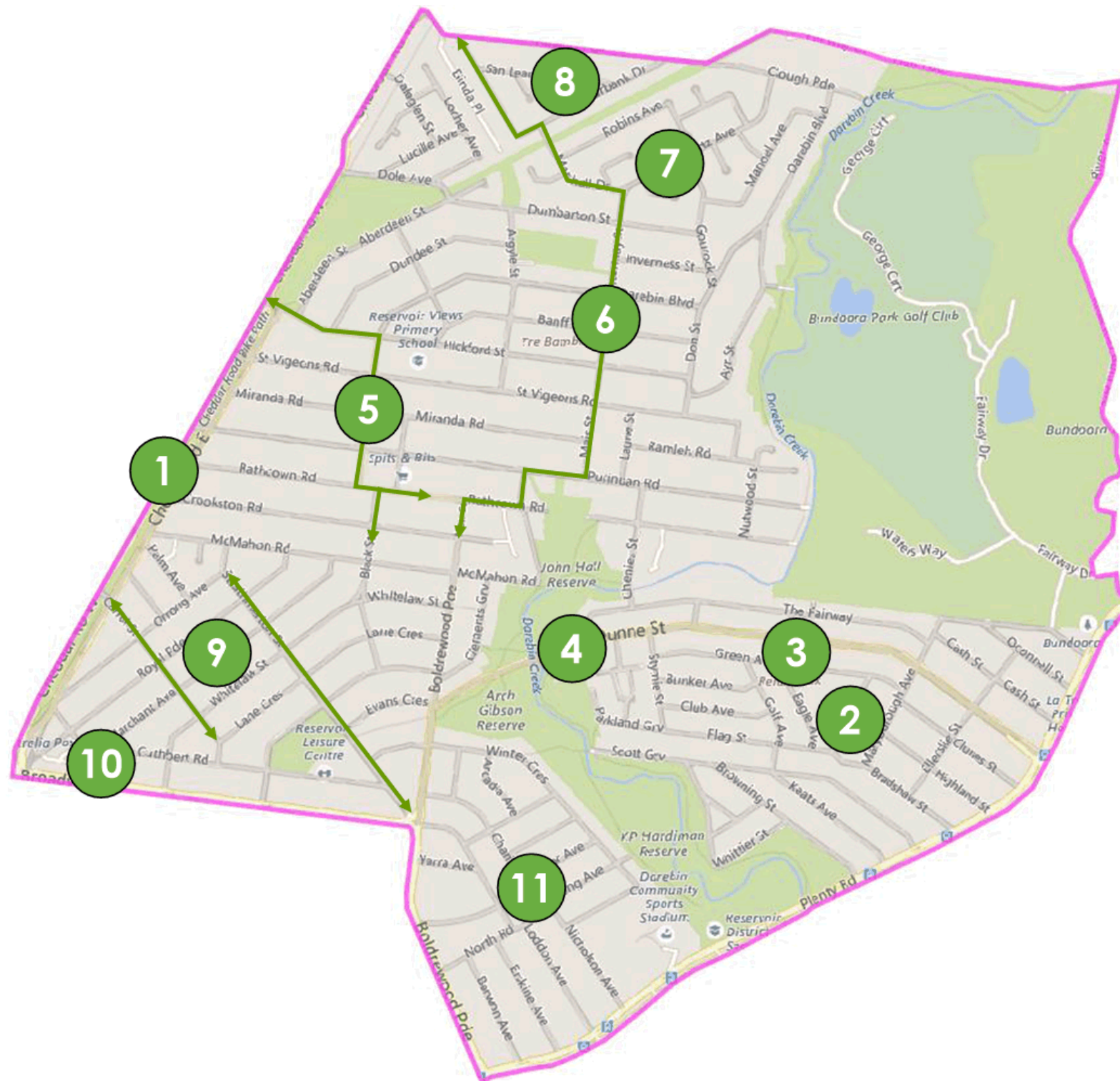


Dunne Street (looking East)



Dole Avenue at Cheddar Road

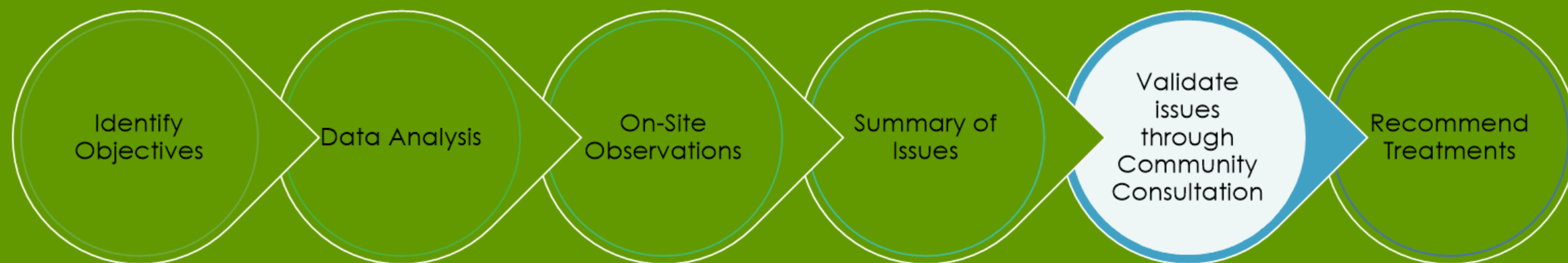
Summary of Issues: Prior to community consultation workshops



- 1 Cheddar Road (between Hickford St and Broadway)**
Address the problems with the high rate of crashes occurring in Cheddar Road and improve pedestrian priority at side roads and along the shared path
- 2 Kingsbury Primary School and Surrounds**
Reduce speeds along Green Avenue, Niblick Street and Maryborough Avenue along the school frontages
- 3 Kingsbury Place (Link Street)**
Improve pedestrian safety in and around the shopping strip
- 4 Dunne Street**
Improve cyclist and pedestrian safety, especially in the vicinity of Kingsbury Place and Darebin Creek
- 5 Hickford Street and Borrie Street**
Reduce speeds and volumes of non-local traffic, especially in front of the school. Consideration should also be given to treating adjacent roads including Miranda Rd and St Vigeons Road
- 6 Burbank Street to Purinuan Road**
Reduce speeds and volumes of non-local traffic. Improve safety at high collision intersections
- 7 Gertz Avenue**
Reduce speeds in front of the school and shops to improve pedestrian safety
- 8 San Leandro Drive**
Take measures to discourage non-local traffic and reduce speeds in the street
- 9 Carrol Street and Strathmerton Street**
Discourage non-local traffic, reduce speeds and improve pedestrian and cyclist safety around shopping strips and recreational facilities.
- 10 Broadway and Cuthbert Road**
Improve pedestrian safety along Broadway and reduce non-local traffic in Cuthbert Road
- 11 Reservoir East Primary School and Reservoir High School**
Improve pedestrian safety around the two schools and reduce speeds and volumes of non-local traffic

04

ENGAGING THE COMMUNITY



Community Consultation



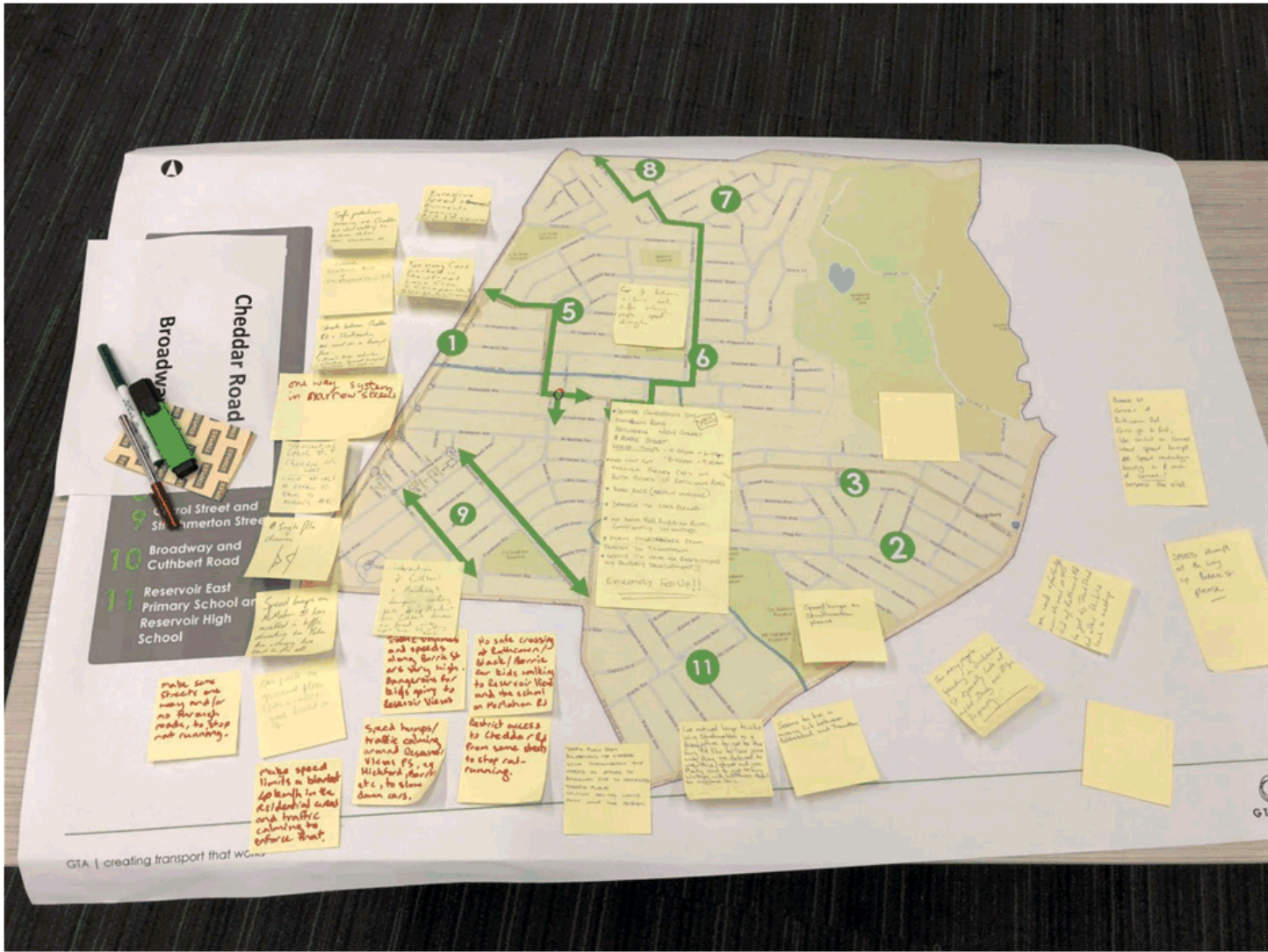
During February and March 2018, two community consultation workshops were facilitated by Council and attended by GTA.

The purpose of the workshops was to validate the understanding of existing transport issues, and seek feedback from residents as the experts in their local area.

The workshops were well attended and many issues were raised in areas which had not been previously identified in the data analysis and subsequent site inspections.

Participants were initially split into three geographical areas by residence, however they were encouraged to contribute to other areas. They were asked to discuss and identify issue locations on maps, as well as providing suggested treatments. The maps provided the initial findings of the LATM study and provided the basis to start discussion on traffic management issues in their area.

The main issues raised were rat-running and speeding, especially throughout the entire western section of the study area. The following slides summarise the feedback from the workshops and along with the data analysis, and provide the basis for the development of the concept traffic management plan.



Workshop Feedback: Road Network

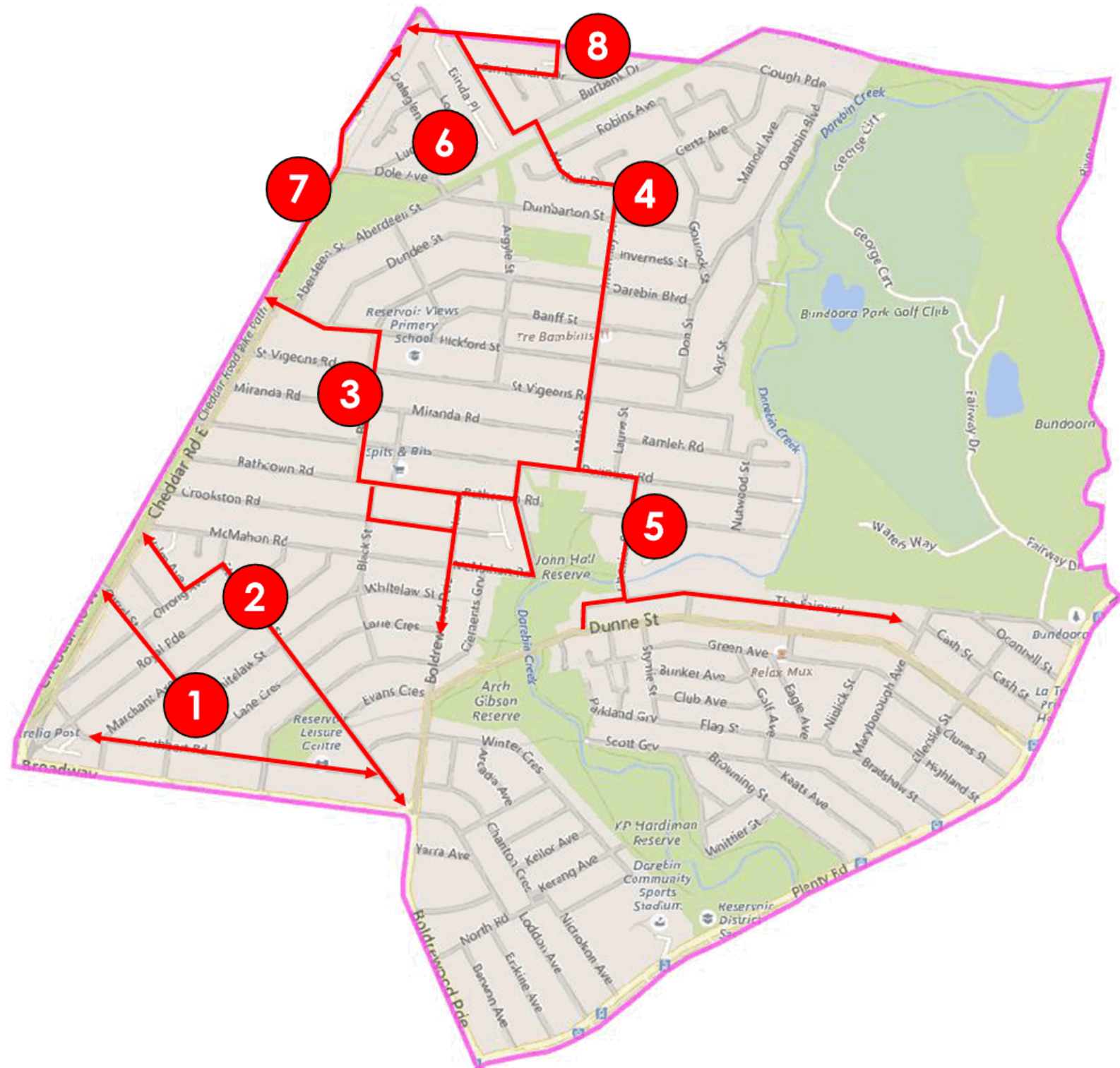


The most common issue raised throughout the workshops was non-local traffic using residential streets to avoid traffic congestion on the arterial road network, especially at the north and south ends of Cheddar Road.

Several locations within the study area were identified by residents to have varying levels of traffic congestion, however these were generally limited to arterial and Council collector roads.

The identified locations were generally in line with what had been previously identified in the data analysis and verification on site.

Site	Street	Identified Problem
1	Cuthbert St and Carrol St	Rat running
2	Strathmerton St / Palm Ave	Rat running and trucks
3	Hickford / Borrie / Rathcown	Rat running
4	Marshall / Invermay	Rat running and trucks
5	The Fairway	Rat running
6	Marshall Dr	Congestion (peak times)
7	Cheddar Road	Congestion (peak times)
8	San Leandro Dr	Rat running to get priority on Tunaley Pde



Workshop Feedback: Speeding



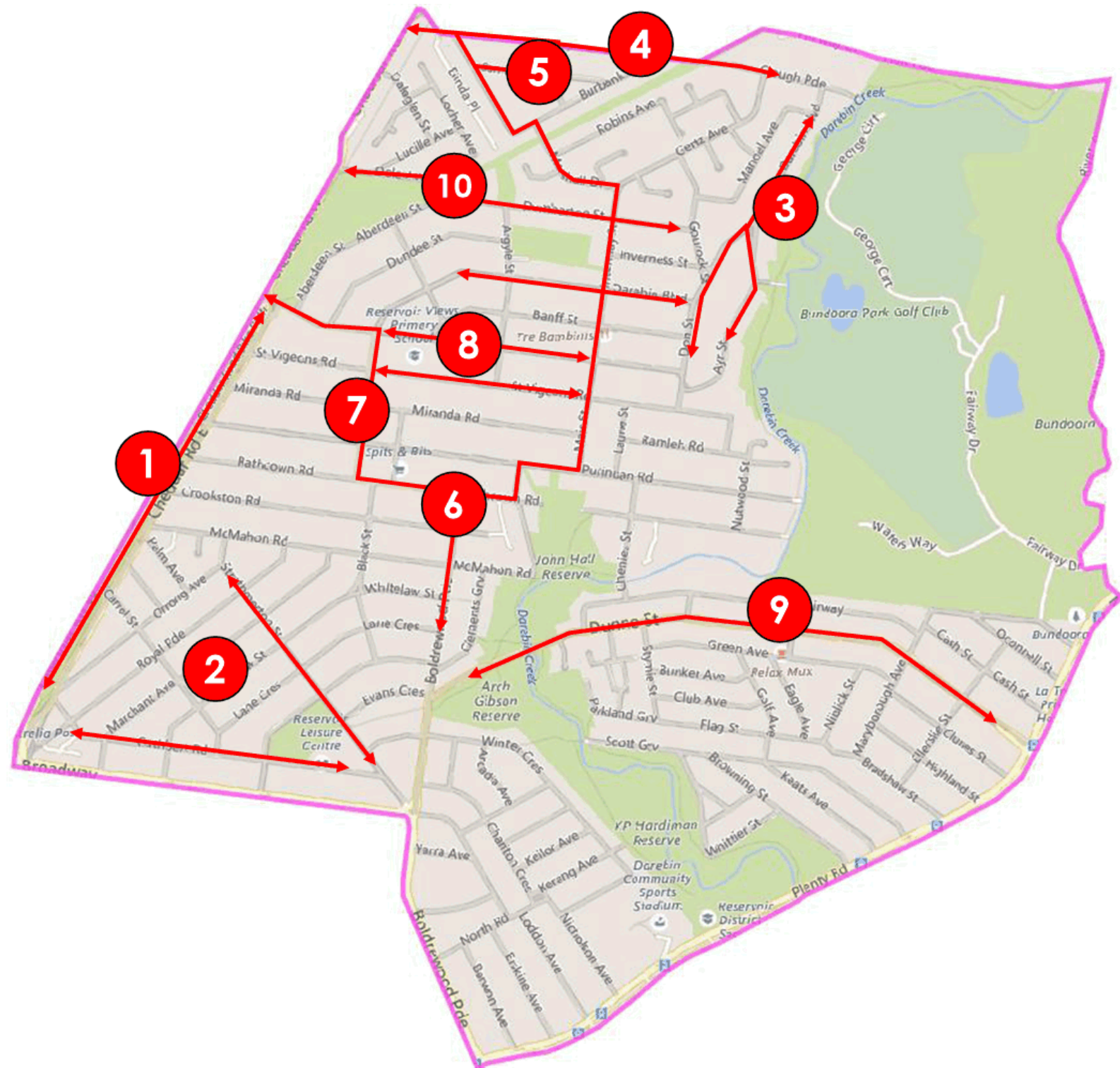
While it was not the main concern raised in the community workshops, speeding was still a problem perceived by residents at many locations, including streets with traffic calming.

Again, the locations were generally consistent with those identified from the data analysis however noting that the perception of vehicle speeds is often greatly different to actual speeds.

As such, the data will be largely relied upon to determine streets with speeding problems and to prioritise streets for traffic calming.

It is important to note however that almost every street will have a number of vehicles exceeding the speed limit, and that hooning is not a problem that is primarily solved with traffic calming, rather a targeted approach of enforcement and education has been shown to be much more effective.

Site	Street
1	Cheddar Road (duplicated section)
2	Cuthbert Rd / Strathmerton St
3	Ayr St / Darebin Blvd / Don St
4	Tunaley Pde / Clough Pde
5	San Leandro Dr
6	Boldrewood Pde / New St
7	Hickford St / Borrie St
8	Hickford St / St Vigeons Rd
9	Dunne St
10	Dole Ave / Dumbarton St



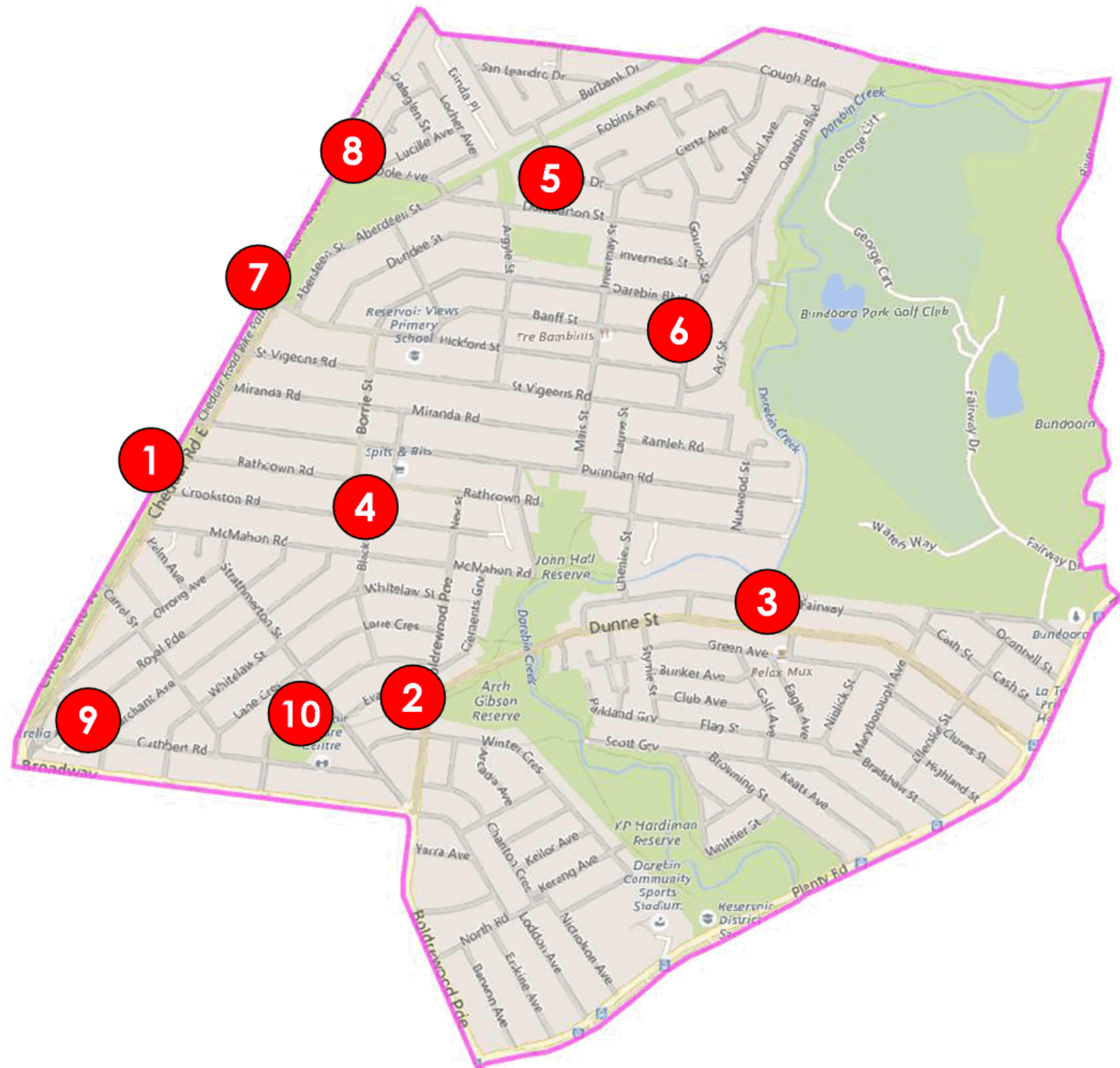
Workshop Feedback: Safety



The majority of concerns relating to road safety were regarding the safety of pedestrians, in particular around schools and crossing points along the collector / arterial road network.

While speeding issues have not been described here, there were also issues with regards to high speeds around corners, confusing priorities and poor sight distance.

Site	Street	Identified Problem
1	Cheddar Rd	Unsafe crossing points (pedestrians and vehicles)
2	Boldrewood Pde	Bus stop location
3	Dunne St	Unsafe bicycle and pedestrian crossing points
4	Rathcown / Borrie	Unsafe corner
5	Marshall Dr	Unsafe bend
6	Darebin Blvd / Don St	Unsafe intersection
7	Cheddar Rd / Hickford St	Pedestrian safety issues at roundabout
8	Cheddar Rd / Dole Ave	Dangerous crossing point at shared path
9	Cuthbert Rd	Unsafe bend
10	Cuthbert Rd / Strathmerton St	Pedestrian safety around leisure centre



Workshop Feedback: General

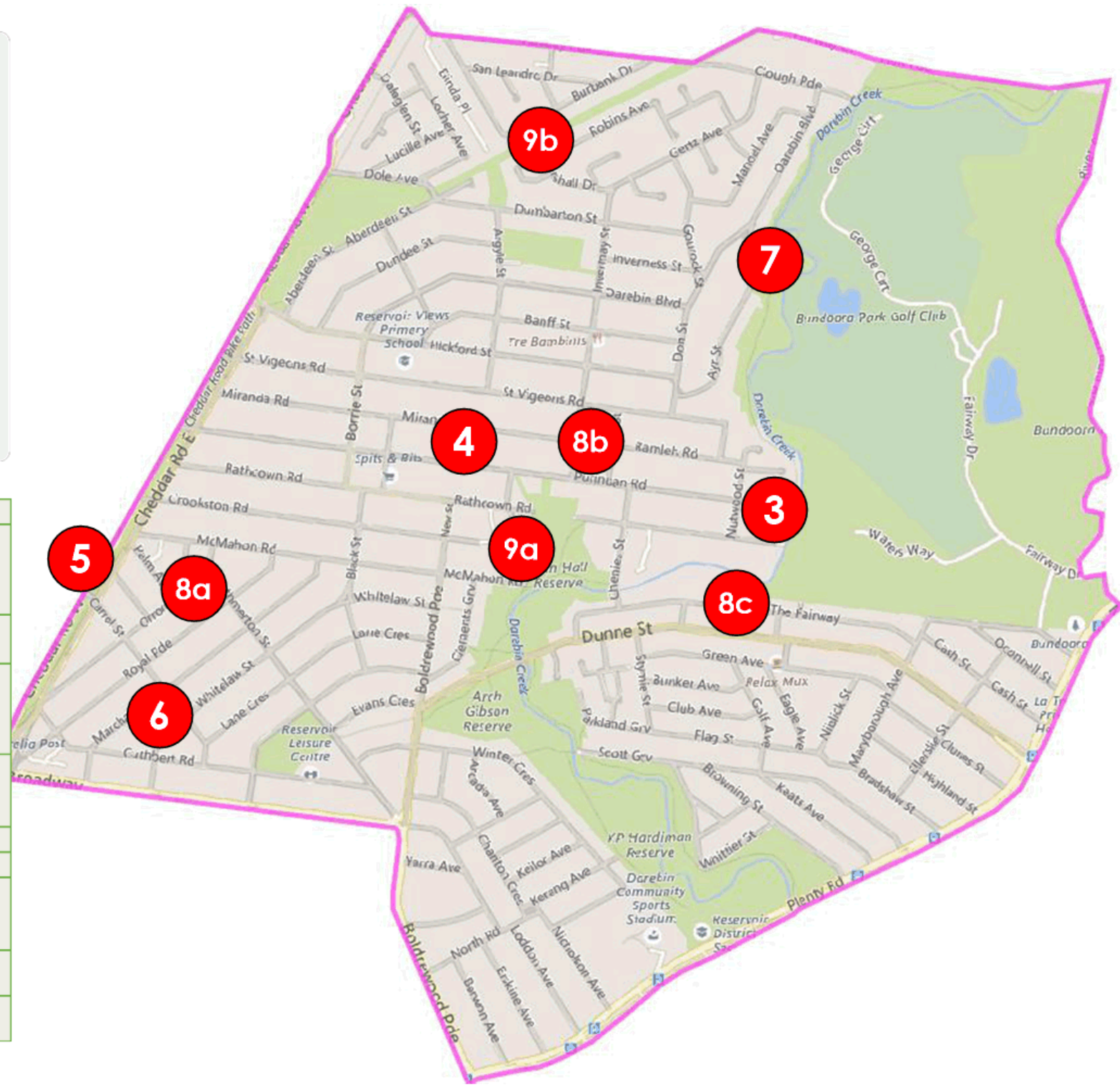


Further to the road safety and rat-running issues, there were also a number of general comments and concerns which are transport related however not within the scope of the LATM study.

These included housing developments, parked vehicles creating sight obstructions or blocking traffic, and poor signage / lighting.

One of the most common comments received was regarding the lack of crossings for pedestrians and cyclists across the Darebin Creek, especially at the eastern end of Rathcown Road.

Site	Street	Identified Problem
1	Area wide	Overdevelopment of medium density housing with lack of off-street parking
2	High St	Level crossing removal upcoming works
3	Rathcown Rd (east)	No pedestrian or cycling link across creek connecting towards Plenty Road
4	Rathcown Rd	Over development and congestion due to parked vehicles on narrow road
5	Cheddar Rd	Poor street signage
6	Carrol St	Poor lighting
7	Darebin Creek	Lack of crossing points is a barrier to increased pedestrian and cycling
8	Various (see map)	Parking too close to intersections
9	Various (see map)	Parked cars creating congestion

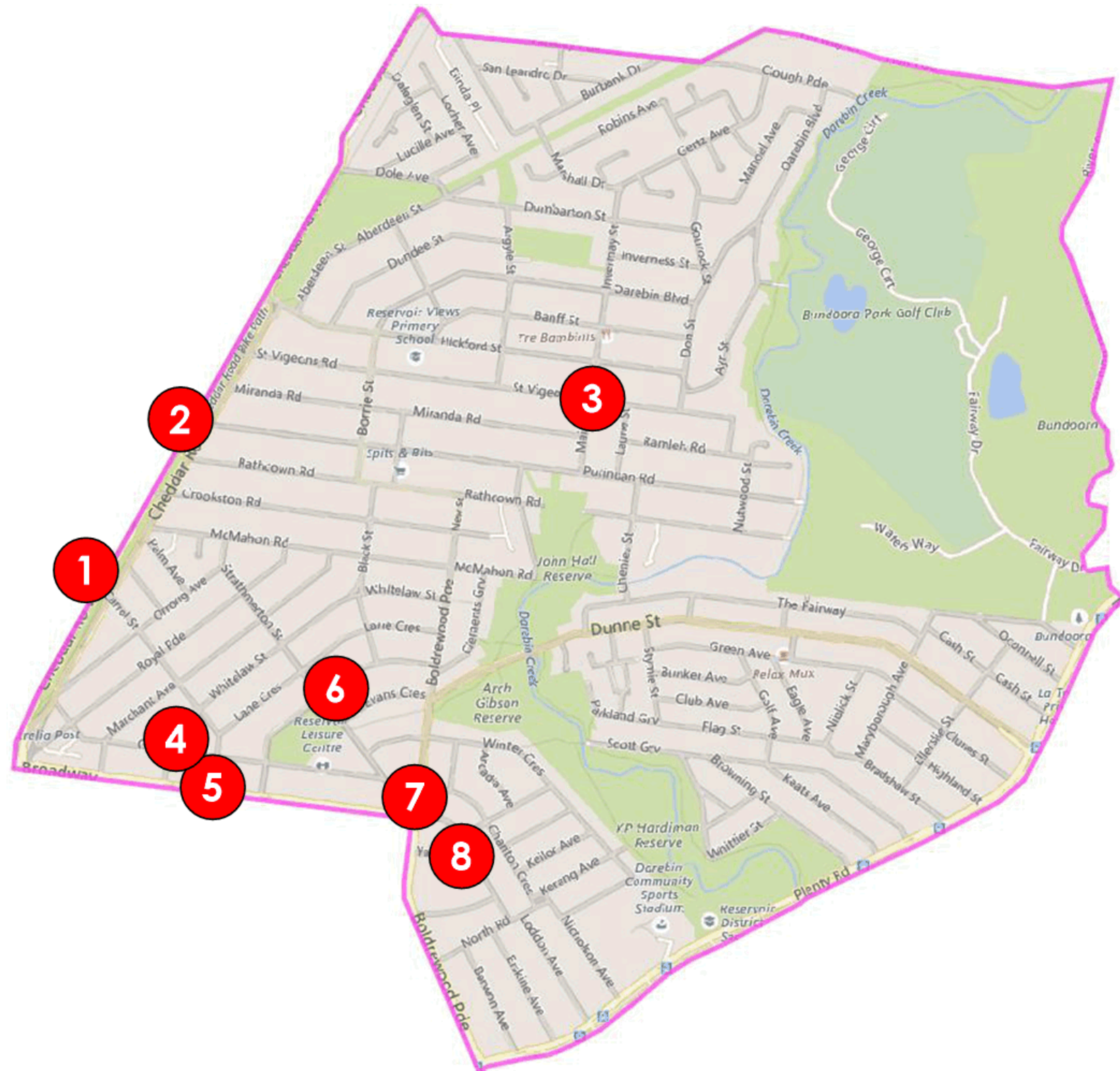


Other Community Feedback



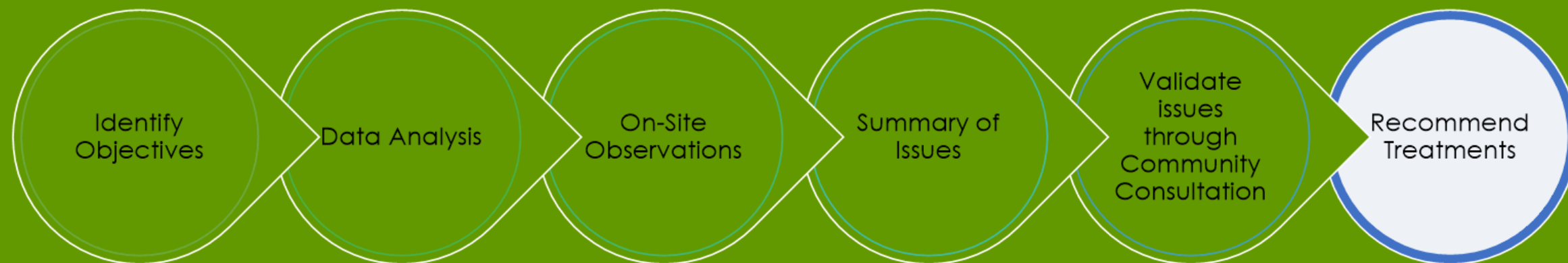
Several members of the community were interested, but not able to attend the community consultation workshops. Instead, they provided written feedback to Council. The majority of the feedback aligned with the feedback already received during the consultation sessions. However, any new issues have been identified and summarised on the image to the right, and the table below.

Site	Street	Identified Problem
1	Cheddar Road	Cycling safety at shared path crossings
2	Cheddar Rd / Purinian Rd	No safe pedestrian crossing points
3	St Vigeons / Mais St	Road safety, speeding and rat-running
4	Cuthbert Rd / Whitelaw St	Road safety
5	Broadway	Congestion
6	Fordham Rd	Speeding
7	Boldrewood Pde / Broadway	Congestion
8	Gisborne Crescent	Speeding and rat-running



05

TRAFFIC MANAGEMENT PLAN



Traffic Management Plan



The final stage of the study is to consider all the issues raised through data analysis, site inspection and community feedback and determine treatments that respond to issues without compromising community expectations, the operation of the bus network, and represent good value for money. In particular, given that availability of car parking was raised as a significant issue throughout consultation, devices that require significant loss of car parking were not considered for this traffic management plan as they are unlikely to be acceptable to the community.

The following section outlines:

- the need to cater for bus network operation, and access by service and emergency vehicles when choosing treatment types
- a list of LATM treatment types that were considered when determining suitable treatment types and consideration of potential appropriateness to the study area
- a proposed traffic management plan, with a list of treatments and their estimated costs.

Considerations – Existing conditions



Public Transport, service and emergency vehicles

When considering locations for local area traffic management, allowances must be made for the movement of larger vehicles (i.e. roundabouts big enough to accommodate a bus), and passenger comfort and safety.

One of the main constraints across the study area is the presence of a bus route utilising the local road network due to the lack of a suitable collector road.

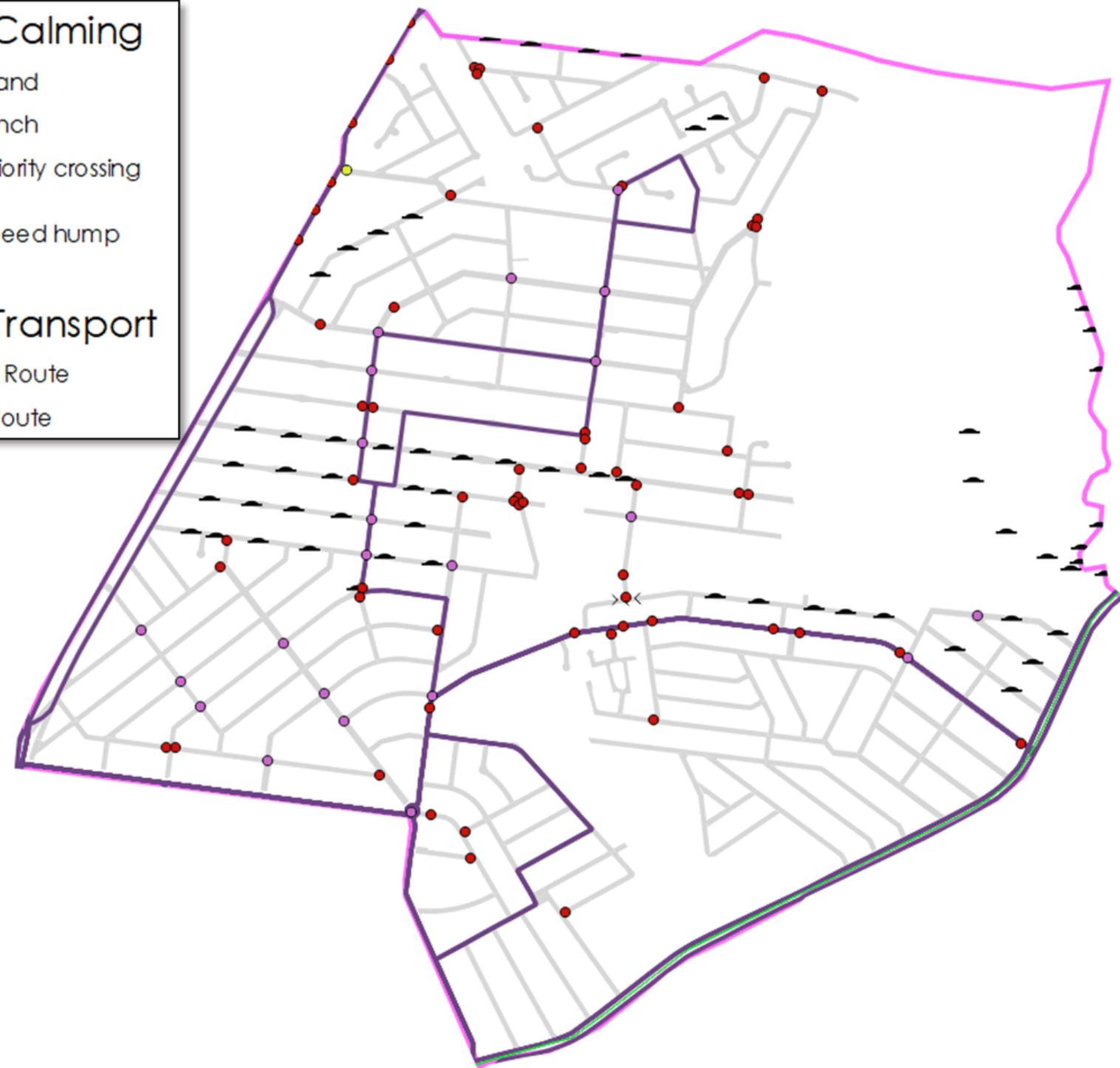
As such, treatments such as traditional speed humps are not always appropriate on bus routes.

Traffic Calming

- island
- >< pinch
- priority crossing
- speed hump

Public Transport

- Tram Route
- Bus Route



Existing Traffic Management

Current local area traffic management across the study area is primarily made up of roundabouts, traffic islands (modified t-intersections, pedestrian refuges and intersection splitter islands) and speed humps.

There is little consistency across the area and many gaps in the road network where traffic appears to have shifted based on the location of existing installations of traffic calming devices.

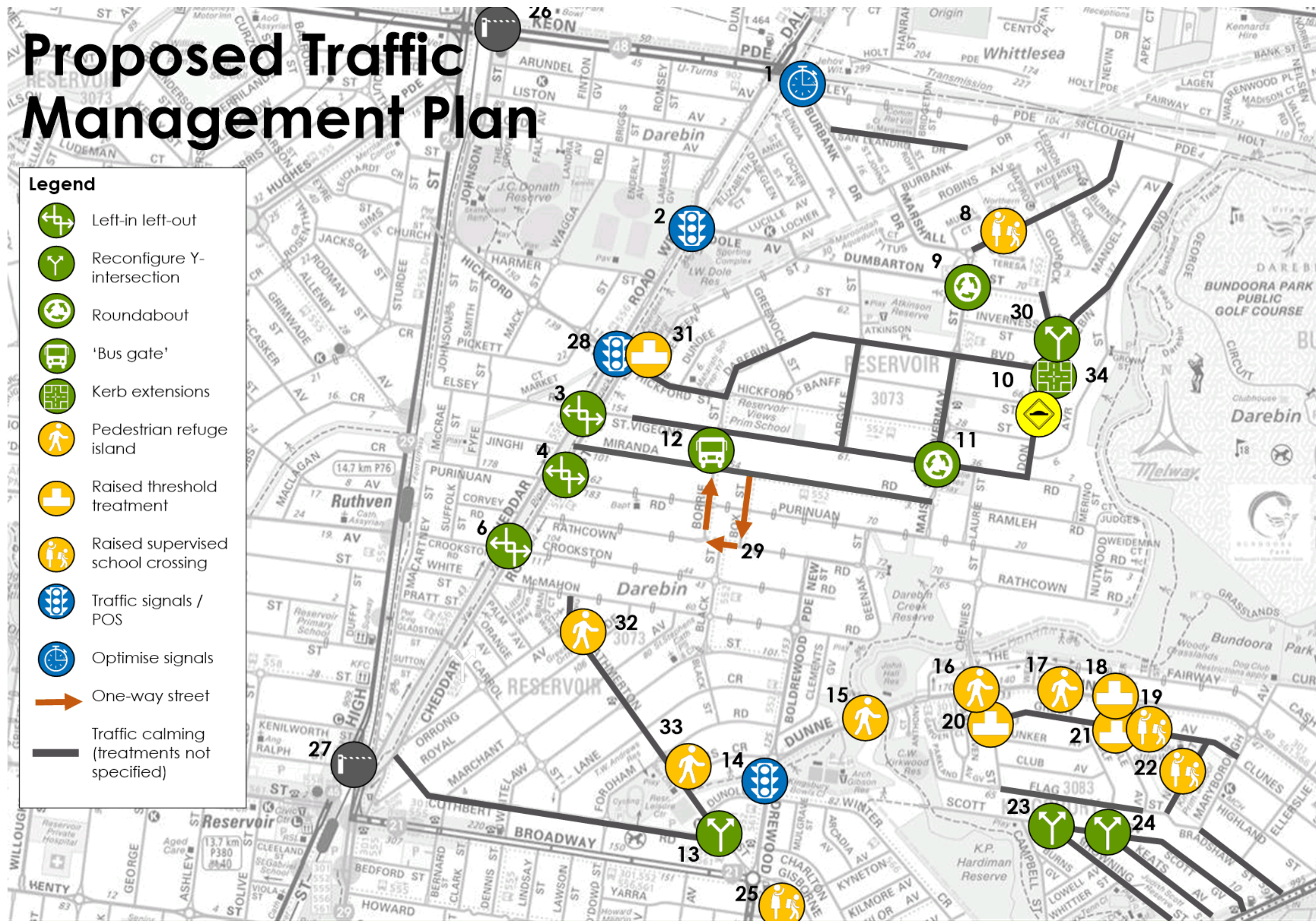
Considerations: LATM options

Measure		Benefits					Appropriate for study area?
		Reduce speeds	Reduce traffic volumes	Reduce crash risk	Increase pedestrian safety	Increase bicycle safety	
Vertical Deflection	Road humps	✓	✓	✓			Considered appropriate except for streets with bus routes and bike paths
	Road cushions	✓	✓	✓		✓	Considered appropriate for streets with bus routes and high speeds
	Flat-top road humps	✓	✓	✓	✓	✓	Considered appropriate except for streets with bus routes
	Wombat crossings	✓	✓	✓	✓		Considered appropriate particularly at school crossings and in shopping strips
	Raised intersections	✓	✓	✓		✓	In this context, the effectiveness of the treatment doesn't warrant the capital expenditure
Horizontal deflection devices	Lane narrowing / kerb extensions	✓			✓		Community consultation showed there was limited tolerance for loss of parking
	Slow points	✓	✓				Community consultation showed there was limited tolerance for loss of parking
	Centre blister islands	✓	✓		✓		Significant number of driveways meant there was often not sufficient space to fit this treatment
	Driveway links	✓	✓		✓	✓	Community consultation showed there was limited tolerance for loss of parking
	Mid-block median treatments	✓		✓	✓	✓	Streets requiring treatment were too narrow for median treatments
	Roundabouts	✓	✓	✓			In most instances there was not sufficient space without property acquisition
Diversion devices	Full road closure		✓	✓	✓	✓	Results in unacceptable level of diverted traffic to adjacent streets. Would require significant traffic management intervention to control the impacts
	Half road closure		✓	✓	✓	✓	Considered appropriate when applied in conjunction with other treatments to manage the diversion of traffic
	Diagonal road closure		✓	✓	✓	✓	Results in unacceptable level of diverted traffic to adjacent streets.
	Modified T-intersection	✓	✓	✓	✓	✓	Considered appropriate where road safety concerns warrant the capital expenditure
	Left-in / left-out islands		✓	✓	✓		Considered appropriate when applied across multiple streets to manage the diversion of traffic

Considerations: LATM options cont'd

Measure		Benefits					Appropriate for study area?
		Reduce speeds	Reduce traffic volumes	Reduce crash risk	Increase pedestrian safety	Increase bicycle safety	
Signs, line-marking and other treatments	Speed limit signs	✓		✓	✓	✓	Limited effectiveness when not coupled with Police enforcement. Recommend implementing as part of the 40km/h area roll out.
	Prohibited traffic movement signs		✓	✓		✓	Limited effectiveness when not coupled with Police enforcement
	One-way (street) signs		✓	✓	✓		Only appropriate on short street segments or coupled with speed reduction treatments, otherwise speed increases are likely
	Give way signs	✓	✓	✓	✓	✓	Not recommended as a standalone treatment as reassignment of priority might not perform safely if placed contrary to driver expectations
	Stop signs	✓	✓	✓	✓	✓	
	Shared zones	✓	✓		✓	✓	No location was deemed to have the requisite density of pedestrian movements to operate effectively
	School zones	✓		✓	✓	✓	Already in place
	Threshold treatments	✓	✓	✓	✓	✓	Recommended when coupled with a raised pavement along collectors and shopping strips
	Tactile surface treatments	✓					Not recommended in areas where cyclists or motorbikes are present
	On-street bicycle facilities			✓		✓	Considered appropriate, but not considered as part of the scope of this project
	On-street bus facilities		✓				Considered appropriate along bus routes with high volumes
	Centre line marking	✓		✓			Considered appropriate on streets with high speeds and sufficient road width





Table developed based on the AustRoads Guide to Traffic Management Part 8: Local Area Traffic Management (2016 Edition)



List of treatments incl. cost estimates

Location		Suggested Treatment		Priority	Indicative Cost [1]
31	Aberdeen Street / Hickford Street		Raised pedestrian threshold treatment at the intersection of Aberdeen Street and Hickford Street	Low	\$75,000
14	Boldrewood Parade		Raised pedestrian threshold treatment between Winter Cres and Dunne Street to support safe access along the creek trail	Medium	\$75,000
12	Borrie Street		Midblock road closure of Borrie Street to prevent vehicle through trips, with the exception of buses and service vehicles. It would be positioned such that residents on the street can still access their driveways.	High	\$100,000
29	Box Street / Borrie Street		One-way treatment in direction of bus travel (clockwise) including necessary infrastructure changes to restrict illegal turning movements	High	\$20,000-\$50,000
3, 4, 6	Cheddar Road (various)		Install left-in left-out treatments at the intersections of Cheddar Road and St Vigeons Road, Purinuan Road and Crockston Road. The central islands should be wide enough to double as pedestrian refuge islands	High	\$20,000 each
10	Darebin Boulevard		Traffic calming on north and west approaches of intersection with Don Street to improve safety at the intersection. Alternatively, consider kerb extensions.	Low	\$30,000
2	Dole Avenue		Fully signalised intersection at Cheddar Road	Low	\$500k-\$1mil
34	Don Street		Extend kerb to reduce road width on Don Street at intersection with Darebin Boulevard	Low	\$10,000
9	Dumbarton Street		Roundabout at the intersection with Invermay Street	Low	\$50,000 - \$200,000
15, 17	Dunne Street		New and upgraded pedestrian refuges along Dunne Street at Wedge Street and Darebin Creek Trail to improve pedestrian safety	High	\$10,000 each
16	Dunne Street		New and upgraded pedestrian refuges along Dunne Street (west of Stymie Street) between bus stops to improve pedestrian safety	High	\$10,000
18, 20	Dunne Street		Raised pedestrian threshold treatments at Dunne Street and Stymie Street to improve pedestrian priority and slow turning vehicles	High	\$75,000
8	Gertz Avenue		Raised supervised school crossing to slow vehicles in existing permanent 40km/h speed zones	High	\$30,000
19	Green Avenue		Raised supervised school crossing to slow vehicles in existing permanent 40km/h speed zones	High	\$30,000

List of treatments incl. cost estimates

Location		Suggested Treatment		Priority	Indicative Cost [1]
28	Hickford Street		Convert roundabout to traffic signals and reconsider traffic management west of Cheddar Road	Low	\$500k-\$1mil
26, 27	Level crossings at Keon Parade and High Street		The level crossing removals are likely to have significant impacts on local area traffic movements. It is recommended that Darebin City Council work with the Level Crossing Removal Authority to mitigate these impacts, and review and monitor this traffic management plan in relation to the works.	-	-
21	Link Street		Raised pedestrian threshold treatments at both ends of street to improve pedestrian priority and slow turning vehicles	High	\$150,000
22	Niblick Street		Raised supervised school crossing to slow vehicles in existing permanent 40km/h speed zones	High	\$30,000
11	St Vigeons Road		Reduce speeds on approach to Invermay Street including consideration of a roundabout and a raised intersection with a pedestrian link for the east and south leg.	High	\$50,000 - \$200,000
32, 33	Strathmerton Street		New and upgraded pedestrian refuges along Strathmerton Street to improve pedestrian safety at the shopping strip and Reservoir Leisure Centre.	Medium	\$10,000 each
1	Tunaley Parade		Optimize signal timing at the intersection of Tunaley Parade and Keon Parade to give more green time to Cheddar Road (nb. VicRoads approval required)	High	\$15,000
25	Yarra Avenue		Raised supervised school crossing to slow vehicles in existing permanent 40km/h speed zones	High	\$30,000
-	All local access roads		Roll out 40km/h area zones throughout the study area	Medium	TBC
13, 23, 24, 30	Various		Make improvements to, or remove / reconfigure identified dangerous Y-intersections: <ul style="list-style-type: none"> Strathmerton Street and Cuthbert Road Scott Grove and Browning Street Scott Grove and Keats Avenue Darebin Boulevard and Gourock Street 	Medium	\$70,000 each

[1] Broad level or initial feasibility planning construction cost estimates prepared by GTA Consultants must not be relied upon for quoting, budgeting or construction purposes. More detailed estimates can only be prepared from detailed civil engineering design drawings and require the services of a qualified quantity surveyor.

[2] Points 5 and 7 were treatments proposed in a previous version of this report and have since been removed.

Traffic Calming Locations

Traffic calming locations (type not specified)		
Street	Location	Priority
Strathmerton Street	Full length	High
Cuthbert Road	Full length	High
St Vigeons Road	Full Length	Medium
Miranda Road	Between Cheddar Road and Borrie Street	Medium
Hickford Street	Between Cheddar Road and Borrie Street	Medium
Darebin Boulevard	Full Length	Medium
Green Avenue	Full Length	High
Flag Street / Bradshaw Street	Full Length	Medium
Browning Street / Keats Avenue / Scott Grove	Full Length	Medium
San Leandro Drive	Full Length	High
Nicholson Avenue	Full Length	High
Niblick Street	Full Length	High
Gertz Avenue	Full Length	High

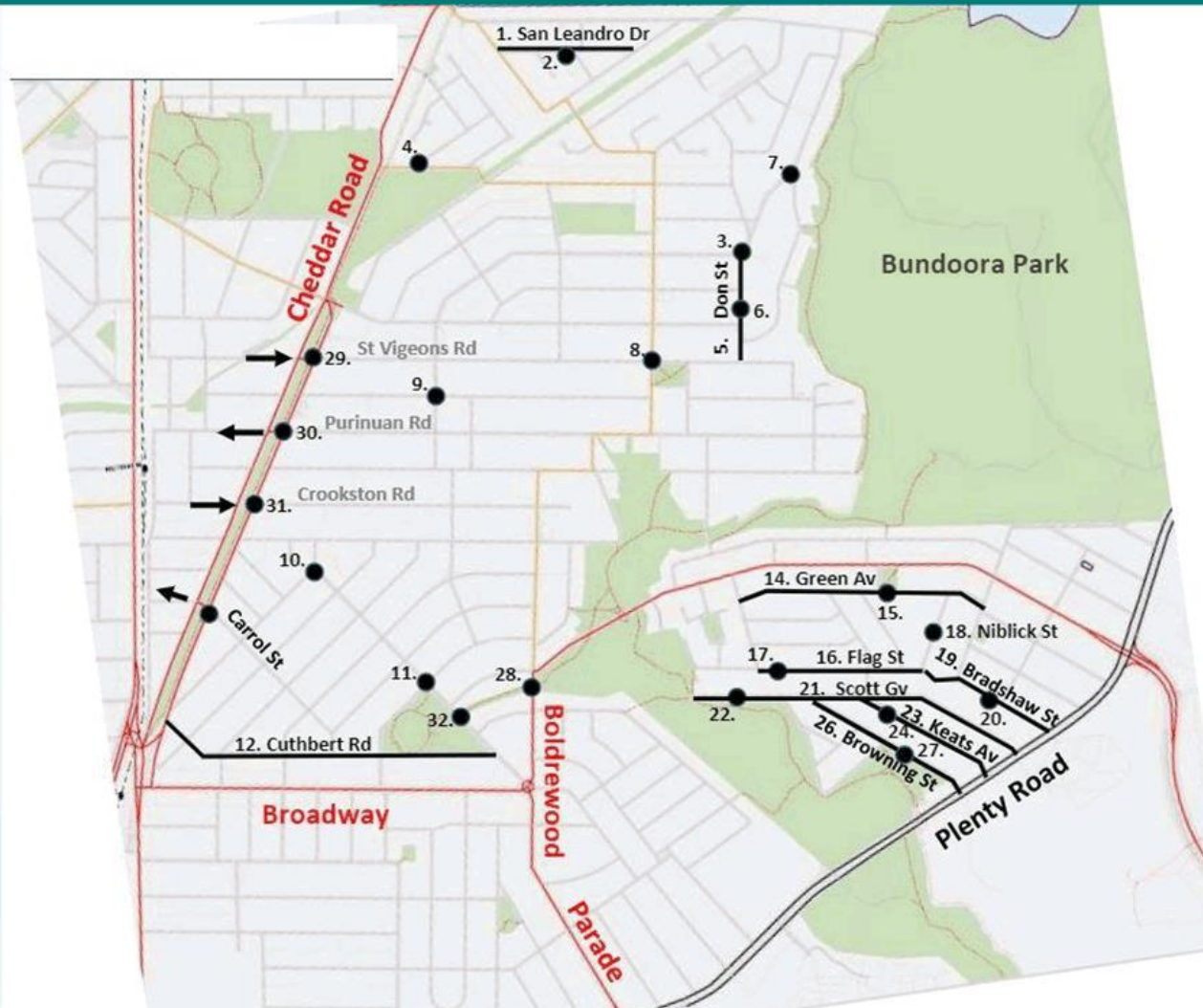
V127140
23 July 2018

GTA Contact: Chris Coath and Phoebe Hollins

www.gta.com.au

VIC NSW SA WA QLD

Cheddar Road Local Area Place Making Project – Proposed Treatment Locations

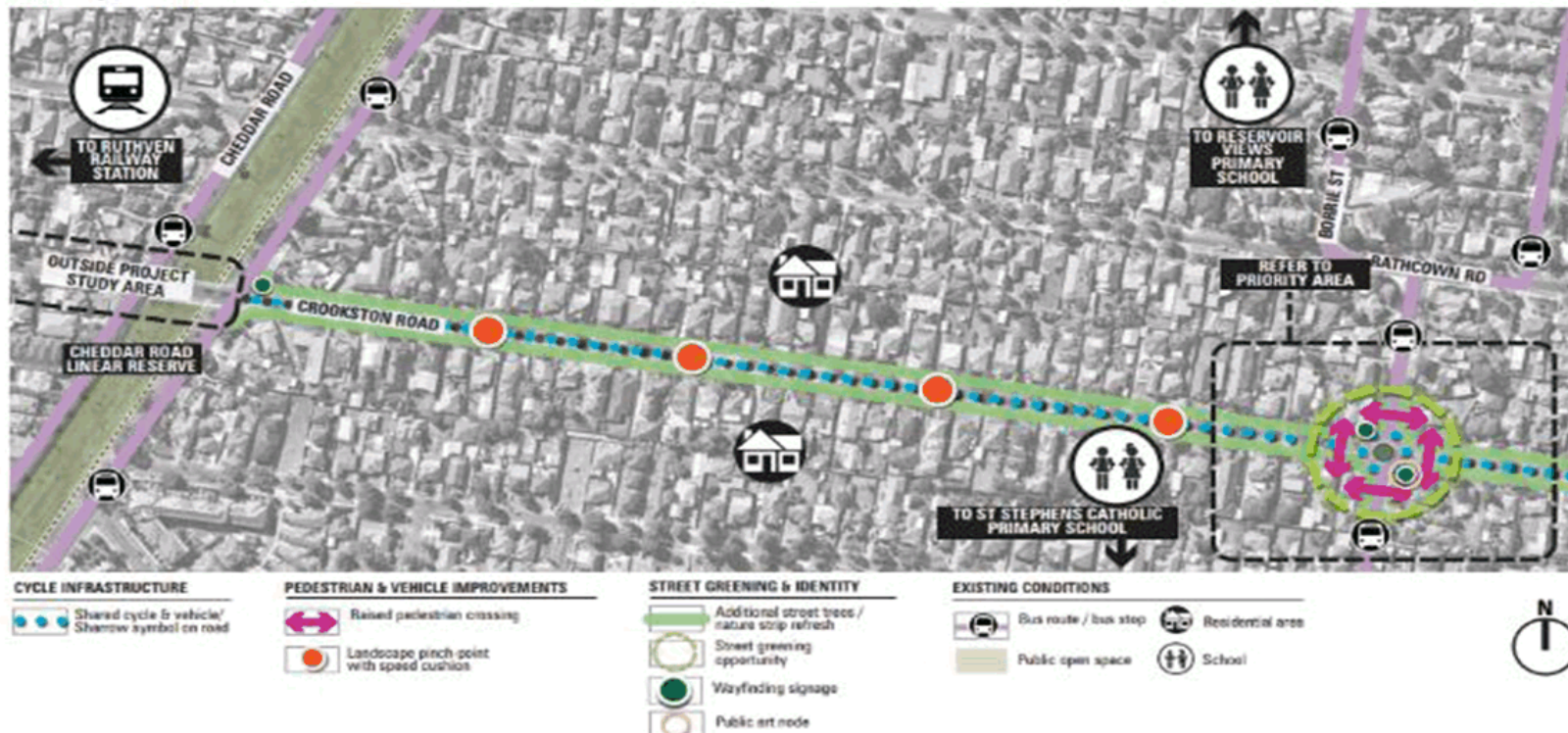


PAGE No	LOCATION	PROPOSED TREATMENT
1 ▶	San Leandro Drive (Burbank Drive west to Burbank Drive east)	'Platform' Speed Cushions (x4)
2 ▶		Raised Pedestrian Crossing (pedestrian access to San Leandro Reserve)
	Bridgeton Street	Road closure (south end) at San Leandro Drive
	Roff Street	Raised Entry Threshold
3 ▶	Darebin Boulevard at Don Street intersection	'Platform' Speed Cushions Raised Entry Threshold
4 ▶	Aberdeen Street at Hickford Street intersection	Raised Pedestrian Threshold (adjacent Dunstan Reserve)
5 ▶	Don Street	'Platform' Speed Cushions (x4)
6 ▶		Opposite House no. 5
7 ▶	Darebin Boulevard at Ayr Street intersection	'Platform' Speed Cushion Raised Pedestrian Crossing
8 ▶	Intersection Invermay Street and St Vigeons Road and Mais Street	Raised Flat-Top Safety Platform with Zebra Crossings on East and West sides
9 ▶	Intersection Borrie Street and Miranda Road	Raised Intersection Platform
10 ▶	Intersection Strathmerton Street and Fordham Road	Partial Road closure (except cyclists)
11 ▶	Intersection Strathmerton Street and Orrong Avenue	Raised Safety Platform (retain islands). Constriction on south-east approach
12 ▶	Cuthbert Road (Cheddar Road to Strathmerton Street)	'Platform' Speed Cushions (x10)
	Cuthbert Road (at Strathmerton Street)	Raised Entry Threshold
13 ▶		CONCEPT: 'Platform' Speed Cushion Opposite House no. 18 corner with Lane Crescent
14 ▶	Green Avenue (Stymie Street to Maryborough Avenue)	'Platform' Speed Cushions (x7)
	Green Avenue at Maryborough Avenue	Raised Entry Threshold
15 ▶	Green Avenue , east of Link Street	Raised Pedestrian Crossing (pedestrian access to Link Street Park)

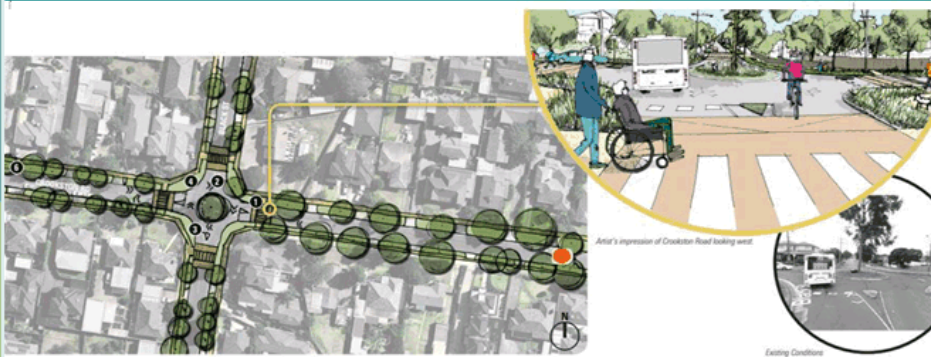
16 ► Flag Street (Stymie Street to Niblick Street)	'Platform' Speed Cushions (x5)
17 ►	CONCEPT: 'Platform' Speed Cushion Opposite House nos. 22 and 29
18 ► Niblick Street	Raised Pedestrian Crossing (pedestrian access to Kingsbury Primary School)
19 ► Bradshaw Street (Niblick Street to Plenty Road)	'Platform' Speed Cushions (x4)
Bradshaw Street at Plenty Road	Raised Entry Threshold
20 ► Bradshaw Street, north-west of Ellerslie Street	CONCEPT: 'Platform' Speed Cushion Opposite House numbers 15 and 18
21 ► Scott Grove	'Platform' Speed Cushions (x8)
Scott Grove at Plenty Road	Raised Entry Threshold
22 ► Scott Grove	CONCEPT: 'Platform' Speed Cushion Opposite House no. 106
23 ► Keats Avenue (Scott Avenue to Plenty Road)	'Platform' Speed Cushions (x4)
Keats Avenue at Plenty Road	Raised Entry Threshold
24 ► Keats Avenue	CONCEPT: 'Platform' Speed Cushion Opposite House no. 18
25 ► Browning Street (Scott Avenue to Plenty Road)	'Platform' Speed Cushions (x4)
Browning Street at Plenty Road	Raised Entry Threshold
26 ► Browning Street east of Whittier Street	Raised Pedestrian Crossing (pedestrian access to Judith Scott Memorial Park)
27 ► Boldrewood Parade	Raised Pedestrian Crossing (pedestrian access to Arch Gibson Reserve)
28 ► Cheddar Road at St Vigeons Street	Median Island to allow Left-in / Left-out Only
Cheddar Road opposite St Vigeons Street (median gap)	One-way flow (west to east)
29 ► Cheddar Road at Purinuan Road	Median Island to allow Left-in / Left-out Only
Cheddar Road opposite Purinuan Road (median gap)	One-way flow (east to west)
30 ► Cheddar Road at Crookston Road	Median Island to allow Left-in / Left-out Only
Cheddar Road opposite Crookston Road (median gap)	One-way flow (west to east)
31 ► Strathmerton Street , south of Evans Crescent	Raised Pedestrian Crossing Facility (pedestrian and cyclist access to Reservoir Leisure Centre)
32 ► Cheddar Road at Carrol Street	Median Island to allow Left-in / Left-out Only
Cheddar Road opposite Carrol Street	One-way flow (east to west)
33 ► Cheddar Road at Dole Avenue	Traffic signals

Northern Reservoir Streets For People corridor on Crookston Road with treatment locations

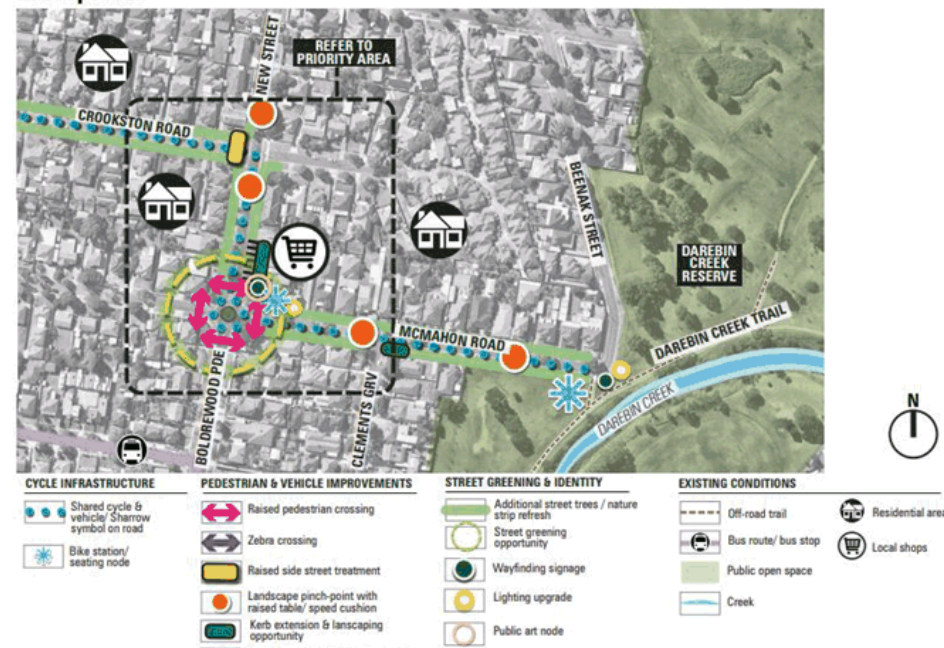
Concept Plan



Northern Reservoir Streets For People corridor on Crookston Road with treatment locations



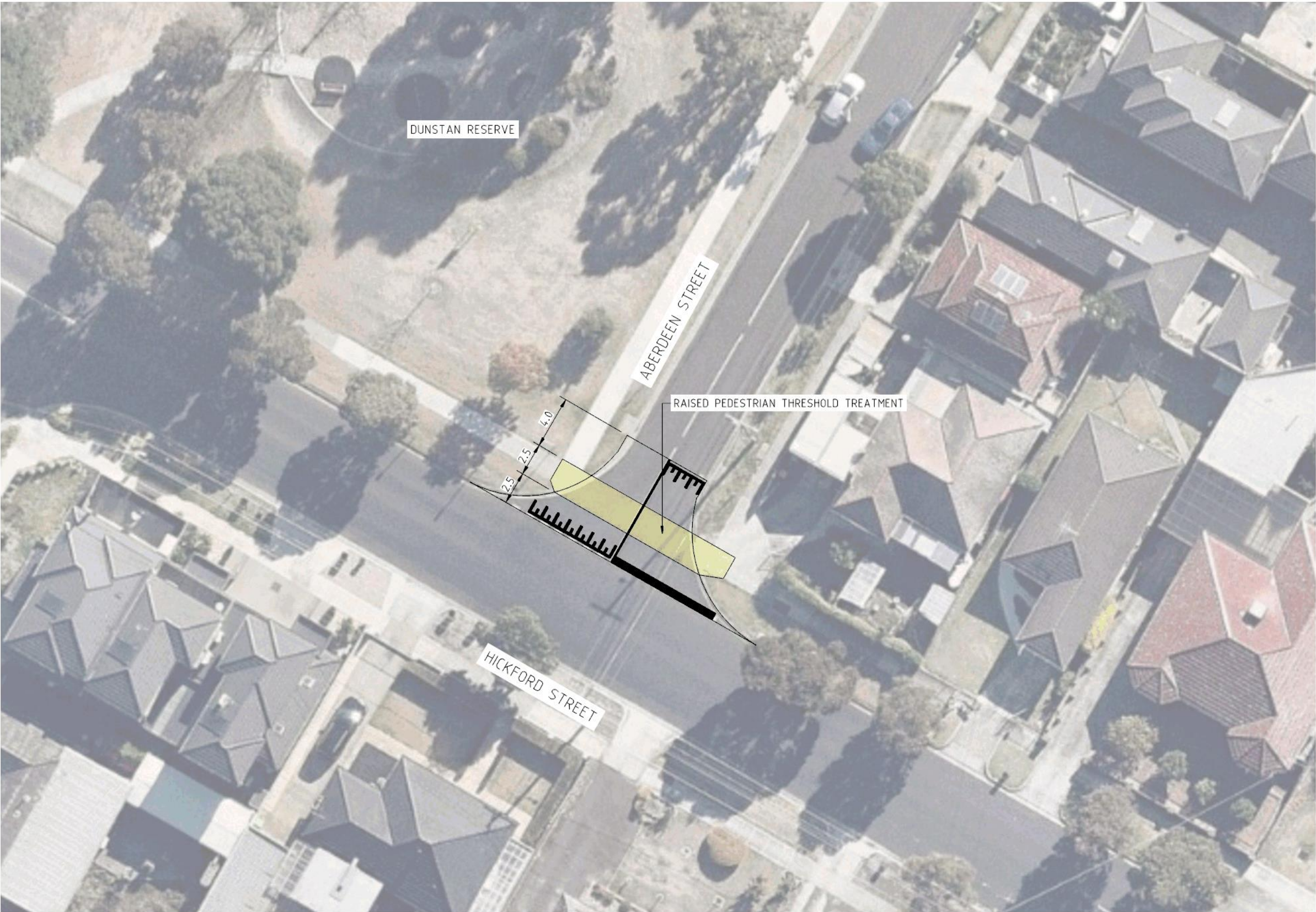
Concept Plan







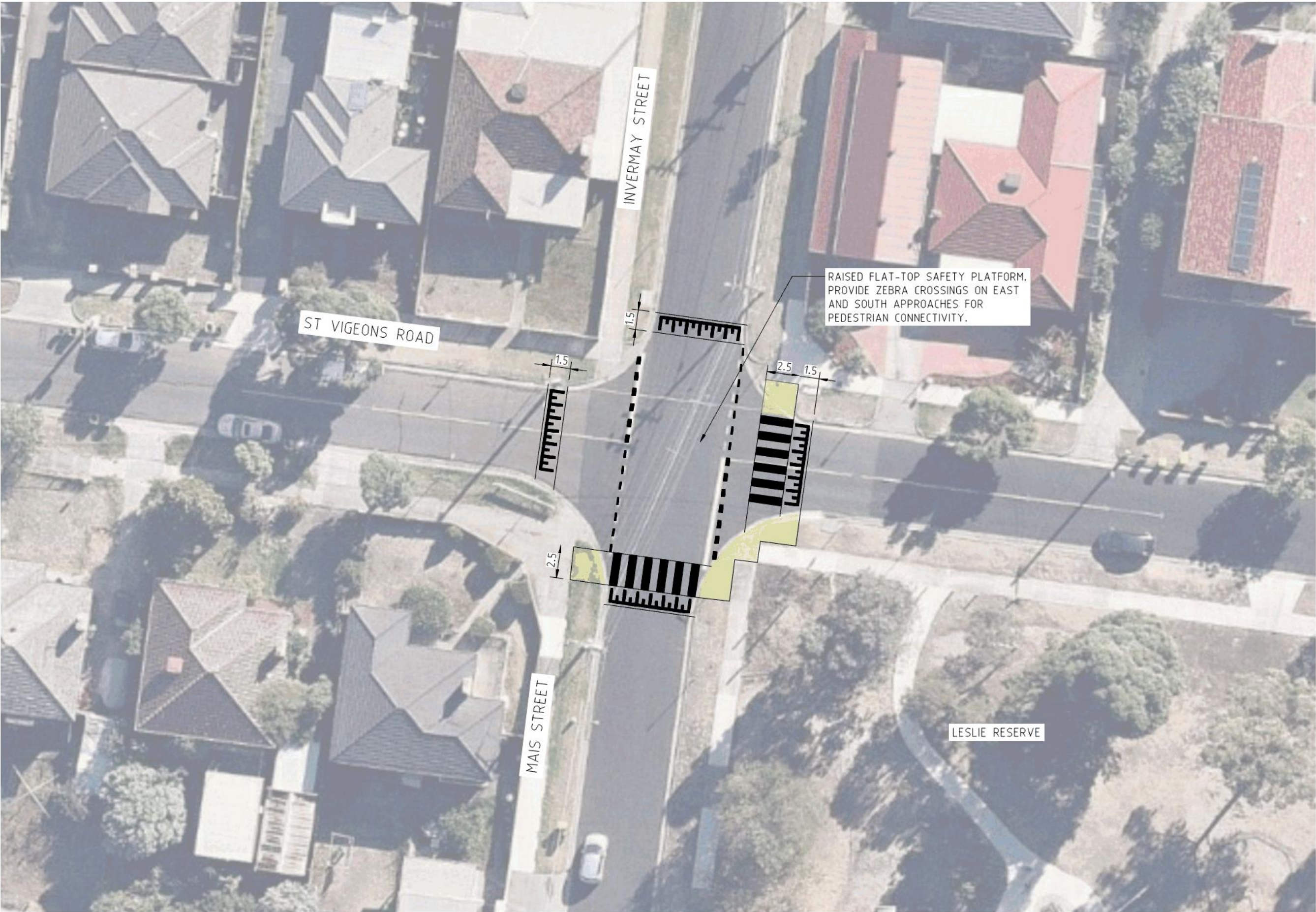


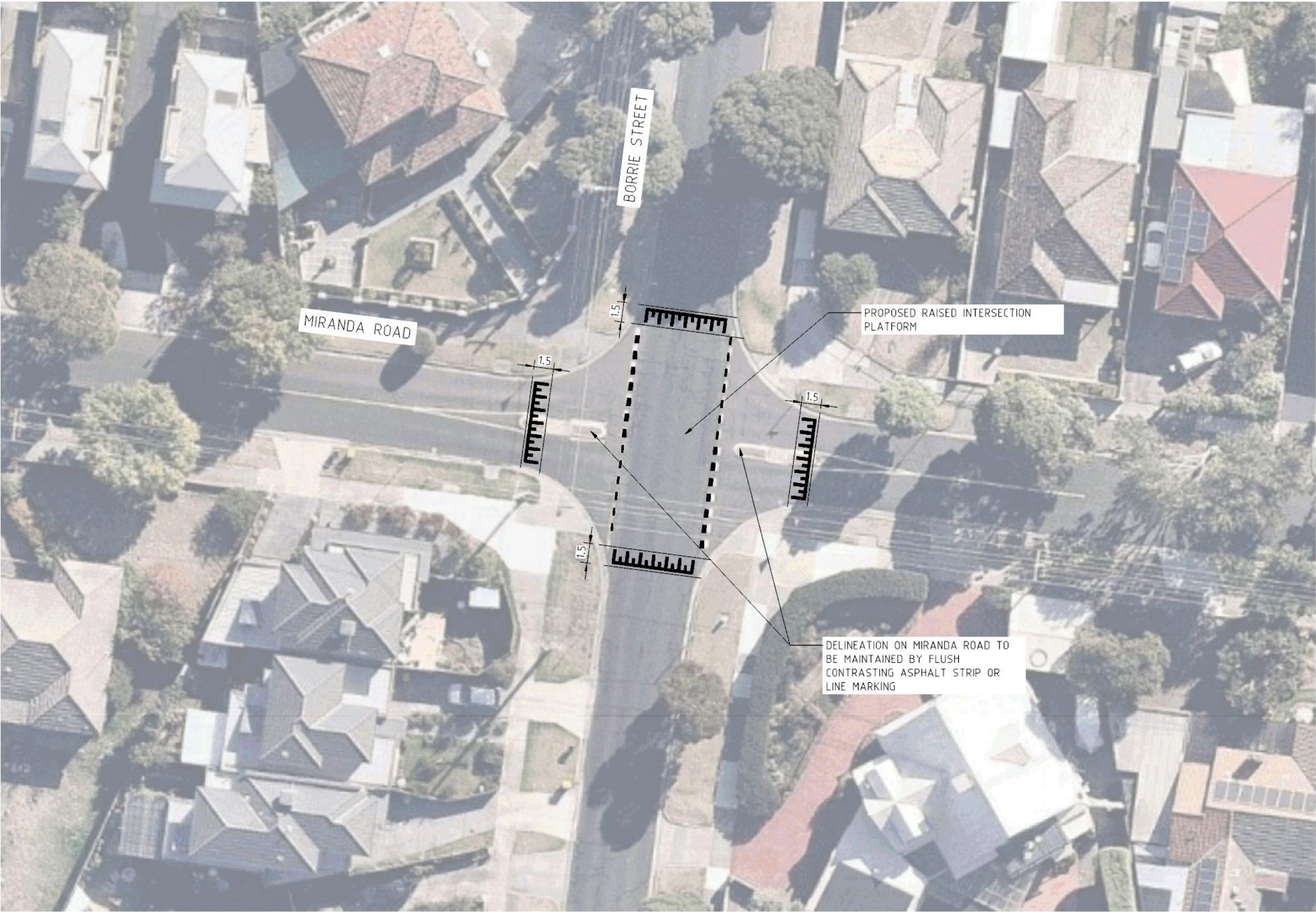




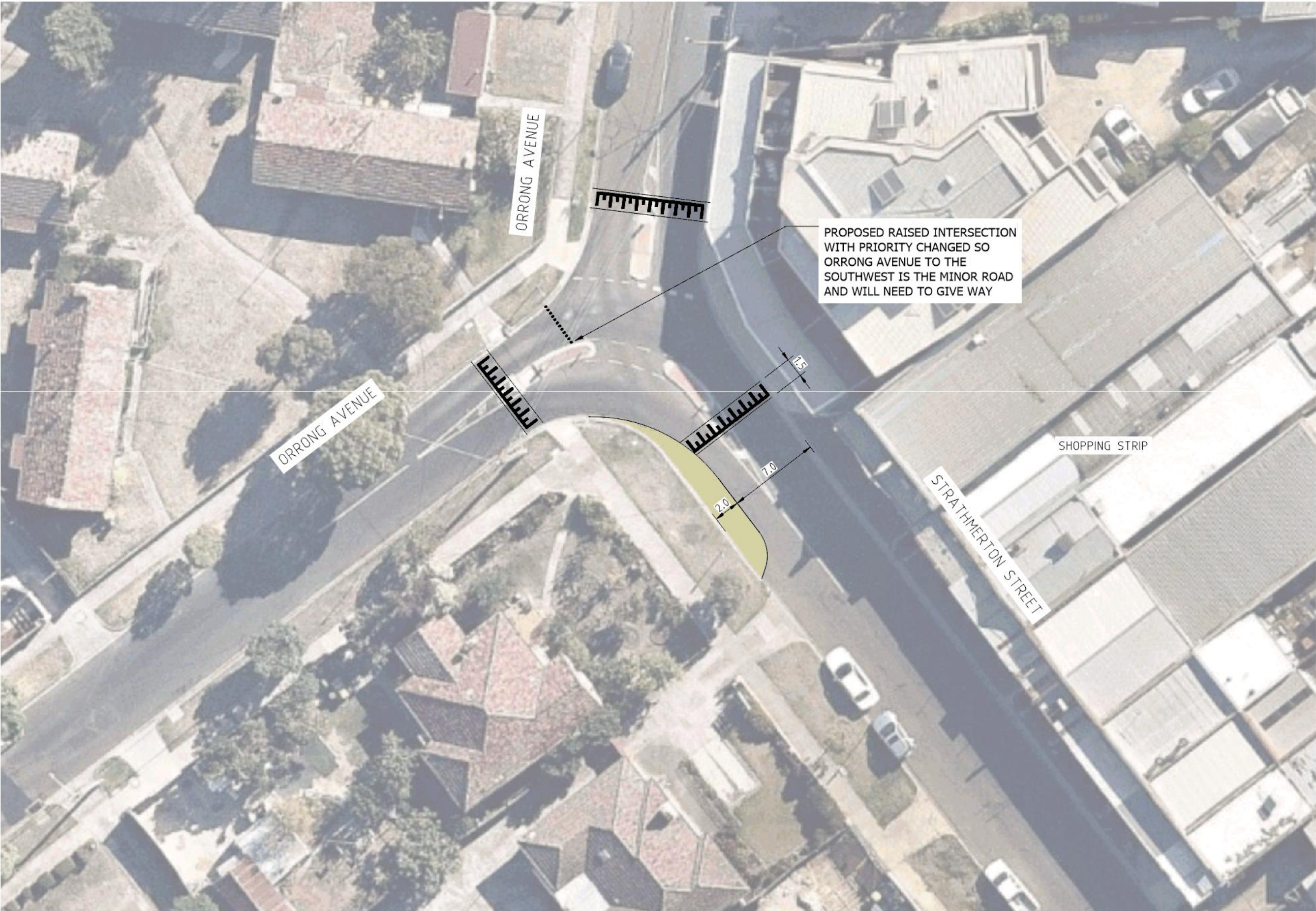




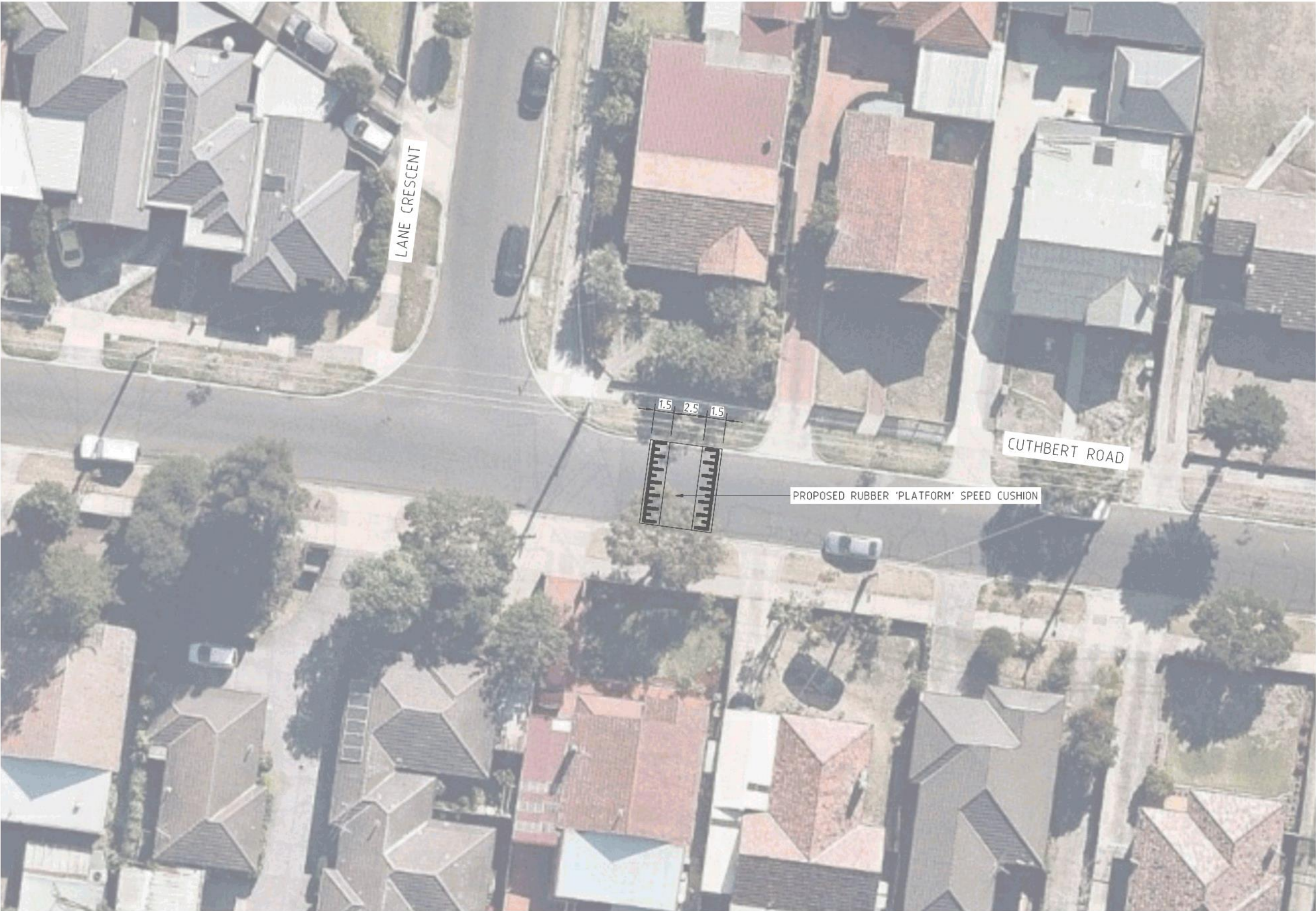












































ENTRY ONLY FROM CHEDDAR ROAD

LEFT-IN LEFT-OUT TREATMENT.
CONSTRUCT SEMI-MOUNTABLE
MEDIAN ISLAND WITH 2m WIDE
PEDESTRIAN REFUGE.

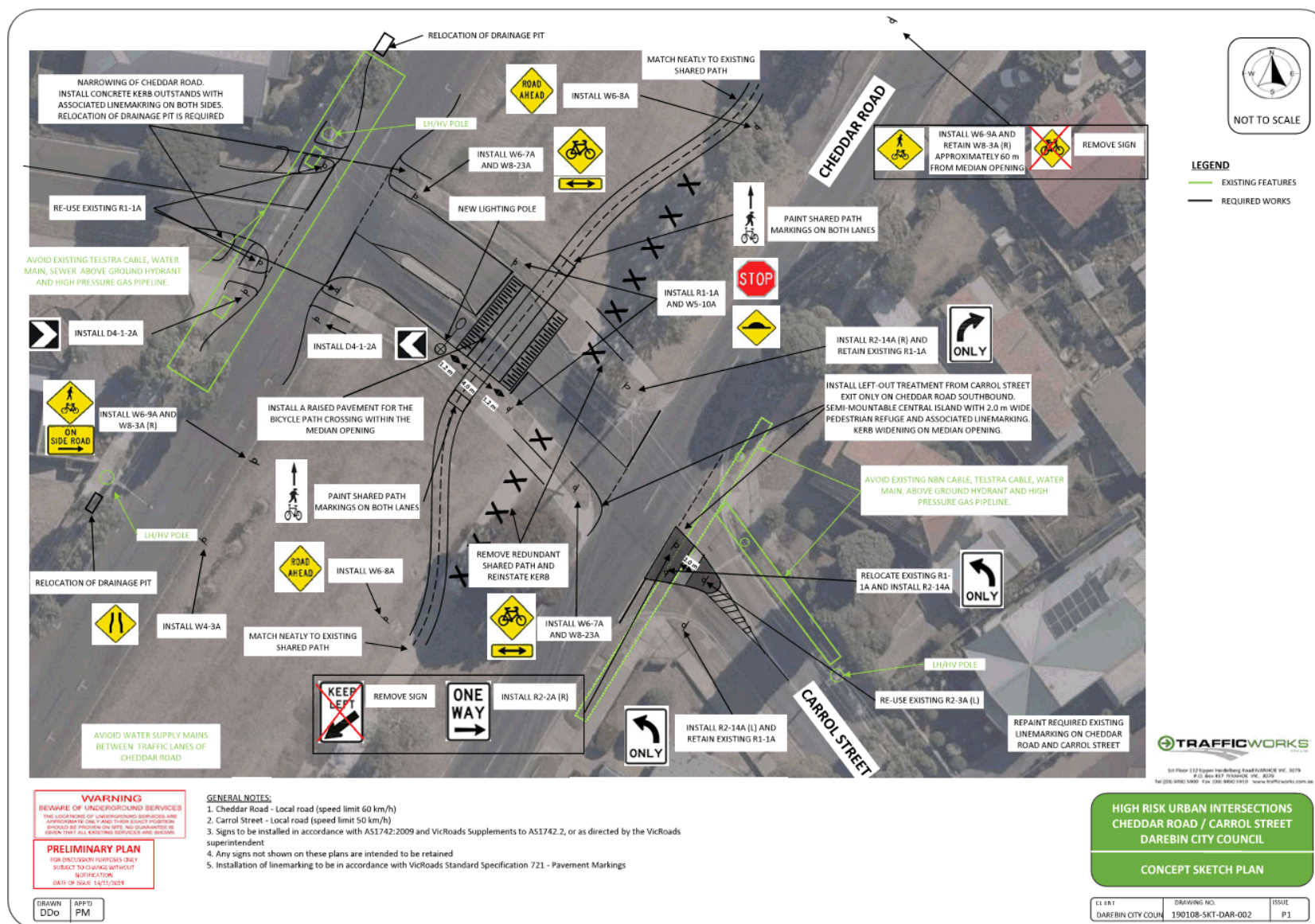
PURINUAN ROAD

CHEDDAR ROAD

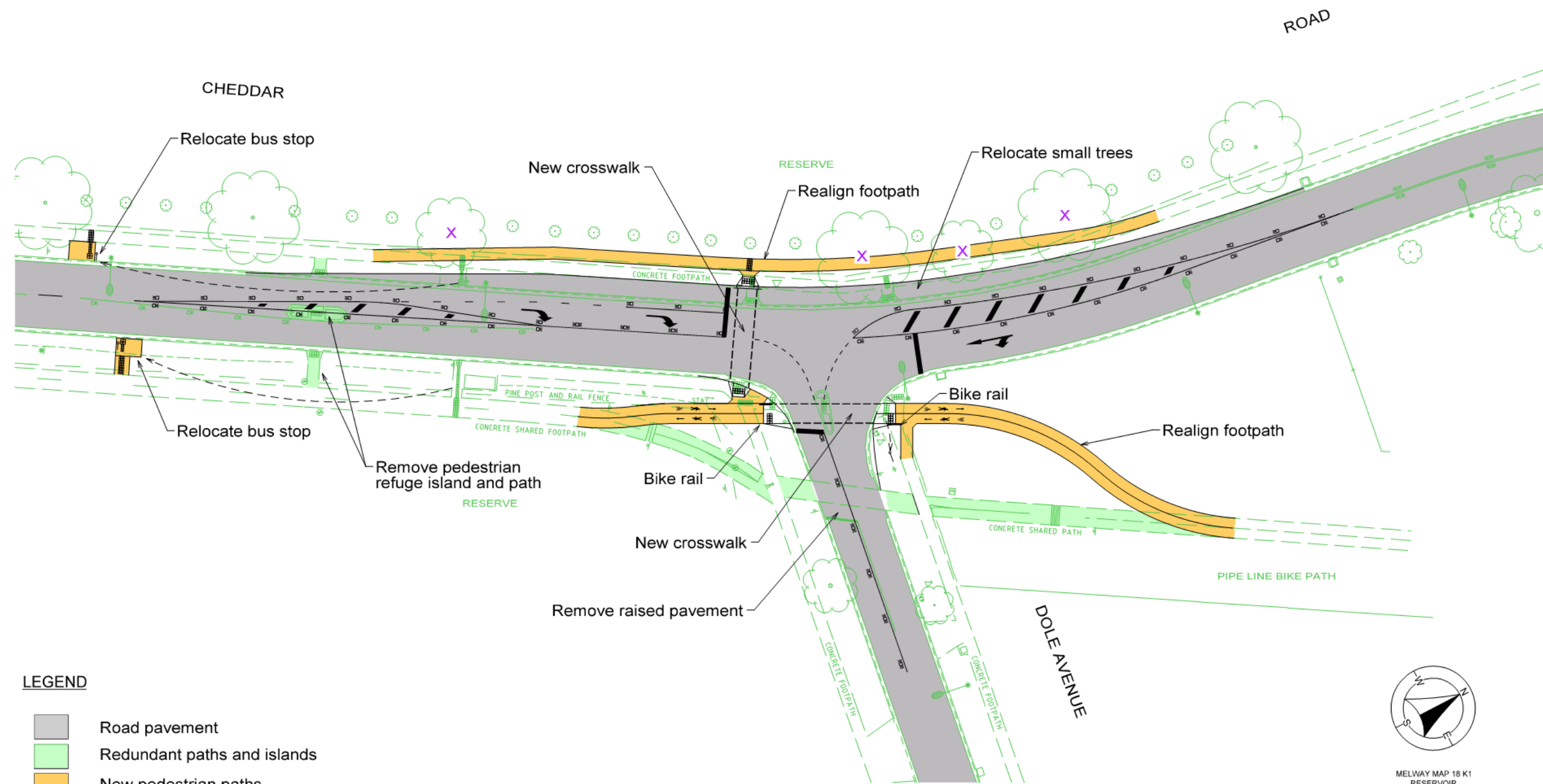
2.0







CHEDDAR ROAD / DOLE AVENUE
PROPOSED INTERSECTION TRAFFIC SIGNALS



LEGEND

- Road pavement
- Redundant paths and islands
- New pedestrian paths
- Warning tiles
- Directional tiles
- Tree to be removed
- Existing conditions
- Proposed kerb works



MELWAY MAP 18 K1
RESERVOIR



1st Floor 132 Upper Heidelberg Road IVANHOE VIC. 3079
P.O. Box 417 IVANHOE VIC. 3079
Tel (03) 9490 5900 Fax (03) 9490 5910 www.trafficworks.com.au



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7.7 COMMONWEALTH HOME SUPPORT PROGRAM OFFER OF FUNDING EXTENSION**Author:** Manager Aged & Disability**Reviewed By:** General Manager Community

EXECUTIVE SUMMARY

Council has a contract with the Commonwealth's Department of Health to deliver aged care services under the Commonwealth Home Support Programme. The current contract commenced on 1 July 2016 and was extended in 2019 for one year, to 30 June 2020.

The Department made a grant offer to Council for further two years extension, to deliver CHSP services for the period 1 July 2020 to 30 June 2022.

Council has previously resolved that while the Commonwealth provides block funding for CHSP services, Darebin Council will continue to provide those services. Consistent with that resolution and Council's Age Friendly Darebin findings and strategy, this report recommends accepting the Department of Health's offer.

Recommendation

That Council authorises the CEO to accept the offer made by the Commonwealth's Department of Health for delivery of Commonwealth Home Support Programme (CHSP) services for the period 1 July 2020 to 30 June 2022.

BACKGROUND / KEY INFORMATION

Council has a contract with the Commonwealth's Department Health (DoH) to deliver aged care services under the Commonwealth Home Support Programme (CHSP). The current contract commenced on 1 July 2016 until 30 June 2019, with a one-year extension for the period 1 July 2019 to 30 June 2020 in place. Council received a grant offer extension for a further two years until June 2022.

Council's CHSP services support on average about 2300 clients per month and include: Domestic and Shopping Assistance, Personal Care, Respite, Home Maintenance, Delivered Meals and Social Support Groups. Council has previously resolved that while the Commonwealth provides block funding for CHSP services, Council will continue to provide those services. Consistent with that resolution, this report recommends accepting this extension offer.

Council's CHSP services work with clients and their families. These services are an important component of our Age Friendly Darebin (AFD) strategy, as they provide direct line of sight into the needs of older people in Darebin. Council works with CHSP's special groups, this includes working people from culturally diverse backgrounds, Aboriginal older people, people with more complex and chronic health conditions and those who are disadvantaged in our community.

Council undertakes this work in partnership with other organisations and community groups and leverages these relationships, networks and insights to inform other AFD initiatives, such as community development and whole of organisation approach of AFD. CHSP has enable

us to provide vital support to many older people during COVID 19. For instance, these services supported the development of the new Community Navigation Service and the extension of outreach phone support to those at risk during this challenging time.

Previous Council Resolution

At its meeting held on 11 June 2019, Council resolved:

'That Council:

- (1) *Authorises the CEO to accept the offer made by the Commonwealth's Department of Health for delivery of Commonwealth Home Support Program (CHSP) services for the period 1 July 2019 to 30 June 2020.*
- (2) *Writes to the Federal Government requesting that they honour their commitment to extend CHSP funding until June 2022 and consider extending the funding indefinitely after that date.*

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

The Age Friendly Darebin Review engaged with the community and received significant feedback about CHSP aged care services, including a petition organised by community members that supported the ongoing delivery of CHSP services by Darebin Council.

Communications

Community members and current Council aged care services clients have been informed about Council's commitment to continue providing CHSP services while the Commonwealth continues its block funding of CHSP. Aged & Disability will continue to provide updates to stakeholders, including clients.

ANALYSIS

Alignment to Council Plan / Council policy

Goal 2 - Opportunities to live well

Environmental Sustainability Considerations

The decision about the CHSP contract extension is not expected to directly impact environmental sustainability within Darebin. However, all Council services must be delivered and designed in a way that reduces impact on the environment and maximises sustainability.

Climate Emergency

This report and contract extension have no direct impact on climate emergency.

Equity, Inclusion and Wellbeing Considerations

The CHSP contract extension impacts inclusion and wellbeing for Darebin's older people, including current service recipients. Council's CHSP services for older people provides important services to residents of diverse cultural backgrounds, Aboriginal older people and older people from disadvantaged backgrounds. CHSP ensures the inclusion of special groups including:

- people who identify as Aboriginal and Torres Strait Islander
- people from culturally and linguistically diverse backgrounds
- people who are financially or socially disadvantaged
- people who are homeless, or at risk of becoming homeless
- people who are lesbian, gay, bisexual, transgender and intersex
- people who are Care Leavers (which includes Forgotten Australians, Former Child Migrants and Stolen Generations)
- parents separated from children by forced adoption or removal.

Darebin's CHSP services engages with special groups locally to support access, equity, inclusion and wellbeing of these groups.

Cultural Considerations

This contract extension has no direct impact on arts and creative industries in Darebin.

Economic Development Considerations

Economic development considerations are primarily in relation to Darebin Council's current employees delivering aged care services, many of whom live locally.

Financial and Resource Implications

Given the Federal Government announcement on 2 April 2019, this grant extension is factored in the 2020/21 draft budget. This offer has CPI increase of 1.5% and 1.17% in year 1 and 2 respectively compared to current base funding.

Legal and Risk Implications

The contract extension terms and conditions are consistent with existing contract terms and conditions. Due diligence to review all legal and risk related matters has been undertaken and no new risks have been identified. Existing risks are well managed through our existing management and contract oversight and existing reporting, policies and processes.

DISCUSSION

Council's CHSP services are: Domestic and Shopping Assistance, Personal Care, Respite, Home Maintenance, Delivered Meals and Social Support Groups. Overall CHSP, on average each month about 2300 clients access these services.

On 8 May 2020, the Commonwealth's Department of Health made a formal offer to Council to deliver services under CHSP for the 2020/21 and 2021/22 financial years. The contractual obligations and contract terms are consistent with current contract terms.

Council resolved in September 2018 to continue providing CHSP services while the Commonwealth Government provided block funding. The offer is consistent with the Council resolution. Council's CHSP services work with clients and their families. These services are an important component of AFD strategy and implementations, as they provide direct line of sight into the needs of older people in Darebin.

Council works with CHSP's special groups, this includes working people from culturally diverse backgrounds, Aboriginal older people, people with more complex and chronic health conditions and those who are disadvantaged in our community. Council's CHSP services undertake this work in partnership with other organisations and community groups, and leverage these relationships, networks and insights to inform other AFD initiatives such as community development and whole of organisation reforms of AFD.

CHSP has also provided vital support to many older people during COVID 19, enabling us to rapidly adapt our support. For instance, these services supported the development of the new Community Navigation Service and the extension of outreach phone support to those at risk during this challenging time.

OPTIONS FOR CONSIDERATION

- Option 1: Council authorises the CEO to accept the offer made by the Commonwealth's Department of Health for delivery of CHSP for the period 1 July 2020 to 30 June 2022.
- Option 2: Council rejects the offer made by the Commonwealth's Department of Health for delivery of CHSP for the period 1 July 2020 to 30 June 2022 (Note: this option is inconsistent with previous Council resolutions).

IMPLEMENTATION STRATEGY

Details

If approved, the CEO will execute the contract on behalf of Council.

Communication

The Commonwealth's Department of Health will be informed of Council's decision.

Timeline

If approved, officers will send the signed contract to the Commonwealth by 19 June 2020

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.

7.8 DAREBIN NATURE TRUST - TERMS OF REFERENCE

Author: Coordinator Climate Emergency and Environment Strategy

Reviewed By: General Manager City Sustainability and Strategy

EXECUTIVE SUMMARY

Council has a long-standing commitment to enhancing biodiversity in Darebin. This has included purchase of the former Ruthven Primary School site to protect it as open space for the long term, endorsing an ambitious new Open Space Strategy, 'Breathing Space' in 2019, advocacy for protection of indigenous grasslands and forests, and currently accelerating its rewilding efforts with the assistance of staff redeployed from Council facilities that are currently closed due to COVID 19.

Council has recognised the significant energy, skills and expertise that exists in the Community and established an advisory committee, called the Darebin Nature Trust (DNT). Community members were selected appointed to the advisory committee due to their expertise across a range of fields associated with biodiversity, open space, urban liveability and community engagement.

Since its establishment, the DNT advisory committee has provided important advice on a range of matters such as the Open Space Strategy, the former Ruthven Primary School site Master Plan, plant species selection, advocacy, community education and Budget planning. Many recommendations have been incorporated into operational activities by Officers or adopted by Council as part of Strategy.

DNT has been operating since August 2018, and its initial terms of reference was proposed for 12 months while a longer term operating model was developed and one of the Trust's tasks was to explore and advise on a longer term operating model. Since that time there has been extensive consultation with DNT members towards a new Terms of Reference.

This report recommends a new Terms of Reference for the DNT advisory committee and recommends that recruitment to the currently vacant positions be done. The proposed terms of reference set out a clear purpose and objectives and this purpose has strong alignment with Council's existing strategic direction and is also strongly aligned with feedback received by current community members of DNT.

As well as other feedback, members of the DNT have recommended that Council establish four working groups and indicated a meeting schedule of around 36 meetings a year. Detailed information about how these working groups would operate was provided in March in the form of an alternative draft Terms of Reference and in the form of draft operating charters for three of the working groups (feedback and documents are attached in full in appendices B, C, D, E, F). It is clear from these documents that part of this proposal is that the advisory group would develop plans and strategies for Council to consider and undertake a range of operational tasks. While a key role of the advisory committee is to provide Council feedback on strategic issues, including on draft plans and strategies, the work of coordinating and developing plans and strategies is an operational functions delegated via the CEO to officers and this is not a function that an advisory committee can play.

The proposed terms of reference resolve this governance issue by making clear the advice role of the committee, and by including operating arrangements that enable effective consultation with DNT on both strategic and operational matters. To enable effective consultation, the Terms of Reference propose at least 6 meetings a year and an indicative forward agenda is shown in **Appendix G**.

At least 6 meetings a year is recommended in this case because officers regard it as a manageable commitment for community members and councillors and because there is a substantial program of consultation in the forward agenda we think there is a need to enable additional meetings if necessary.

Recommendation

That Council:

- (1) Endorses the Proposed Terms of Reference (**Appendix A**) for Darebin Nature Trust
- (2) Authorises advertising for the recruitment of community members to fill the current vacancies on the committee until 2 December 2020, and with the option for a new Council to appoint these new members for the next term without readvertising if it chooses to do so.

BACKGROUND / KEY INFORMATION

At its meeting held on 18 May 2020 received a Notice of Motion, Council resolved:

That Council:

- (3) *That Council receives a report at the next council meeting outlining the possible opportunities associated with establishing Working Groups as recommended and endorsed by all members of the Darebin Nature Trust at its last meeting in February and the options for recruiting new members to Darebin Nature Trust over coming months.*

The Darebin Nature Trust was established by Council at its meeting on 13 November 2017 and has been operating since August 2018. The purpose of the Trust established was to provide advice to ensure that green space provision parallels Darebin's growth and achieves best practice outcomes for our environment and growing community by improving Darebin's open space provision, protecting and enhancing local biodiversity.

The initial Terms of Reference (ToR) for the Trust was proposed as interim for 12 months while a longer- term model was determined. This advice was to be provided to Council in a report for consideration in early 2019. At the DNT advisory committee meeting 30 January 2019 it was discussed that the timeframe for a Proposed Governance Structure Report to Council was revised to December 2019.

A review of governance structure options was presented to the DNT meeting in May 2019 for consideration and a revised draft Terms of Reference was circulated. Feedback was received on the revised terms of reference in June and August 2019. Feedback informed another revised draft ToR in September 2019. A sub-group of the DNT was consulted on 24 September 2019 on the revised terms of reference and discussion was included at the DNT meeting on the same date. Several rounds of further feedback were received from DNT members and incorporated where possible. Officers provided a summary to DNT on how this feedback had been incorporated with a proposed ToR on 30 October 2019 (**Appendix H**)

Officers planned to present the finalised report to Council on the ToR at its meeting on 16 December 2019. This report was deferred at the request of DNT members and re-scheduled to February 2020.

Following the decision of Council to undertake a review for all Terms of Reference of the Advisory Committees this was deferred pending finalisation of that review.

Whole of Council Review of Advisory Committees and Terms of Reference

In 2019 Council undertook a review of its Community Advisory Committee and Community Reference Group (Advisory Committee) regime in conjunction with a significant review of its Community Engagement Strategy & Framework. This work culminated in a report to Council in November 2019, when Council confirmed the continuation and importance of the Darebin Nature Trust.

The process also supported a review being undertaken of the Terms of Reference for the remaining Advisory Committees by the 30 June 2020. This whole of organisation review of Terms of Reference is currently being finalised and DNT will be consulted as part of this review.

Membership

The current Terms of Reference allows for 9 community members and 3 Councillor representatives on the DNT. Due to 4 resignations over the last 12 months there are now currently only 5 community members on the DNT. The vacating members have all cited time commitments as the reason for their resignation. The current Terms of Reference does not include a process for replacing vacancies on the DNT. At its meeting of 12 June when the current members were appointed an additional member was endorsed as a reserve member if required, this applicant has been contacted by officers and is no longer available.

Achievements and work to date

Since May 2019, the DNT committee has and are providing a range of advice and input to support Council's work including:

- To advise on investment priorities during the budget including on the need for a Biodiversity Officer and biodiversity pilot funding
- Technical input into the Darebin open Space Strategy, including key recommendations for a Biodiversity Management plan
- To advise on specialist issues as part of the Ruthven Park Masterplan, with many recommendations incorporated.
- Technical input into biodiversity pilot for Rewilding Darebin and Oldis Gardens.
- Initiating and assisting in the establishment of Darebin's new Gardens for Wildlife pilot program.
- Input to species selection in the rewilding effort
- Advocacy to protect of Dumbarton grass lands.
- Contributions to development of a submission for the recently announced Parliamentary Inquiry into Ecosystem Decline.

Previous Council Resolution

At its meeting held on **13 November 2017**, Council resolved:

“That the following Community Advisory Committees be established for the 2017/2018 Council year and the appropriate number of Councillors be appointed as members of each Committee.”

Darebin Nature Trust	Mayor and one Councillor from each Ward	Cr. Kim Le Cerf (Mayor) Cr. Trent McCarthy Cr. Susanne Newton Cr. Susan Rennie
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At its meeting held on **12 June 2018**, Council resolved:

That:

- (1) *Council appoints the following people to the interim Darebin Nature Trust for a period of 12 months, in accordance with the adopted Terms of Reference:*
 - a. *Dr Geoff Wescott*
 - b. *Dr Chris Williams*
 - c. *Megan Ivey-Law*
 - d. *Neal Masters*
 - e. *Dr Nadine Richards*
 - f. *David Taylor*
 - g. *Ray Radford*
 - h. *Heloise Gibb*
 - i. *Matthew Rose*
- (2) *A report on behalf of the interim Trust be brought to Council with recommendations for a long - term model for the Darebin Nature Trust in early 2019.*
- (3) *That applicant Helen Clarke be included as a reserve member in the instance that any of the above members cannot accept the role.*

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

That Council:

- (1) *Establishes the following Community Advisory Committees for a period of 12 months or until such time as Council makes a further resolution on the matter.*
- (2) *.....*
- (3) *Appoints the appropriate number of Councillors as members of each Committee.*

Darebin Nature Trust	Mayor and one Councillor from each Ward	Cr. McCarthy Cr. Amir Cr. Newton
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At its meeting held on **2 December 2019**, Council resolved:

That Council:

- (1) *Establishes the following Community Advisory Committees for a period of 12 months or until such time as Council makes a further resolution on the matter.*

Appoints the appropriate number of Councillors as members of each Committee until the 24 October 2020.

Darebin Nature Trust	One Councillor from each Ward (one Councillor as Chair)	Cr. McCarthy (Chair) Cr. Amir Cr. Newton	The Terms of Reference for this Committee will be the subject of a report to the 16 December Council Meeting. A recommendation for the appointment of Councillors will be addressed in this report.
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At its meeting held on 24 February 2020, Council resolved:

That Council:

1. *As part of the review of the terms of references for the remaining Advisory Committees, receives a report on how to improve the effectiveness of the committees that ensures their advice formally informs Council policies and decision making processes. In preparation of the report Advisory Committee members should be consulted on their views.*

At its meeting held on 18 May 2020, Council resolved:

That Council:

(1) *Notes that at the last Darebin Nature Trust (DNT) advisory committee meeting on the 18 February 2020, DNT unanimously recommended that Council adopt a proposal to set up a structure of four Working Groups to better facilitate the functioning of the advisory committee. Further, that all DNT members understood from the 18 February 2020 meeting that the recommendation of advice to Council would be reported ASAP so that Council could accept, or reject, the advice and therefore permit this proposal for re-structure of the DNT to be resolved.*

(2) *Notes this proposal, initiated by the DNT community members, was subject to a full briefing of the three Councillor members of the DNT prior to the 18 February 2020 meeting and was supported by the three Councillor members at the DNT meeting.*

(3) *That Council receives a report at the next council meeting outlining the possible opportunities associated with establishing Working Groups as recommended and endorsed by all members of the Darebin Nature Trust at its last meeting in February and the options for recruiting new members to Darebin Nature Trust over coming months.*

(4) *Seeks input from Darebin Nature Trust to develop a Council submission to the recently announced Parliamentary Inquiry into Ecosystem Decline.*

COMMUNICATIONS AND ENGAGEMENT

Consultation

While there has been extensive consultation over time with DNT on previous versions of the proposed terms of reference as outlined in the background, officers have not shared this latest revision with DNT members until this week. Generally officers aim to provide more notice than this, but it was not possible in this case.

The Proposed Terms of Reference incorporates many elements of feedback from the DNT and is strongly aligned in regards to purpose and objectives. However, there are a number of specific aspects that have been proposed by DNT that officers are not proposing be included in the Terms of Reference. The discussion section of this report outlines key themes from feedback and officers advice in relation to these.

Proposal from Community Members

A new proposal to re-structure the Darebin Nature Trust (**Appendix B**) was received from community members in February 2020. This proposal was supported by all committee members at its meeting on 18 February 2020. This proposal includes setting up four working groups. Further information about this proposal was provided in the form of an alternative draft Terms of Reference and Operating Charter (**Appendix F**) on 1 March 2020. The community members have requested this alternative Terms of Reference be considered by Council as part of this report.

Additional information was provided on 2 and 12 March in the form of draft Operating Charters for 3 of these working groups. (**Appendix C, D and E**). This proposal indicates around 36 meetings a year (8 for each working group and 4 for DNT). At the meeting of the advisory committee on 26 May 2020, community members advised that they are intending that the advisory committee play an advisory rather than operational role and also advised that their intention is that this structure add value to officers work rather than creating an additional burden.

Officers have previously advised community members that there is no barrier in them establishing sub-committees or working groups amongst themselves but that supporting working groups with a secretariat function has not been provided for in the current budget.

Further consultation is planned as part of the organisational wide review of ToRs for Advisory Committees, including consultation with DNT.

Communications

Officers regularly communicate with the advisory committee members.

Should Council authorise recruiting to the vacant roles, promotions and advertising would be done.

ANALYSIS

Alignment to Council Plan / Council policy

Goal 1 - A sustainable city

One of Council's Big Actions in its Council Plan 2017-2021 is to:

Establish a new Darebin Nature Trust to created more open space across Darebin.

Environmental Sustainability Considerations

The purpose of the Darebin Nature Trust advisory committee is to provide advice to Council on protecting and enhancing Darebin's biodiversity and open space with a view to its significant improvement. Council officers provide secretariat support to Darebin Nature Trust.

Climate Emergency

In late 2016, at its first meeting after being elected, the new Darebin Council voted unanimously to recognise a climate emergency requiring urgent action to respond to the challenge. Both the Darebin Energy Foundation (now Climate Emergency Darebin) and the Darebin Nature Trust (the Trust) were set up as part of that response.

It is now recognised internationally that the pace of change to address the climate and biodiversity emergency must be quickened to start to reverse the significant impact that climate change and unsustainable land use practices are having on planetary life.

Equity, Inclusion and Wellbeing Considerations

The proposed Terms of Reference are designed to be accessible to a diverse range of residents. The selection process specifically seeks to consider diversity, and advertising of roles will be done with the aim of reaching residents from diverse backgrounds.

Cultural Considerations

N/a

Economic Development Considerations

N/a

Financial and Resource Implications

Resources to support this advisory committee in line with the proposed Terms of Reference have been provided for in the 2020-21 draft budget.

Officers have estimated the cost of staff attending and supporting 36 meetings over the year across four working groups at between \$30,000 and \$70,000. This has not been provided for in the draft budget nor planned for in program design for 2020-21.

Legal and Risk Implications

For Council to delegate decision making and operational authority to a committee there are significant requirements under the Local Government Act, such as set up for the Planning Committee. Council cannot delegate decision making to an advisory committee and as such the DNT terms of reference need to be clear in regards to this.

DISCUSSION

Terms of Reference will enable recruitment to fill vacancies

The current Terms of Reference does not include a process for replacing vacancies on the DNT, and therefore decisions to recruit for and fill vacancies must currently come to the

Council for decision. Over the last six months four community members have resigned from the DNT all noting lack of availability as a reason, including one in the last three weeks.

Officers recommendation

The Proposed Terms of Reference (**Appendix A**) includes a process for advertising and replacing vacancies mid-term and could be enacted upon adoption by Council.

Accessing skills and expertise – at the right time and the right level of detail

A key to working effectively with community experts is seeking input at the right time so that it can be incorporated into strategy review, operational change process or annual activities. For example, Council considers species selection for street trees annually, so it is important to ensure that DNT's feedback is sought at the time of year that this decision is being considered, with enough time for that feedback to be understood and incorporated into operational activity

Proposed approach

The proposed ToR enables a process to seek feedback at the right time. An indicative forward agenda is attached (**Appendix G**) which schedules discussion on this basis for the year ahead.

The proposed Terms of Reference also enables officers to seek feedback from individual members of DNT from time to time on topics of their specialist expertise.

Purpose and objectives

There is strong alignment with the proposed purpose and objectives, with Council's existing strategic direction and with feedback on what's important from received by DNT.

Proposed approach

The proposed Terms of Reference set out a clear purpose and objectives.

Working groups proposal

Part of the feedback on the ToR has been a proposal to run working groups. This proposal is quite specific and further details of the proposal were provided in the form of an alternative 'terms of reference' and 'operating charters' for three of the working groups in March.

It's clear from the alternative terms of reference suggested and the draft operating charters that community members on the DNT are proposing that they would undertake a range of tasks that are operational including drafting a range of plans and strategies for Council consideration, including a biodiversity management plan, which officers are already in the process of developing. At the DNT meeting on 26 May 2020, DNT members clarified that they are not seeking to do operational work, however this clarification is different to the effect that the alternative 'terms of reference' and 'operating charters' as currently written would have.

The detailed 'operating charters' indicate a total of 36 meetings each year and outline significant support from staff (even if staff were not recording minutes), although recent verbal advice from DNT suggests this was not the intention. The operating charters for these working groups indicate an expectation that Councillors would be involved and participate in these working groups.

Officers comment:*Governance constraints*

Coordinating or developing plans and strategies is an operational function that is delegated via the CEO to officers and as such it is not a function that an advisory group can do. The reason for this is that Officers have a range of obligations in providing advice to Council and these are established through their employment as well as their legal role as officers. Officers are responsible for coordinating development of plans and strategies, although they can and often do do this with significant community input.

Council decides on priority strategy and policy work each year through its draft budget. This budget is currently out for consultation and officers have invited DNT members to provide feedback on priorities for the year ahead. An indicative forward agenda as shown in **Appendix G** which shows the projects and activities planned in 2020-21 and when consultation with DNT is expected.

Proposed approach

The Terms of Reference proposed in this report overcomes the issues arising from the governance constraints discussed above and achieves the same purpose and objectives. The proposed ToR provides for Council to seek DNT feedback on policies, strategies, projects and on operating matters. The proposed ToR do not provide for DNT coordinating or drafting plans and strategies or other operational tasks.

A single terms of reference is proposed to cover all operations of the DNT. Separate operating charters are not proposed nor enabled by the Terms of Reference. This is important from a governance perspective to ensure that the role of the advisory committee is clearly set out and endorsed by Council and so that new participants are clear on the role and expectations during the nomination phase.

Generally advisory committees community members are free to meet between sessions and run working groups on topics at any stage. In fact the DNT has met between sessions on several occasions to explore topics in detail. Some members are currently assisting with a policy submission on key advocacy issues including arranging informal meetings and phone calls to work effectively together and with officers. The proposed ToR enable any of this type of work to continue as needed.

Resourcing

The proposal to form four working groups, each meeting around eight times a year and recommending that members join at least two of these working groups would require each member to attend approximately 20 meetings per year. This is likely to represent a barrier to new members volunteering to be part of this advisory committee.

While it may not have been the intention of the proposed re-structure, officers estimate that at a minimum the time staff invest in a meeting is 2 hours prior, 2 hours at the meeting and 2 hours after. For many meetings in the last year, the time involved has been much more than that. Even if minute taking were not considered, time is required to prepare information for circulation or discussion and follow up questions or requests amongst other things. Officers have estimated the cost of this staff resourcing at between \$30,000 and \$70,000 p.a. This has not been budgeted or planned for in program design for 2020-21.

Setting aside the governance discussion above, some of the work proposed in the 'operating charters' would have the effect of initiating new strategic projects or business improvement activities that are not currently provided for in the draft budget. The resourcing implications of these have not been specifically estimated in preparing this report.

Without providing additional resources, it would not be possible for Council to undertake all this work in addition to the planned draft budget, even with significant input from DNT members or other volunteers.

Proposed approach

The proposed Terms of Reference provide for at least 6 meetings a year and between session consultation via phone and email if needed. An indicative forward agenda has been developed for 2020-21 that outlines when topics for consultation with DNT are expected during the year (**Appendix G**)

The forward agenda outlines a substantial program of consultation over the year that could add real value, but which can also be accommodated within the draft budget and is unlikely to create a barrier to participation by community members.

OPTIONS FOR CONSIDERATION

In all options, officers recommend that Council authorises advertising for the recruitment of community members to fill the current vacancies on the committee until 2 December 2020 (with the option for the new Council to extend these for the next term). A report with recommendations would come to Council for consideration in around August 2020.

Option 1 (recommended) adopt proposed terms of reference

Officers recommend that Council adopt updated Terms of Reference for the DNT as proposed (Appendix A). These will provide a clear basis for pursuing the community purpose and objectives of Council and members of DNT. These also resolve the governance and resourcing constraints discussed in this paper.

Option 2 – defer and seek further information or work

Council could also choose to defer a decision regarding the terms of reference and seek further information or work to be done.

Option 3 – (not recommended)

Officers do not recommend adopting the alternative terms of reference proposed by community members at DNT because they would not be consistent with the requirements of the local government due to the effect which is to delegating operational work to the DNT. Officers also note that the effect of the written documents is different to the verbal advice from members about the intent.

IMPLEMENTATION STRATEGY

Details

Once Council authorises a process to recruit community members to fill the current vacancies Officers will prepare the relevant communications materials and commence advertising.

If Council adopts a Terms of Reference at this meeting it may need to be adjusted to align with the organisational review of Terms of Reference for Advisory Committees which is due to be completed 30 June 2020.

Officers will discuss the forward Agenda and outcomes of this report with community members and Councillors at the next DNT meeting which is proposed for 23 June 2020.

Timeline

Key dates:

- The review of Advisory Committee ToRs is due for completion by 30 June.
- DNT is currently established to operate until 2 December 2020 until such time as Council makes a further resolution on the matter.
- Council elections 24 October 2020 - a new Council will be responsible for establishing Advisory Committees beyond the current term.

RELATED DOCUMENTS

N/a

Attachments

- Darebin Nature Trust Terms of Reference (**Appendix A**) [↓](#)
- Proposal for Restructure of the Darebin Nature Trust (**Appendix B**) [↓](#)
- Darebin Nature Trust - Biodiversity Management Plan Working Group Operating Charter - DRAFT (**Appendix C**) [↓](#)
- Darebin Nature Trust - Vegetation Improvement Working Group Operating Charter - DRAFT (**Appendix D**) [↓](#)
- Darebin Nature Trust - Streetscapes, Corridors and Acquisitions Working Group Operating Charter - DRAFT (**Appendix E**) [↓](#)
- Terms of Reference as proposed by Community Members of Darebin Nature Trust (**Appendix F**) [↓](#)
- Forward Agenda Darebin Nature Trust (**Appendix G**) [↓](#)
- Officer Response to Feedback from Darebin Nature Trust -Development of the Terms of Reference - October 2019 (**Appendix H**) [↓](#)

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 NATURE TRUST**DRAFT - TERMS OF REFERENCE**

For Council consideration June 2020

1. Introduction and background

In late 2016, at its first meeting after being elected, the new Darebin Council voted unanimously to recognise a climate emergency requiring urgent action to respond to the challenge. The Darebin Nature Trust (the Trust) was set up as part of that response.

It is now recognised internationally that the pace of change to address the climate and biodiversity emergency must be quickened to start to reverse the significant impact that climate change and unsustainable land use practices are having on planetary life.

The Council Plan 2017-21 set a specific goal to create a Nature Trust to increase open space and native vegetation, and ensure all residents live within 500 metres of open space. In 2019 Council adopted a new Open Space Strategy, 'Breathing Space' which sets strong direction to enhance biodiversity.

These Terms of Reference have been prepared to provide a clear outline of the purpose, role and function of the Darebin Nature Trust advisory committee for everyone involved. The Terms of Reference are designed to align with Council's obligations under the local government act and its aspirations in its community engagement Strategy.

Policy context

The establishment of the Darebin's Nature Trust supports Darebin City Council's promise to the community as articulated in the Council Plan 2017-2022:

- *"Establish Darebin Nature Trust to create more open space across Darebin."*
- *"We will expand and improve our network of open and green spaces, parks and natural environments to provide for the lungs of our city and reduce the impacts of climate change."*

Council has a strong commitment to community engagement and runs advisory committees as part of its commitment to this, along with a range of other community engagement activities and processes to understand community views, needs and aspirations to help it make decisions.

The Local Government Act sets out a range of obligations for Councillors and officers that may apply in regards to their role in attending or running Advisory Committee meetings, and Council has a range of policies that may apply and be updated during the term of an advisory committee. Council also has an internal document '*Darebin Council's Advisory Committees Operating Guideline*' that has existed for some time and which is a comprehensive resource that sets out the rules and protocols upon which Advisory Committees are established and function. This document is currently under review as part of the broader review of the Advisory Committee terms of reference and is anticipated to be brought before Council for endorsement as part of this process. Officers have used this document as reference in the development of these terms of reference.

If there is any conflict between these terms of reference and any relevant policy, the latest decision of Council is the one that applies. In any conflict between these terms of reference and legislation or regulation, the legislation applies.

2. Purpose and objectives

The purpose of the Darebin Nature Trust advisory committee is to provide advice to Council on protecting and enhancing Darebin's biodiversity and open space with a view to its significant improvement. The committee structure makes this possible by accessing community expertise associated with biodiversity, open space, environment, urban liveability and associated community engagement, education and advocacy programs.

The objectives of the Trust are to advise Council on:

- Darebin's *Breathing Space: the Darebin Open Space Strategy, Urban Forest and Natural Heritage Strategies*, with regard to the implementation of actions and considerations related to biodiversity;
- reviews of parks, gardens and natural heritage and bushland management policies, improvement plans and masterplans to enhance biodiversity outcomes;
- the identification of biodiversity opportunities including project ideas;
- the planning and design of new open spaces for biodiversity enhancements;
- increasing the profile of Darebin's green spaces and local biodiversity;
- facilitating, educating, promoting and advocating for benefits to public and private landowners to enhance green space provision and biodiversity outcomes (such as the retention of bushland) in Darebin;
- securing green space for current and future generations;
- models for community advocacy and action to secure green space for current and future generations;
- prioritising investment in biodiversity as part of the annual business planning processes; and
- educating and building community custodianship of our natural spaces so that Darebin's biodiversity is valued.

3. Membership

3.1 Representation, nomination and selection of members

The membership of the Trust will comprise up to 9 community members and 3 Councillor representatives. Community member appointments will be appointed by Council based on the following criteria:

- Capabilities and expertise in one or more of the following areas: biodiversity, ecology, open space management, urban design, community engagement and advocacy;
- The overall mix of capabilities and expertise to ensure a breadth of expertise;
- Representation of Darebin's diverse community;
- Capacity to provide advice to Council in a timely and appropriate manner.

Appointments will be determined by decision of elected Councillors at a meeting, except if a vacancy occurs within 6 months of the end of term, when it may be filled at the discretion of the CEO through a recommendation the General Manager. Members appointed to fill a vacancy are appointed for the remainder of the term of current members only.

Nomination for the appointment of members of the Trust will be advertised publically, and by letters sent to relevant community groups and organisations.

3.2 Term of appointment

- Community member appointments to the Committee will be for a period of approximately 4 years which aligns with a term of Council.
- At the end of the term the Committee will be reviewed, including its Terms of Reference, with any proposed changes to be considered by Council. If the Committee is to be renewed then there will be a call for nomination for new members.
- Annually Council considers renewal of Committees and considers appointment of Councillor representatives.

3.3 Vacation of Membership of the Trust

Membership of the Trust will become vacant in the following circumstances:

- If the member resigns membership by notice in writing to the committee;
- If the member is absent for more than three (3) consecutive meetings without prior leave of absence or an apology being accepted by Trust meetings, subject to confirmation by the elected Council of the resignation;
- Upon the death of the member;
- If the member becomes a mentally incapacitated person; and
- If a member is found to be in breach of the Code of Conduct following a recommendation by the relevant General Manager to the CEO.

3.4 Role of Community members

The role of the community members is primarily to provide advice to Council on relevant matters, so their knowledge and expertise can benefit Darebin's open space and biodiversity and its design and management.

As a member of the Trust, members agree to:

- Attend meetings and participate in discussions.
- Adequately review any agenda attachments or documents as required prior to meetings.
- Allow all Trust members to present their views and opinions.
- Suggest agenda items to the secretariat officer and provide input into planning the forward agenda.
- Work within the Terms of Reference.
- Clearly declare any conflict of interest regarding any issue under discussion.
- Maintain confidentiality where appropriate.
- Not speak publicly such as to the media on behalf of Council.
- Engage in respectful behaviour / conversation at all times.
- Inform themselves of issues, opportunities, constraints and urgent actions relating to the protection, management and enhancement of open space and biodiversity in Darebin.
- Provide honest, considered, constructive and impartial advice to Council that will improve the quality and extent of open space and biodiversity in Darebin, especially taking into account the biodiversity emergency.
- Provide advice on strategic and other planning work to help inform organisational direction and action for open space and biodiversity.
- Advise Council in decision-making to retain and acquire land and invest in open space and biodiversity.
- Advocate for, and increase understanding of, the benefits and importance of open space and biodiversity to the Darebin community.

4. Meetings and procedures

The purpose of the procedures in this section is to tap into the expertise of members of the advisory committee in an effective way.

4.1 Approach to seeking input

Council will seek feedback from the advisory committee on matters related to the purpose.

The expertise of community members will be systematically sought to assist Council planning and projects for biodiversity and open space.

Advisory committees are established to allow for in depth exploration and discussion of advice on specialist topics.

There is no obligation or requirement for voting or forming a consensus view. It is common for advisory committees to hold diverse views and it is often helpful to understand these as they allow council to meet a variety of needs across the community.

However, advisory committees are also free to make recommendations and indicate common views through consensus or votes. Should the advisory committee do this, then the quorum that applies is set out in the quorum section.

From time to time, and out of session, on matters where an individual member of an advisory committee has specialist expertise, their individual feedback may be sought on specialist questions.

4.2 Meeting frequency

The committee will meet at least 6 times per year.

4.3 Quorum

A quorum of five community members and at least one councillor is required for a vote on a recommendation, at a formally scheduled meeting of the advisory committee

4.4 Meeting chair

Council annually appoints councillors to its advisory committees including a Chair.

The role of the chair is to facilitate the meeting, including to manage the agenda and time, to create opportunities to hear diverse views, and to help the group clarify and understand input and feedback.

If the chair is unable to attend, another councillor, or senior officer will chair the meeting.

4.5 Secretariat support

Council Officers will provide secretariat support to the Trust and will undertake the following functions:

- Preparation of meeting documentation including Agenda, Minutes, and Reports if applicable.
- Confirming attendees and noting apologies
- Circulation of meeting documentation ideally one week prior
- Managing conflict – see Code of Conduct below
- Time keeping, facilitation skills

- Minute taking - Minutes of the meeting and agendas should ideally distributed to attendees before the next meeting and actions progressed as coordinated by the secretariat officer.
- A running forward planning agenda will be prepared, updated and circulated to members along with meeting minutes. The forward planning agenda will be a device by which community input is sought.

4.6 Providing advice to Council

As well as provision of advice through advisory committee meetings themselves, and in any written correspondence with the advisory committee, there are several other ways that advice from the advisory committee is shared with Council including:

- Where feedback relates to development of a Strategy or Plan, budget development, or other matter that will be considered by full Council and subject to decision, feedback will be reported to Council as part of reports to Council on the matter, in line with the consultation process for the particular strategy or plan. Generally, this includes summary of the main themes, copies of written feedback or submissions in full.
- Where feedback from the advisory committee relates to an operational matter, this will be shared with the responsible operational manager.
- A comprehensive report is presented to Council bi annually on the progress and initiatives of all Council Advisory Committees . Any recommendations will be formally reported to Council as part of that.
- If a recommendation relates to an urgent matter the General Manager may consider providing a special report to Council at another time.

5. **Conduct of Committee members**

Members will:

- Act honestly and treat others with respect;
- Exercise reasonable care and diligence; and
- Not make improper use of their position or make improper use of information acquired because of their position.

Advisory Committee members other than Councillors are volunteers and as such they must sign a declaration that they will abide by any guidelines approved in Council's *Excellence in Governance @ Darebin City Council - Employee Code of Conduct ('the Code')*. The Code covers interactions with fellow committee members, other volunteers, agency staff, contractors, consultants, Councillors, clients, residents, ratepayers and visitors to Council.

No member of the Committee is authorised to speak to the media on behalf of the Committee or Council.

A breach of the Code and /or this policy may result in the termination of membership of the Advisory Committee member, should the breach be sufficiently serious. Breaches of lesser severity will result in formal feedback being provided to the member by the General Manager or their delegate.

If a member of the Committee believes that another member or officers is not performing within expectations (i.e. Code of Conduct) this should be raised with the General Manager who will then investigate and review the matter in line with the applicable Code of Conduct.

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 Advisory Committee (the Trust) is concerned with or 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. Once disclosed, the member is required to immediately leave the meeting for that particular agenda item, and the conflict disclosure noted in the minutes.

The committee is advisory and doesn't have delegated authority to make decisions

The Committee does not have an operational role and neither it, nor its members, may direct Council staff in the performance of their duties

6. Key Council Staff involved with the Trust

Primary Contacts

Senior Environment Officer - Biodiversity

Coordinator Climate Emergency and Environment Strategy

Parks & Open Space Manager

Climate Emergency and Sustainable Transport Manager

Others as required

General Management City Sustainability & Strategy

General Manager Operations & Capital

Bushland Management Coordinator

Open Space & Horticulture Coordinators

Tree Management Coordinator

Planning Arborist

Turf Management Coordinator

City Futures Manager

City Design Coordinator

City Design Team Leader

Landscape Architects

A Proposal for Re-Structure of the Darebin Nature Trust (DNT)

Submission from DNT Community Members

February 2020

1. Background

The current membership of DNT comprises seven community members and three Councillors. As a major stakeholder in DNT and because we are invested in its success, for some time now, we have been conscious of the need to monitor and assess its performance¹.

While all the community members of the DNT have at times experienced dissatisfaction with the operation of the DNT since its first meeting in August 2018, there is now a strong and unanimous desire to put that behind us and instead re-structure DNT to make it a more productive entity providing greater member satisfaction.

In order to do this, we recognise that we initially need to seek support for the concept of a re-structure – a concept we have had under discussion since late 2019. This paper is offered as a means to outline our proposed changes and hopefully garner further support, with the possibly of setting up new arrangements in early 2020.

At this stage, we have identified a broad direction and a re-structure outline and have garnered support from various quarters including, importantly, the clear support of our three DNT Councillor members. We are also encouraged by a view from Councillors that our proposal accords with Darebin's Community Engagement Strategy.

While there is a clear desire to move on without excessively dwelling on the past, a re-structure requires a substantial case for change to be made.

The key point we wish to emphasise here is that we don't seek change purely on the basis of dissatisfaction with current operating arrangements. Indeed, we wish to retain the DNT as the formal entity for furthering biodiversity and open space issues via an expert community advisory group. In the context of the proposed re-structure, we also support a move to have DNT meet just four times per year as has been proposed by officers.

¹ Without necessarily seeking to direct blame to any quarter, reflection on the performance of DNT over its 16 months of operation reveals:

- some failure to bring a number of sound ideas initiated by community members to fruition (e.g. conference, training day, Business Case). Recently this has been widely recognised and the need for an officer to assist DNT has been raised;
- a varied approach to meeting content. Some meetings have seen two separate officer presentations, others none. Some we have stood around a map of Darebin's open space to examine corridors, the next meeting has had no similar follow-up. In looking back over more than a dozen meetings, while governance and the Open Space Strategy have formed a short-term focus at various times, the absence of a more lasting, longer term focus has become evident.
- DNT lacks an emergency mindset and action orientation. There is recognition that we need to shift to initiating developments that have potential for on-ground action.
- community contribution to agenda setting has not existed since early 2019 and Councillor contribution to the DNT agendas also appears to be limited.
- there is uncertainty around how DNT advice is communicated more widely within the organisation and is impacting Council operations, if at all.
- advice from community members is not systematically sought, so a key purpose of DNT is not being fulfilled.

Rather, the major pillar of our case is that we seek change because we wish to be far more productive than we have been. We sense there is now an opportunity to add value to the work programs of key staff and departments. We wish to explore that opportunity through the proposal outlined below.

We believe we have given DNT's current operating arrangements sufficient time to: reveal strengths and weaknesses; assess performance; and consider the prospects of current arrangement delivering increased productivity, as opposed to alternatives.

We certainly feel that as the largest member group on the DNT we should be bold enough to admit deficiencies and seek better alternatives where the current DNT operational model is not proving effective.

2. Outline of the Re-structure Proposal

The proposal below primarily involves setting up four Working Groups to direct DNT's focus to more productive ends and largely leave behind what is not working, or is proving ineffectual, or impossible to resource at the moment. Ideally, Working Groups might dovetail with work plans of Managers and be entirely complementary to their agendas. In this way, ideally Working Groups could add value to officer works programs.

The following Working Groups are suggested:

(i) Biodiversity Management Plan Working Group

This Working Group would obviously have the task of preparing the Biodiversity Management Plan and the Biodiversity Officer would have a major role in assisting the functioning of the Group.

While it has been acknowledged that Working Groups should have the capacity to determine the scope of their tasks and how they might operate, to offer some guidance, it is suggested that this, like other Working Groups, could possibly meet eight times per year and report to the quarterly meetings of the DNT.

(ii) Vegetation Improvement Working Group

Again, as the title suggests, a key focus of the Group would be the state of vegetation across Darebin's open space and the devising of measures to improve it.

Similarly, this Working Group would have the capacity to determine the scope of their tasks and how they might operate, but could possibly meet eight times per year with reporting to DNT quarterly meetings.

Major officer input would be anticipated to come from the Parks and Open Space area.

(iii) Streetscapes, Corridors and Acquisitions

This Working Group would have a focus across a broad range of services delivered by Council. In considering how streetscapes might be better designed to deliver shading and cooling and enable vegetation corridors, officer input could be gathered from those responsible for roads and traffic, streetscape design, drainage, street trees and biodiversity. The acquisitions component would also involve officers responsible for council property, as well as open space planners. As this Working Group could involve greater internal cooperation across Council, the detailing of its tasks will possibly require greater consideration than the other two Working Groups above.

The acquisitions component is an important element of the potential tasks of this Working Group and could even become a separate area of inquiry. Some officers could be nominated

members of the Working Group, but only be called to attend meeting on an as needs basis. Such a method of operating could be applied to all Working Groups where officers determine when to attend based on agenda items.

As above, eight meetings per year are suggested, subject to the needs of the Working Group with reporting to DNT quarterly meetings.

(iv) Community Engagement Working Group

This Working Group would have its focus around techniques to engage the community with a view to developing a community more sympathetic to biodiversity issues.

As per the other Working Groups, it would have the capacity to determine the scope of its tasks and how it might operate, include the number of meetings.

3. Obligations of DNT Community Members

Like all Working Groups (as opposed to Reference Groups), the expectation is that DNT community members would contribute work and directly help with achieving its tasks. As it progresses towards its objectives, tasks would be assigned across Working Groups to either (or both) officers or DNT community members according to expertise and capacity. This could involve research of particular topics, writing up or reviewing sections of draft reports, or site visits and discussion with particular officers. Until such time as Working Groups form and determine the scope of their tasks, it is not possible to define such tasks more precisely.

4. Operational Aspects of Working Groups

It is proposed that all DNT community members would be able to go to any Working Group meetings and be heard, but each would have defined membership, with DNT members encouraged to nominate for not more than two Working Groups. This would keep meetings to about the same number as at present for community members. The aim might be to have a minimum four DNT community members on each Working Group, although this may increase with two new community members filling casual vacancies on DNT in 2020.

5. Functions of DNT

The proposal is that DNT as currently constituted meet only 4 times per year to receive reports from Working Groups and ratify recommendations from them if and where required.

This proposal appears to align more with the officer concept of four meetings only of DNT each year. We would relinquish our desire to meet more frequently as DNT to transfer our energies to the Working Groups where much greater advantage potentially lies. Initiatives previously proposed and not possible to bring to fruition would be put to one side for the moment.

6. Bringing the Proposal to Fruition

A major step in receiving feedback about the proposal and support for taking it forward came with the briefing of Councillors on 28 January. The Councillors were clear in their support for the concept. It is our understanding that Councillors will request that the General Manager City Sustainability and Strategy be asked to respond to this proposal and it be discussed at the Councillor briefing on 24 February. Prior to that, it would receive discussion at the 18 February DNT meeting.

We further understand that if the proposal achieves ongoing support, then Councillors would wish to seek its adoption in the Council Chamber so the resourcing of structural

changes can be authorised. From there Terms of Reference addressing and enabling the new structure could be adopted by Council to formalise the arrangements.

RECOMMENDATION:

The following recommendation is forwarded as notice of the intention of the DNT community members to debate such a motion at the 18 February DNT meeting:

“The community members of DNT recommend to Darebin Council, the following steps to assist DNT to become more productive and to better fulfill its roles as an advisory committee to Council:

- the setting up of Working Groups to enable key topics to be investigated in a more dedicated manner and the expertise of the DNT community members to be better utilised;
- to this end, the following DNT Working Groups be introduced and supported with officer assistance: Biodiversity Management Plan Working Group; Vegetation Improvement Working Group; Streetscapes, Corridors and Acquisitions Working Group; and a Community Engagement Working Group;
- that each Working Group be permitted to determine the detail of their operating arrangements, including frequency of meetings (eight per year is suggested), chairing of meetings, allocation of tasks etc.;
- that DNT community members be asked to participate on at least one of the Working Groups, with participation on two recommended;
- that DNT meet only four times per year and that its main purpose be to: receive and ratify progress reports from the Working Groups; assess the adequacy of Working Group arrangements; and offer strategic direction to the Working Groups; and
- that revised Terms of Reference (ToR) for DNT be adopted to reflect the above arrangements, with the ToR developed by the DNT community members recommended to Council. “

Darebin Nature Trust - Biodiversity Management Plan Working Group**Operating Charter - DRAFT**

The following outlines an operating charter for the DNT Biodiversity Management Plan Working Group (BMPWP).

1. Background

At its 18 February 2020 meeting, the Darebin Nature Trust (DNT) agreed upon the formation of Working Groups to become key vehicles through which its tasks and purpose could be taken forward. It is envisaged that Working Groups will provide a focus for the contribution of community expertise to issues around biodiversity and open space.

In this context, the DNT will only meet formally on a quarterly basis to receive reports from Working Groups and offer guidance about their operation. DNT will continue to be the vehicle by which advice is formally provided to Council and reports from Working Groups will be provided to each of the quarterly meetings for reporting up to Council.

Each Working Group commences from the premise that Darebin Council has a policy acknowledging a climate emergency and that the advent of the DNT was allied to the calling of the climate emergency.

A number of key implications flow from the climate emergency and include the following:

- Darebin's open space, including its streetscapes, must become assets that seek to mitigate the impacts of climate change and help address and reverse the climate emergency for Darebin's citizens and its biodiversity;
- Darebin's biodiversity is not only critically threatened by climate change, but by implication must also be considered in a state of emergency and requiring urgent action to mitigate loss of habitat and a host of ongoing threatening processes, many brought on by its urban context.

Developing a Biodiversity Management Plan (BMP) was a key action (Action 10.1) from Breathing Space – The Darebin Open Space Strategy 2019. The intent of a BMP is to build on existing work and strategies (such as the Darebin Natural Heritage Strategy 2015–2025, Darebin Heritage Study (2011) and Darebin Natural Heritage Plan (2011)), in order to develop a comprehensive and integrated plan to guide open space acquisition and biodiversity management programs.

2. BMPWG – Statement of Purpose

The Biodiversity Management Plan Working Group of the Darebin Nature Trust has a number of purposes. These include being a forum where community members of the DNT can work together with Council officers and under the guidance of the Coordinator Climate Emergency and Environment Strategy. The proposed purpose and scope of the BMP as outlined in the Open Space Strategy is as follows;

To identify:

- i. Areas of high biodiversity value to protect.
- ii. Threatened remnant sites suited to acquisition.
- iii. 'At risk' or key species to prioritise for protection in No Local Extinctions Policy
- iv. Management and maintenance practices to protect and enhance biodiversity on Council land, including recommendations for specific sites.
- v. Priority areas for revegetation and restoration.

- vi. Approaches to managing threats to biodiversity.
- vii. Planning controls that could be implemented to protect biodiversity.

As well as to:

- viii. Build on the principles of the Darebin Natural Heritage Strategy 2015–2025, Darebin Heritage Study (2011) and Darebin Natural Heritage Plan (2011) and use the data protocols, database, and data used in the Darebin Natural Heritage Plan.
- ix. Direct and inform street and park tree selection.
- x. Identify and develop initiatives to work with stakeholders (e.g. private landholders) to move towards a more holistic landscape management approach.
- xi. Identify cross council working groups to ensure biodiversity outcomes are considered in planning, management and upgrade of all Council assets.
- xii. Include a comprehensive and integrated plan to guide open space acquisition and management programs and ensure biodiversity has linkages to the multiple other assets and interests under council's management (e.g. open space; streetscapes, street trees and nature strips; roads; drainage; stormwater and integrated water management; recreation and more).

3. BMPWG – Tasks

The BMPWG will determine its tasks and adjust them according to circumstance. However, initially, the broad tasks of BMPWG will include determining:

- the scope of work to be undertaken by BMPWG, how it is to be undertaken and which stakeholders need to be consulted;
- the structure and content of the BMP;
- Information gaps and ecological assessments required;
- Identifying goals, actions, priority of tasks, funding sources; and
- Ensuring integration and implementation into Darebin Council's BAU.

Upon commencement the BMPWG should determine a work plan for the following 12 months to ensure guidance is provided, a direction is known and the BMPWG is operating within a framework it can be accountable to.

4. Biodiversity Management Plan Working Group - Operations

Operating arrangements for the BMPWG will be guided by the adopted Terms of Reference for the DNT.

4.1 Meeting Frequency

The BMPWG should meet no more than eight times per year.

Suggested meeting dates for 2020 are as follows below, with:

- a spacing of 6 weeks between meetings;
- no meetings in December and January;
- **SUITABLE DAYS FOR DISCUSSION WITH WORKING GROUP***
- no meetings in same week as the four scheduled DNT meetings in 2020 (18 Feb; 21 April; 23 June and 18 August)

** consideration needs to be given to meetings of the other three Working Groups and avoidance of clashes, given participation by some BMPWG members on those Working Groups.*

4.2 Membership

The membership of the BMPWG will be drawn from:

- Council officers assigned to the BMPWG, such as the Senior Environment Officer, at the direction of the Coordinator Climate Emergency and Environment Strategy, including an executive officer to the BMPWG;
- Community members of the DNT; and
- Councillor members of the DNT.

4.3 Term of Membership and Vacation of Membership

Community and Councillor members are provided by way of their volunteering to join the BMPWG and confirmation of membership by the DNT.

Community and Councillor members can seek to withdraw their voluntary membership of the BMPWG by notification to the BMPWG executive officer and the chair.

Membership of BMPWG is dependent upon membership of the DNT. The loss of membership of the DNT therefore also means loss of membership of the BMPWG.

4.4 Expectations of Members

The expectation of all members of the BMPWG is that they will behave with respect and openness by listening to one another and by allowing all to have a voice at meetings.

It is the role of community members to offer advice to meetings so their knowledge and expertise can influence and be incorporated into the management of open space and biodiversity in Darebin.

It is expected that all members of the BMPWG will be required to undertake work to progress tasks before the group and to meet agreed deadlines set for work to be completed.

The conduct of members will accord with that set out in the DNT Terms of Reference.

4.5 Chairing of Meetings

BMPWG will arrange for a member to chair meetings. Should a Councillor be present, that person should assume the role of chairing the meeting, unless otherwise agreed.

4.6 Meeting Agendas

The executive officer will draft meeting agendas for circulation to members for comment at least 10 days prior to meetings.

4.7 Meeting Attendance

Attendance at meetings of the BMPWG is expected in normal circumstances and is critical to fulfilment of duties as a member.

4.8 Reporting

The BMPWG will ensure that reports are provided to every DNT meeting and that sufficient members of BMPWG are present at DNT meeting to answer questions regarding its operation and performance.

4.9 Sunsetting of the BMPWG

The development of the BMP is a short-term project however its successful implementation and adoption into Council business will have a longer-term scope. The BMP will adopt an adaptive management framework meaning that it will be reviewed periodically and adapted to ensure the recommended actions are continuing to be effective in achieving the goals of the plan. The ongoing need for the BMPWG will ultimately be determined by Darebin Council and will take into account advice from the DNT.

Should a new Council elected in late 2020 seek to continue with the DNT, then its Working Groups would also be continued for the term of the new Council. A review of the BMPWG should be undertaken 12 months from its inception with a recommendation to the Council to either continue or sunset the Working Group and based around advice from the DNT.

DRAFT

Darebin Nature Trust - Vegetation Improvement Working Group

Operating Charter - **DRAFT**

The following outlines an operating charter for the DNT Vegetation Improvement Working Group (VIWG).

1. Background

At its 18 February 2020 meeting, the DNT agreed upon the formation of Working Groups to become key vehicles through which its tasks and purpose could be taken forward. It is envisaged that Working Groups will provide a focus for the contribution of community expertise to issues around biodiversity and open space.

In this context, the DNT will only meet formally on a quarterly basis to receive reports from Working Groups and offer guidance about their operation. DNT will continue to be the vehicle by which advice is formally provided to Council and reports from Working Groups will be provided to each of the quarterly meetings for reporting up to Council.

Each Working Group commences from the premise that Darebin Council has a policy acknowledging a climate emergency and that the advent of the DNT was allied to the calling of the climate emergency.

A number of key implications flow from the climate emergency and include the following:

- Darebin's open space, including its streetscapes, must become assets that seek to mitigate the impacts of climate change and help address and reverse the climate emergency for Darebin's citizens and its biodiversity;
- Darebin's biodiversity is not only critically threatened by climate change, but by implication must also be considered in a state of emergency and requiring urgent action to mitigate loss of habitat and a host of ongoing threatening processes, many brought on by its urban context.

In the case of VIWG, a further key premise is that a large number of parks in Darebin have a deficient vegetation cover that neither adequately provides for human amenity and recreational needs, nor offers sufficient habitat for biodiversity. The addressing of this problem is urgent and critical to the purpose of the VIWG.

2. VIWG – Statement of Purpose

The Vegetation Improvement Working Group of the Darebin Nature Trust has a number of purposes. These include being a forum where community members of the DNT can work together with Council officers and under the guidance of the Manager Parks and Open Space to:

- i. enhance mutual understanding of Darebin's open space and vegetation cover in order to mitigate and address Darebin's acknowledged climate and biodiversity emergencies;
- ii. analyse, plan for, and prioritise urgent and comprehensive improvement to the quality of open space across Darebin in order to create better habitat for all of Darebin's natural biodiversity (including fungi and microbes), especially via the use of indigenous plant species and monitor changes especially via indicator species;
- iii. seek the transition of various parks across Darebin that have declining vegetation cover likely to increasingly suffer impacts from a hotter, drier climate, especially where there is an absence of sustainable water sources for irrigation;

- iv. seek implementation of the Open Space Strategy's commitment to having bushland as a default position and model for new open space in Darebin;
- v. develop vegetation improvement plans for numerous parks across Darebin such that the quantum of the vegetation deficiency problem can be assessed and appropriate budget bids prepared and sought;
- vi. advise about implementation of works that are undertaken to improve vegetation cover and quality across Darebin.

3. VIWG – Tasks

The VIWG will determine its tasks and adjust them according to circumstance and as change and improvement in open space vegetation cover and quality occurs.

However, initially, the broad tasks of VIWG will include determining:

- the scope of work to be undertaken by VIWG, how it is to be undertaken and by whom;
- the priority order of its tasks;
- the priority to be assigned to improvement of various open space areas across Darebin; and
- how the work of VIWG aligns with the Darebin Open Space Strategy with a view to ensuring a sound reporting framework for DNT.

At the start of each year, the VIWG should determine a work plan for the following 12 months to ensure guidance is provided, a direction is known and the VIWG is operating within a framework it can be accountable to.

4. Vegetation Improvement Working Group - Operations

Operating arrangements for the VIWG will be guided by the adopted Terms of Reference for the DNT.

4.1 Meeting Frequency

The VIWG should meet no more than eight times per year.

Suggested meeting dates for 2020 are as follows below, with:

- a spacing of 6 weeks between meetings;
- no meetings in December and January;
- Wednesday as the regular meeting day (although could be Tuesday*); and
- no meetings in same week as the four scheduled DNT meetings in 2020 (18 Feb; 21 April; 23 June and 18 August)

1. 12 Feb. 2020 (date passed, but used a starting point for 6 week spacings)
2. 24 March 2020
3. 5 May 2020
4. 9 June 2020
5. 21 July 2020
6. 1 September 2020
7. 6 October 2020 (during caretaker period)
8. 17 November 2020 (in new Council term)

** consideration needs to be given to meetings of the other three Working Groups and avoidance of clashes, given participation by some VIWG members on those Working Groups.*

4.2 Membership

The membership of the VIWG will be drawn from:

- Council officers assigned to the VIWG at the direction of the Manager of Parks and Open Space, including an executive officer to the VIWG;
- Community members of the DNT; and
- Councillor members of the DNT.

4.3 Term of Membership and Vacation of Membership

Community and Councillor members are provided by way of their volunteering to join the VIWG and confirmation of membership by the DNT.

Community and Councillor members can seek to withdraw their voluntary membership of the VIWG by notification to the VIWG executive officer and the chair.

Membership of VIWG is dependent upon membership of the DNT. The loss of membership of the DNT therefore also means loss of membership of the VIWG.

4.4 Expectations of Members

The expectation of all members of the VIWG is that they will behave with respect and openness by listening to one another and by allowing all to have a voice at meetings.

It is the role of community members to offer advice to meetings so their knowledge and expertise can influence and be incorporated into the management of open space and biodiversity in Darebin.

It is expected that all members of the VIWG will be required to undertake work to progress tasks before the group and to meet agreed deadlines set for work to be completed.

The conduct of members will accord with that set out in the DNT Terms of Reference.

4.5 Chairing of Meetings

VIWG will arrange for a member to chair meetings. Should a Councillor be present, that person should assume the role of chairing the meeting, unless otherwise agreed.

4.6 Meeting Agendas

The executive officer will draft meeting agendas for circulation to members for comment at least 10 days prior to meetings.

4.7 Meeting Attendance

Attendance at meetings of the VIWG is expected in normal circumstances and is critical to fulfilment of duties as a member.

4.8 Reporting

The VIWG will ensure that reports are provided to every DNT meeting and that sufficient members of VIWG are present at DNT meeting to answer questions regarding its operation and performance.

4.9 Sunsetting of the VIWG

The ongoing need for the VIWG will ultimately be determined by Darebin Council and will take into account advice from the DNT.

Should a new Council elected in late 2020 seek to continue with the DNT, then its Working Groups would also be continued for the term of the new Council. A review of the VIWG should be undertaken in mid 2024 with a recommendation to the new Council to either continue or sunset the Working Group and based around advice from the DNT.

Judgement about the ongoing and longer term need for the VIWG will be largely based upon the rate of improvement of vegetation in Darebin's open space as reported to the DNT and the criticality of VIWG in assisting implementation of vegetation improvement.

DRAFT

Darebin Nature Trust – Streetscapes, Corridors and Acquisitions Working Group

Operating Charter - DRAFT

The following outlines an operating charter for the DNT Streetscapes, Corridors and Acquisitions Working Group (SCAWG - with title and acronym to be confirmed).

1. Background

At its 18 February 2020 meeting, the DNT agreed upon the formation of Working Groups to become key vehicles through which its tasks and purpose could be taken forward. It is envisaged that Working Groups will provide a focus for the contribution of community expertise to issues around biodiversity and open space.

In this context, the DNT will only meet formally on a quarterly basis to receive reports from Working Groups and offer guidance about their operation. DNT will continue to be the vehicle by which advice is formally provided to Council and reports from Working Groups will be provided to each of the quarterly meetings for reporting up to Council.

Each Working Group commences from the premise that Darebin Council has a policy acknowledging a climate emergency and that the advent of the DNT was allied to the calling of the climate emergency.

A number of key implications flow from the climate emergency and include the following:

- Darebin's open space, including its streetscapes, must become assets that seek to mitigate the impacts of climate change and help address and reverse the climate emergency for Darebin's citizens and its biodiversity; and
- Darebin's biodiversity is not only critically threatened by climate change, but by implication, itself must also be considered in a state of emergency and requiring urgent action to mitigate loss of habitat and a host of ongoing threatening processes, many brought on by its urban context.

In the case of SCAWG, a further key premise is that a large number of Darebin's streets have poor shade provision¹ and have not been designed to promote habitat connectivity within and across the municipality. It is reasonable to observe that biodiversity considerations have lagged as a key concern in the design of streetscapes.

Likewise the use of other potential corridors exclusively, or in conjunction with streets, for biodiversity purposes, has rarely, if ever, been a primary consideration. Few attempts have been made to utilise land owned by others, such as pipe tracks, to become a means by which habitat connectivity can be enhanced.

The addressing of these problems is urgent in the context of the biodiversity emergency and is critical to the purpose of the SCAWG.

Streetscapes are also burdened by a long history of traditional and unchanging approaches to their design.

¹ While it is not known if Darebin has calculated a figure, it is noted that neighbouring Moreland has estimated in its Urban Forest Strategy that only 15% of Moreland's streets are shaded. The Strategy does not specify how this figure is derived and it is therefore not known if it is conservative or otherwise. Despite this, it is reasonably assumed that this telling figure is likely to be similar for Darebin.

These traditional features include:

- little or no consideration of shading of the road pavements as a key climate emergency objective to mitigate urban heat;
- east-west streets are not treated differently from north-south streets, despite significant differences in summer shading patterns and requirements;
- little or no consideration given to different nature strip widths in the same street in order to facilitate provision of increased soil volumes for tree growth or to gain space for stormwater re-use, i.e. little apparent desire to re-imagine the streetscape and fundamentally alter conventional design;
- poor consideration of required soil volumes generally and of future tree trunk expansion impacting kerb and channel and other assets and of damage to tree roots from maintenance activities associated with services located under nature strips;
- a preference, often via policy, to only plant small trees under powerlines, thus denying the potential for road pavement shading;
- a dominant view that ongoing pruning of larger trees under powerlines carry costs that are excessive and unwarranted, even though the benefits that such trees can provide in shading of road pavements is not appropriately assessed, monetised and brought to account;
- streets always crowned to drain to sub-surface stormwater drainage on both sides of streets, even where opportunities are available to drain streets to depressed centre medians; and
- no attempts to use stormwater to assist tree growth or to design for infiltration to nature strips to reduce stormwater volumes as part of pro-active local stormwater management.

The other key element of the work of the SCAWG is consideration of future open space acquisition. This was initially recognised as an important task for the DNT and remains so. The Open Space Strategy has called for planning work to guide future land acquisitions. Its Action A1.1 commits Council to: "Acquire additional open space. This may be through purchase, joint use agreements and/or partnerships with public and private entities."

Action A1.3 importantly seeks that Darebin: "create a strategic land acquisition plan that contains a decision making framework to guide selection of open space referencing section 6.4 [*Increasing the quantity of open space*] of this strategy."

The formation of the SCAWG provides a potential opportunity, on a continuum from least involvement to greatest involvement, for it to:

- promote and advocate for;
- contribute to; or
- lead

this planning work.

The precise role of SCAWG in relation to planning for acquisitions can be determined collaboratively by its participant members. As always, advice from SCAWG would be provided to DNT and then on to Council for their determination.

However, at an early stage, it is apparent that planning for open space acquisition is a large and complex task. Considerable rigour and care needs to be devoted to such planning because the cost of land purchase is high and benefits therefore need to be obvious and transparent, with scarce resources directed to areas of greatest need and open space deprivation.

It is possible that a sub-group of the SCAWG could be formed to contribute to this significant planning work.

2. SCAWG – Statement of Purpose

The Streetscapes, Corridors and Acquisitions Working Group of the Darebin Nature Trust has a number of purposes. These include being a forum where community members of the DNT can work together with Council officers to:

- i. enhance mutual understanding of Darebin's streetscapes, their vegetation cover and role in provision of habitat connectivity and biodiversity improvement across the municipality, as well as community amenity, and how the WG can build its understanding of all aspects of policy and management practices relating to streetscapes;
- ii. analyse, plan for, and prioritise opportunities to create and enhance vegetation corridors across Darebin to provide improved biodiversity corridors that link ecologically significant sites and especially bordering waterways;
- iii. work with other council officers to overcome barriers to ensure that vegetation can have an equally important role alongside other streetscape assets, (e.g. footpaths and road pavements providing a transport carriageway for vehicles and pedestrians), so that streets are seen as vegetation links as much as transport links;
- iv. analyse, plan for, and ensure implementation of works in streetscapes to mitigate the impacts of climate change giving particular attention to increased shading of heat generating black asphalt, reducing the area covered by black asphalt and assessing the potential of streetscape re-design and re-configuration to deliver heat reduction and increased canopy cover, especially via increased soil volumes for street trees;
- v. re-consider policies that might be at cross-purposes with heat mitigation in streetscapes such as the exclusive use of small to medium sized trees under powerlines and instead encourage policies that improve canopy cover, shading, streetscape amenity and use of stormwater within a more comprehensive and integrated planning context and framework;
- vi. ensure opportunities for stormwater to assist vegetation growth and reduce volumes transported to waterways, can be optimised within streetscapes;
- vii. encourage and assist in the development of the strategic land acquisition plan as recommended in the Darebin Open Space Strategy and liaise with the Biodiversity Management Plan Working Group and others regarding any proposed acquisitions to improve biodiversity and open space links and corridors; and
- viii. contribute to the implementation of the Working Group's analyses, plans and recommendations.

3. SCAWG – Tasks

The SCAWG will determine its tasks and adjust them according to circumstance and as change and improvements occurs.

However, initially, the broad tasks of SCAWG will include determining:

- the scope of work to be undertaken, how it is to be undertaken and by whom;
- the priority order of its tasks;
- the priority to be assigned to improvement of streetscapes, corridors and open space acquisitions across Darebin; and
- how the work of SCAWG aligns with the Darebin Open Space Strategy and other key plans, strategies and policies, with a view to ensuring a sound reporting framework for DNT.

At the start of each year, the SCAWG should determine a work plan for the following 12 months to ensure guidance is provided, a direction is known and the SCAWG is operating within a framework it can be accountable to.

4. Streetscapes, Corridors and Acquisitions Working Group - Operations

Operating arrangements for the SCAWG will be guided by the adopted Terms of Reference for the DNT.

4.1 Meeting Frequency

The SCAWG should meet no more than eight times per year. However, it is suggested that in 2020, only seven meetings be scheduled.

Suggested meeting dates for 2020 are as follows below, with:

- a spacing of approx. 6 weeks between meetings;
 - Tuesday as the regular meeting day*; and
 - no meetings in same week as the four scheduled DNT meetings in 2020 (18 Feb; 21 April; 23 June and 18 August)
1. 14 April 2020
 2. 26 May 2020
 3. 7 July 2020
 4. 25 August 2020
 5. 29 September 2020 (during caretaker period)
 6. 27 October 2020 (during caretaker period?)
 7. 8 December 2020 (in new Council term)

** consideration needs to be given to meetings of the other three Working Groups and avoidance of clashes, given participation by some SCAWG members on those Working Groups.*

4.2 Membership

The membership of the SCAWG will be drawn from:

- Council officers assigned to the SCAWG, including an executive officer to the SCAWG;
- Community members of the DNT; and
- Councillor members of the DNT.

It is understood that the Working Group could potentially involve numerous Council officers due to its broad-ranging and multi-disciplinary nature. It will be up to officers to ensure effective coordination across organisational divisions and units to ensure the WG has access to appropriate advice and input.

4.3 Term of Membership and Vacation of Membership

Community and Councillor members are provided by way of their volunteering to join the SCAWG and confirmation of membership by the DNT.

Community and Councillor members can seek to withdraw their voluntary membership of the SCAWG by notification to the SCAWG executive officer and the chair.

Membership of SCAWG is dependent upon membership of the DNT. The loss of membership of the DNT therefore also means loss of membership of the SCAWG.

4.4 Expectations of Members

The expectation of all members of the SCAWG is that they will behave with respect and openness by listening to one another and by allowing all to have a voice at meetings.

It is the role of community members to offer advice to meetings so their knowledge and expertise can influence and be incorporated into the management of streetscapes and open space and biodiversity in Darebin.

It is expected that all members of the SCAWG will be required to undertake work to progress tasks before the group and to meet agreed deadlines set for work to be completed.

The conduct of members will accord with that set out in the DNT Terms of Reference.

4.5 Chairing of Meetings

SCAWG will arrange for a member to chair meetings. Should a Councillor be present, that person should assume the role of chairing the meeting, unless otherwise agreed.

4.6 Meeting Agendas

The executive officer will draft meeting agendas for circulation to members for comment at least 10 days prior to meetings.

4.7 Meeting Attendance

Attendance at meetings of the SCAWG is expected in normal circumstances and is critical to fulfilment of duties as a member.

4.8 Reporting

The SCAWG will ensure that reports are provided to every DNT meeting and that sufficient members of SCAWG are present at DNT meeting to answer questions regarding its operation and performance.

4.9 Sunsetting of the SCAWG

The ongoing need for the SCAWG will ultimately be determined by Darebin Council and will take into account advice from the DNT.

Should a new Council elected in late 2020 seek to continue with the DNT, then its Working Groups would also be continued for the term of the new Council. A review of the SCAWG should be undertaken in mid 2024 with a recommendation to the new Council to either continue or sunset the Working Group and based around advice from the DNT.

Judgement about the ongoing and longer term need for the SCAWG will be largely based upon the rate of improvement of Darebin's streetscapes and corridors as reported to the DNT and the appropriateness and quality of advice regarding acquisition of open space.

DRAFT

DAREBIN NATURE TRUST**REVISED TERMS OF REFERENCE & OPERATING CHARTER (As proposed by Community Members of the DNT)****May 2020*****Background and Rationale***

In late 2016, at its first meeting after being elected, the new Darebin Council voted unanimously to recognise a climate emergency requiring urgent action to respond to the challenge. Both the Darebin Energy Foundation (now Climate Emergency Darebin) and the Darebin Nature Trust (the Trust) were set up as part of that response.

It is now recognised internationally that the pace of change to address the climate and biodiversity emergency must be quickened to start to reverse the significant impact that climate change and unsustainable land use practices are having on planetary life. As such the Trust will act with an emergency mindset in the quest for greater ambition that might address the emergency context.

Following the Council election, the Council Plan 2017-21 included a specific goal to create a Nature Trust to increase open space and native vegetation, and ensure all residents live within 500 metres of open space. It was intended that the Nature Trust focus on strategic land acquisition, the preservation of biodiversity and creation of proactive responses to a changing climate placing stress on local ecological systems.

The Trust has been operating since August 2018 under the original Terms of Reference devised by Council prior to appointment of community members. The Trust was brought into existence as an advisory committee to Council and has operated accordingly since and is envisaged to retain such status under these Terms of Reference and Operating Charter.

Community members have been selected to participate on the Trust due to their expertise across a range of fields associated with biodiversity, open space, urban liveability and community engagement.

These Terms of Reference and Operating Charter have been prepared to reflect provisions for advisory committees under the Local Government Act and recommendations from community members of the Trust.

The operating rationale for the Trust is to:

- (i) access community expertise that is otherwise not readily available to council. This expertise includes biodiversity, ecology, open space provision and management, urban liveability, education, community engagement and advocacy, and environment;
- (ii) systematically seek the expertise and advice of the community members;
- (iii) evaluate expert advice from the community members at DNT meetings; and

(iv) advise Council on strategies to address the dual and related imperatives of the climate and biodiversity emergencies.

The following contains two parts:

- Part A - what Council requires of the Trust, i.e. its Terms of Reference; and
- Part B - the Operating Charter for the Trust – what the trust will do, how it will operate and the procedures that will govern its operation.

PART A – TERMS OF REFERENCE

In the context of a climate and biodiversity emergency, Darebin Council requires the Trust to:

- (i) inform itself of issues, opportunities, constraints and urgent actions relating to the protection, management and enhancement of open space and biodiversity in Darebin;
- (ii) provide honest, considered, constructive and impartial advice to Council that will improve the quality and extent of open space and biodiversity in Darebin, especially taking into account the biodiversity emergency;
- (iii) engage in strategic and other planning work to help set short and longer-term organisational direction and action for open space and biodiversity shaped around the need to address the biodiversity emergency;
- (iv) advise and assist Council in decision-making to retain and acquire land and invest in open space and biodiversity;
- (v) advocate for, and increase understanding of, the benefits and importance of open space and biodiversity to the Darebin community; and
- (vi) report to Council periodically on its work, via its Working Groups or other mechanisms, as set down in its Operating Charter in order to ensure accountability.

PART B – OPERATING CHARTER

1. Purpose

The purpose of the Darebin Nature Trust advisory committee is to provide advice to Council on protecting and enhancing Darebin's biodiversity and open space with a view to its significant improvement.

In providing advice, the community members will be given every opportunity, encouragement and support to put their views before the advisory committee or its working groups. In addition, the expertise of community members will be deliberately and systematically sought to assist Council planning and operations for biodiversity and open space. The Trust has been set up to hear from Darebin's community sector regarding biodiversity and open space. That unfettered voice must be encouraged, heard and considered in the operation of the Trust, with outcomes and advice regularly reported to Council to ensure appropriate advantage is taken of the Trust's capabilities and advice.

2. Objective

The concise overall objective of the Trust is to advocate for the protection and enhancement of Darebin's biodiversity and open space and assist Council to pursue that objective.

3. Tasks

The central task of the Trust is to offer advice to Council that flows from addressing its objective and purpose.

The following are key generic tasks that have been identified that the Trust will be expected to pursue.

(i) Strategic planning

- initiating proposals to develop improved strategic planning around biodiversity, open space and urban liveability for Darebin and to offer advice and recommend those proposals to Council for consideration and adoption; and
- participating in planning exercises of a strategic nature that relate to or impact on biodiversity and open space.

(ii) Planning for improvement

- planning and design of open space sites to enhance and improve biodiversity and open space;
- planning for vegetation and habitat improvement across Darebin's open space; and
- identifying biodiversity opportunities including project proposals, on land across Darebin.

(iii) Reviewing policies and plans and supporting implementation

- reviewing parks, gardens and natural heritage and bushland management policies, improvement plans and masterplans to enhance biodiversity and open space outcomes; and
- supporting implementation of *Breathing Space: the Darebin Open Space Strategy; Urban Forest Strategy; and Natural Heritage Strategy*; and their monitoring and review/update to ensure biodiversity considerations and actions are adequately included.

(iv) Investment in open space and biodiversity

- advising on the provision of open space including retention, acquisition and disposal and related policy, especially as it pertains to biodiversity;
- advising, advocating and helping secure green space for current and future generations including linking habitat corridors via streetscapes and other land to progressively improve connectivity; and
- advising and helping prioritise Council investment in biodiversity as part of the annual business planning processes;

(v) Advocacy and education

- developing models for community advocacy and action to secure green space for current and future generations;
- advocating, facilitating, educating and promoting the benefits to public and private landowners from enhancing green space provision and biodiversity outcomes (such as the retention of bushland) in Darebin;
- increasing the profile of Darebin's green spaces and local biodiversity; and
- educating and building community custodianship of our natural spaces so that Darebin's biodiversity is valued.

3.1 Task Delivery

The achievement of the tasks of the Trust will be undertaken through meetings of the Trust and via other mechanisms as required and determined by the Trust. An example of other mechanisms is the setting up of Working Groups. These can be initiated by the passing of a resolution at a Trust meeting and its reporting to Council and adoption by a vote in the chamber.

Working Groups will enable focus on achievement of key tasks the Trust has identified as critical to furthering its purposes. Any Working Group established by the Trust will be required to document its own Operating Charter to describe its purpose, tasks, operating structure, membership, timing of review and possible sunseting.

Working Groups must provide reports on their work to meetings of the Trust and these should be reported to Council. Reports from Working Groups may include recommendations to the Trust to further assist and support the Working Groups.

The voting membership of Working Groups will be drawn from the same general source as that of the DNT, i.e. community and Councillor members of the Trust. Officers, especially those with functions closely related to the purpose of the Working Group, will also assist and participate on the Working Groups. Should the Working Group determine that additional expertise is required to meet its purposes, such expertise can be recruited from various sources via occasional, invited non-voting participation on the Working Group.

Some officer support of the Working Groups is anticipated, but Working Groups will determine this according to need. In many cases the tasks of Working Groups will assist officers in the delivery of their core work and the functioning of Working Groups should therefore not impose an additional burden or drain on resources. In some cases, community members may provide a lead role in servicing the Working Groups and this would further relieve officers of some tasks.

It should always be the objective of Working Groups to ensure that officers are comfortable with their role and that the Working Group is adding value to their functions.

4. Membership

The membership of the Trust will comprise 9 community members and a Councillor representative from each of the 3 current Council wards. Following the 2020 elections when Council will move to nine separate wards with single representation, one Councillor can be drawn from Wards A, B and C; one from Wards D, E and F; and one Councillor from Wards G, H and I.

Community member appointments will be made by Council in consultation with the Trust based on the following criteria:

- Demonstrated capabilities, experience, expertise and advocacy skills in one or more of the following areas: biodiversity, ecology, open space planning and management, urban design and liveability and community environmental engagement and advocacy;
- Considered views about and knowledge of Darebin's open space and biodiversity and associated issues, constraints and opportunities;
- Demonstrated capacity to offer bold, honest, unfettered and credible advice and to do so in a reasoned and constructive manner; and
- Demonstrated capacity to operate effectively in an advisory committee setting and to make significant contributions to the work of the Trust where required.

Council Officers will attend meetings and advise the Trust as required, but are not members of the Trust.

All community members are also members of the community member caucus (CMC) and are expected to attend its meetings to prepare for meetings of the Trust.

5. Member Roles/Expectations

5.1 Councillors

Councillors will fulfil their role by:

- chairing meetings;
- listening and learning from Trust members;
- contributing to group discussions;
- together with other councillors, making decisions in the council chamber regarding the Trust and related issues (such as biodiversity and use of public open space) as informed by the community members and council officers;
- informing and supporting other councillors (not part of the Trust) to understand the work and perspectives of the Trust, including where diverse opinions exist; and
- continuing to use their position as councillors to advocate for biodiversity protection, increased natural green space, and other goals of the Trust.

As advocates for the community sector, Councillors will play an important part in assisting the community members to execute their role and achieve the Trust's purpose, especially in relation to giving voice to the community sector at meetings of the Trust and offering encouragement, help and support to facilitate that.

5.2 Community Members

The role of the nine community members is to primarily offer advice to meetings of the Trust and any delegated entities such as Working Groups, so their knowledge and expertise can influence and benefit Darebin's open space and biodiversity and its design and management.

The knowledge and expertise of the community members will be sought, heard and valued at meetings of the Trust. Their knowledge must be freely offered and their advice systematically sought in order to take full advantage of its availability. This will be encouraged and facilitated via a number of means including the role Councillors will play.

Advice should be issue-focused, devoid of partisan implications and constructed within a climate and biodiversity emergency mindset. The Trust should not be unduly constrained by considerations of how advice might be received. Council will either accept or reject advice from the Trust and has every right to do either.

The community members will be recognised as the intellectual leaders of the Trust and they therefore have a key role in determining its direction alongside the Councillors.

The community members also recognise that leadership comes with responsibilities. The community members are committed to undertaking project work around identified tasks in order to fulfil the Trust's objective and purpose. Community members are expected to undertake work between Trust meetings (e.g. within Working Groups or similar) to achieve this.

It is not sufficient for community members to merely attend Trust meetings to offer verbal advice. In addition to the formal meetings of the Trust, community members may be engaged on delegated Working Groups to help advise about preparation of various documents or to advance particular issues associated with the Trust's purpose.

Participation on such bodies is a key expectation of community members. In addition, all community members are expected to attend CMC meetings to prepare for Trust meetings.

The expectation of community members' behaviour at CMC or other meetings, is that they will behave with respect, openness, by listening to one another and by allowing all to have a voice.

6. Chairing of Meetings

One of the Councillor members will Chair meetings of the Trust. When a Councillor is not present at a meeting a Council officer can act as Chair.

7. Meeting Agenda

Officers will draft a meeting agenda for circulation to members for comment at least 10 days before meetings of the Trust.

As far as possible, comment from members will be included and a revised agenda will be circulated to members 5 days before meetings of the Trust. Reasons for non-adoption of comments will be provided to the member(s).

The preparation of an agenda will facilitate and enable the purpose of the Trust to be achieved with adequate time given to hear from the community members.

A running forward planning agenda will be prepared, updated and circulated to members along with meeting minutes. The forward planning agenda will be a device by which community input is sought.

8. Meeting Attendance

Attendance at meetings of the Trust is expected in normal circumstances and is critical to fulfilment of appointment as a member. Provisions associated with absence from meetings is detailed in section 10 below.

9. Term of appointment

As far as possible, appointments to the Trust will be for a period of approximately four years to align with the Council term. At the end of the term, the Trust and all aspects of its operation can be reviewed, with any proposed changes to be considered by the new Council, including possible renewal with appointment of new members.

No member of the Trust may serve longer than two consecutive four year terms.

For the sake of continuity and smooth transition, no more than two-thirds of the Trust's membership appointed by a new Council can be new members appointed to the Trust for the first time.

10. Vacation of Membership of the Trust

Membership of the Trust will become vacant in the following circumstances:

- if the member resigns membership by notice in writing to the Chair of the Trust;
- if the Councillor member resigns their office;
- if the Councillor member is absent for three (3) consecutive meetings without prior leave of absence or an apology being accepted by Trust meetings, subject to confirmation by the elected Council of the resignation;
- if the community member is absent for three (3) consecutive meetings without prior leave of absence being accepted by a Trust meeting;
- upon the death of the member;
- if the member becomes a mentally incapacitated person; and
- if a member is found to be in breach of the Code of Conduct following a recommendation by the relevant General Manager to the CEO.

A motion of Council is required to fill membership vacancies on the DNT. If a casual vacancy occurs, it can be filled via either advertising the vacancy or seeking the availability of those who may have met the advertised criteria but missed appointment at the previous expression of interest. In the case of a single casual vacancy, the relevant General Manager will report to the Trust on the process to fill the casual vacancy and the Trust will be asked to offer comment on the recommendation prior to it going to Council. Members appointed to fill a vacancy are appointed for the remainder of the term of current members only.

11. Quorum

A quorum of seven voting committee members with at least two Councillor voting member and 5 community voting members is required for a vote on a recommendation.

12. Meeting Frequency

The Trust will meet on at least four occasions per year. The number of meetings for the particular year will be determined at the first meeting of each calendar year. Special meetings can be held at the discretion of the Chair. Extraordinary meetings can be called where the Chair is notified that two thirds of the members support the holding of such a meeting.

13. Reporting

The Trust shall make an annual report to Council at the conclusion of every calendar year, apart from the first year of its appointment by a new Council.

Apart from regular reporting of advice from the Trust to Council conveyed through an adopted recommendation(s) at Trust meetings, the Trust may also be required to make occasional reports to Council about its operation and progress, where requested and at the invitation of Council.

14. Conduct of members

Members will:

- act honestly and treat others with respect;
- exercise reasonable care and diligence; and
- not make improper use of their position or make improper use of information acquired because of their position.

Council policies applying to fraud, OHS, EEO, Safeguarding Children and Privacy apply to Advisory Committees.

Failure to abide by the conduct principles (and relevant Council policies) will result in the member being deemed to be in breach of their obligations and may result in their removal from the Trust. .

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.

No member of the Committee is authorised to speak to the media on behalf of the Trust or Council.

If a member of the Committee believes that another member is not performing within the member expectations (i.e. Code of Conduct) this should be raised with the Trust Chair.

Sections 77A-81 of the Local Government Act define conflict of interest and procedures to be followed where a conflict is identified. Members must disclose a conflict of interest in

relation to any matter the Advisory Committee (the Trust) is concerned with or 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.

The Councillor Chair is the official spokesperson for the Trust. Members may only speak on behalf of the group where the content and spokesperson is agreed by a quorum at a meeting. Any engagement with the media will be in accordance with Council's standard media and communications policy.

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

Appendix 1 Key Council Staff involved with the Trust

General Manager Operations & Capital

Parks & Open Space Manager

Bushland Management Coordinator

Open Space & Horticulture Coordinators

Tree Management Coordinator

Planning Arborist

Turf Management Coordinator

General Manager City Sustainability & Strategy

City Futures Manager

City Design Coordinator

City Design Team Leader

Landscape Architects

Climate Emergency and Sustainable Transport Manager

Climate Emergency and Environment Strategy Coordinator

Biodiversity Officer

Forward Agenda for Darebin Nature Trust

Theme	Topic	Input needed	Approx when
Implementation plan for Breathing Space	Open Space Levy	1. Advice developing consultant brief 2. Comments on draft plan	1. July 2020 2. Oct 2020
Land acquisition plan	Open space levy	1. Advice developing consultant brief 2. Comments on draft plan	1. July 2020 2. Oct 2020
Playspace planting guidelines	Playspace Planting Selection	Plant selection suitable for playspace design	July (ongoing)
Rewilding Delivery	Planting Selection	List of plants can that can be used within the site already selected for rewilding	July 2020
Biodiversity programs	Green Recovery Series	DNT input required. Still in pre-planning stage so TBC	June-July 2020
Biodiversity/ Advocacy	Parliamentary enquiry into ecosystem decline	1. Advice developing plan and input of content 2. Review of submission draft and final document	June/ July 2020
Biodiversity/ Advocacy and Education	Biodiversity Management Plan	1. Advice about development of threatened species protection programs. Comments on draft plans. 2. Advice and input into "No Local Extinctions" policy 3. Advice about species selection of to monitor biodiversity. 4. Advice about how to involve the community in biodiversity monitoring.	1. June 2020 2. September 2020 3. December 2020 4. February 2021
Biodiversity/ Advocacy and Education	Community Conference Day "Celebrating Darebin's Nature"	1. Implement the proposal put forward by DNT in late 2019 (pre-planning discussion held with DNT in March but delayed due to Covid) 2. Advice about promoting event and event format. 3. Advice about content development.	July-August 2020
Water Strategy	Strategic Approaches to water quality improvements in Darebin	1. DNT to be informed of progress at each stage. 2. DNT to provide advice on implementation priorities.	July -December 2020
Strategy and policy development	Asset Management Strategy	Seek input on Vegetation in Parks component of the Strategy.	August 2020
Implementation Plan for Breathing Space	Dog Off Lead	Comments and review on existing locations from a biodiversity value	August 2020

Forward Agenda for Darebin Nature Trust

Theme	Topic	Input needed	Approx when
Level Crossing Removal Project Preston	Planting Open Space	1. Biodiversity enhancement within the project area 2. Information session presented by LXR	Dec TBC Dec TBC
Design Excellence Program	Landscape Guidelines	Enhancement of biodiversity in private development	Jan 2021

Officer response to feedback from DNT during development of the Terms of Reference, October 2019

From: Sally Moxham <Sally.Moxham@darebin.vic.gov.au>

Sent: Wednesday, 30 October 2019 2:13 PM

To: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Cc: [REDACTED]
[REDACTED]

Subject: Timeframes for your feedback - proposed Terms of Reference (Darebin Nature Trust)

Hello all,

Following up our discussion on the new Terms of Reference – I can confirm that Council is likely to consider a report on the DNT at a Council meeting on 2nd December. I have attached the most recent draft of the revised ToR - - because of report deadlines this can't be considered at the DNT meeting scheduled for the 26th November. We have had detailed feedback from some members of the DNT and based on this (and comments from our governance officers) we are proposing the attached ToR for your consideration and further feedback. I have outlined in the table below this feedback/comments/suggestions and the officers response – detailing where these suggestions have been taken into consideration in the revised ToR and where – if not adopted - why. I am seeking one last round of feedback from you before finalising this report. Could I please have your feedback by Wednesday noon 6th November.

Feedback to date.

- The DNT has previously recommended that the Trust remain a council advisory committee.
- Individual members of the Trust provided feedback on the terms of reference and general operation of the committee – see below.

Issues raised by DNT members	Officer Response
<p>The time commitment requirements of members need to be clear at the time of nomination – i.e. meeting attendance.</p>	<p>The frequency of meetings as now been specified being at least 4 times per annum.</p> <p>Meetings will be structured either as workshops or evening meetings (they may be longer than the current 2 hours for example) and scheduled to align with key times in the year at which council is seeking advice - for example to align with council's annual budget and business planning cycle. Council will call additional meetings beyond the four meetings when further feedback is required on particular issues.</p> <p>The next recruitment, and formal induction process, will outline the time commitments and meeting attendance expected of members – this will give potential new members a clearer understanding of the time commitment required.</p> <p>The revised ToR proposes to align the membership term with the Council term. So a new committee would be expected to be formed in early 2021 and run for four years. Current members of the DNT would be eligible to renominate.</p>
<p>How vacancies/non-attendance would be managed needs to be addressed.</p>	<p>A provision has been inserted into the Terms of Reference specifying how vacancies and leave of absences are to be managed.</p>
<p>Consider skype or other formats for members who wish to attend but are unable to do so for work/travel reasons.</p>	<p>Officers will investigate using Skye or Zoom for committee meetings and explore other ways in which members could contribute (for example when they are interstate).</p>
<p>Ensuring that feedback is provided to the committee on how the advice that it has provided has been considered by council.</p>	<p>Officers will continue provide regular updates to the committee on how the committee's advice has been considered by council. Council reports on topics where DNT has been consulted will outline the advice.</p>

<p>Insert a new section in the terms of reference: 'Rationale'</p> <ol style="list-style-type: none"> 1. To access community expertise that is otherwise not readily available to council. This expertise includes biodiversity, ecology, open space provision and management, urban liveability and environment; 2. To systematically seek the expertise and advice of the community members; and 3. To evaluate the expert advice from the community members at DNT meetings 	<p>The clause on expertise (biodiversity, ecology, open space management, urban and/or environmental design expertise) has been specifically incorporated into the Representation and Membership provisions in the revised terms of reference. This is a change from the previous ToR.</p> <p>Council is systemically seeking advice from the committee and evaluates this advice and provides regular feedback to the committee on how this advice has been considered. This is actioned through regular emailed updates, formal council reports and through discussion scheduled thought items on the committee agenda and forward agenda planner.</p> <p>The forward committee agenda planner is the way in which council tracks this systematic engagement and works with the committee to prioritise the extent, depth and frequency in which expert advice is sought. There is a balance to be struck between what is being asked of the committee in terms of its time, and capacity and interest and the breadth and depth of all potential topics that council could conceivable seek advice on.</p>
<p>The objective of the DNT is to protect and enhance Darebin's Biodiversity and Open Space.</p>	<p>This is now reflected in the revised terms of reference.</p>

<p>To provide advice to council on:</p> <p><i>Identifying biodiversity opportunities including project proposals;</i></p> <p><i>planning and designing new open spaces for biodiversity enhancements;</i></p> <p><i>Ensuring that biodiversity considerations and actions are adequately included in Darebin's Key strategic documentation including Darebin's Breathing Space: the Darebin Open Space Strategy, Urban Forest and Natural Heritage Strategies;</i></p> <p><i>Reviewing parks, gardens and natural heritage and bushland management policies, improvement plans and masterplans to enhance biodiversity outcomes;</i></p> <p><i>Advising on the provision of open space including the acquisition and disposal and related policy, as it pertains to biodiversity;</i></p> <p><i>Prioritising council investment in biodiversity;</i></p> <p><i>Securing green space for current and future generations;</i></p> <p><i>Increasing the profile of Darebin's green spaces and local biodiversity;</i></p> <p><i>Building community custodianship of our natural spaces;</i></p> <p><i>Facilitating, educating, promoting and advocating for benefits to public and private landowners to enhance green space provision and biodiversity outcomes (such as the retention of bushland) in Darebin;</i></p> <p><i>Developing models for community advocacy; and</i></p> <p><i>Educating and advising council and engaging with the community so that Darebin's biodiversity is valued.</i></p>	<p>These objectives have been incorporated into the revised terms of reference.</p>
<p>The ToR to acknowledge that the central role of DNT is to provide frank and fearless advice to Council about biodiversity and open space issues and that this should be provided without fear or favour. That is, DNT community members should not be burdened by how they think their advice might be received and their advice should not be muted or diluted in any way by such a prospect.</p>	<p>This point will be addressed as part of the induction process. An induction kit and process is to be developed in 2020 by the governance team. In part, the Code of Conduct also provides for clarity around the expected behaviours of all i.e. respect and inclusion.</p>

Regards

Sally Moxham

Manager Climate Emergency and Sustainable Transport | Environment & Sustainable Transport

T 84708442



PO Box 91, Preston VIC 3072
T 03 8470 8888 | darebin.vic.gov.au

Contact Council darebin.vic.gov.au/contactus

Darebin City Council acknowledges the Wurundjeri people
as the traditional owners and custodians of this land and
pays respect to their Elders past and present.

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**7.9 PROPOSED DISCONTINUANCE AND SALE OF ROAD
REAR 182 TO 186 HIGH STREET AND ADJOINING 1
BUTLER STREET, NORTHCOTE**

Author: Property Officer

Reviewed By: Senior Property Officer

EXECUTIVE SUMMARY

To complete the statutory procedures for the proposed discontinuance of the right-of-way/road adjoining 182 to 186 High Street and 1 Butler Street Northcote, shown hatched in the statutory plan in **Appendix A** and in orange in the aerial view in **Appendix B** (Road).

In June 2018, Council received an enquiry from the owner of 186 High Street, Northcote, requesting the discontinuance and sale of the 3.05-metre-wide road adjoining their property.

Preliminary investigations into the discontinuance and sale of the section of Road were undertaken. The investigations identified that although the Road remains a road on title, and is listed on Council's Register of Public Roads, it is not constructed, is overgrown with vegetation and does not appear to have been used for access by the adjoining properties for many years, as shown on the aerial photo in **Appendix B**.

All adjoining property owners at 182, 184 and 186 High Street, Northcote have agreed in-principle to purchase the land adjoining their property at market value, as well as meeting all reasonable costs associated with the statutory process, should Council resolve to discontinue the Road and sell the land. Council will transfer to itself any land that remains unsold, protecting its interests in the land.

Recommendation

That Council:

Having given public notice of a proposal to discontinue the right-of-way/road adjoining 182 to 186 High Street and 1 Butler Street Northcote shown hatched in **Appendix A** to this report, and having received no submissions in respect of this proposal under section 223 of the *Local Government Act 1989*:

- (1) Has formed the opinion that the road shown in the statutory plan in **Appendix A** and coloured orange on the aerial photo in **Appendix B** to this report is no longer reasonably required for road purposes.
- (2) Discontinues the Road in accordance with section 206 and schedule 10, Clause 3 to the *Local Government Act 1989*.
- (3) Directs that a notice be published in the Victoria Government Gazette.
- (4) Directs that the land from the Road be sold by private treaty to the owners of the adjoining properties in accordance with Council policy and transfer to itself any land from the Road not sold to the adjoining property owners, in accordance with Council policy.
- (5) Authorises the Chief Executive Officer to sign all documents relating to the sale of any land from the discontinued Road to the owners of the adjoining properties.
- (6) Authorises the Chief Executive Officer to do all other acts to enable any land from the Road not sold to the adjoining property owners to be transferred to Council.

BACKGROUND / KEY INFORMATION

In June 2018, Council received an enquiry from the owner of 186 High Street, Northcote, requesting the discontinuance and sale of the 3.05-metre-wide road adjoining the rear of 182 to 186 High Street and adjoining 1 Butler Street, Northcote, shown hatched in the statutory plan in **Appendix A** and in orange in the aerial view in **Appendix B** (Road).

Whilst the Road is open and listed on Council's Register of Public Roads, it is not constructed, is overgrown with vegetation and not used for access. The Road would need to be removed from Council's Register of Public Roads should Council resolve to discontinue the Road.

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

Previous Council Resolution

At its meeting held on 16 March 2020, Council resolved:

That Council:

- (1) *Commences the statutory procedures under section 206 and clause 3 of Schedule 10 of the Local Government Act 1989 (the Act) to discontinue the Road adjoining 182 to 186 High Street and 1 Butler Street, Northcote, shown hatched in the statutory plan in **Appendix A**.*
- (2) *Gives public notice under sections 207A and 82A and 223 of the Act of the proposed discontinuance in the appropriate newspapers and on Council's website and in such notice, state that if discontinued, Council proposes to sell the land from the Road to the adjoining property owners by private treaty and transfer to itself any land from the discontinued Road not sold to the adjoining property owners.*

COMMUNICATIONS AND ENGAGEMENT

Consultation with adjoining property owners

Public notice of the proposed sale was given in the Preston Leader and Northcote Leader newspapers on 7 April 2020 and 8 April 2020, respectively.

All adjoining property owners were notified in writing and notification was also given on Council's website. The notice period ended on 7 May 2020, with no submissions or objections received.

The owners of 182, 184 and 186 High Street, Northcote have confirmed an interest in acquiring the land shown as Lots 3, 2 and 1 respectively in the Title Plan in **Appendix C** at current market value, as well as agreeing to meet a share of the reasonable costs associated with Council discontinuing and selling the Road, in accordance with Council policy.

Consultation with Service Authorities and Council Departments

Internal departments and service authorities were consulted regarding the proposal and no objections were received. There are no assets located in the Road nor any requirement for easements to be saved over the land.

Consultation with the community

Public notice of the proposed sale was given in the Preston Leader and Northcote Leader newspapers on 7 April 2020 and 8 April 2020, respectively. Notification was also given on Council's website. The notice period ended on 7 May 2020, with no submissions received.

Communications

- All immediate adjoining owners were consulted regarding the proposal and no objections were raised. The dimensions and proposed allocation of the land is shown in the Title Plan provided in **Appendix C**.
- The owners of 182, 184 and 186 High Street, Northcote, have agreed in principle to purchase the land adjoining their properties at current market value (as well as meeting a share of the reasonable costs associated with Council discontinuing and selling the Road, in accordance with Policy).

ANALYSIS**Alignment to Council Plan / Council policy**

Goal 6 - A well governed Council

Property Assets Management Strategy

Sale of Minor Council Property Assets Policy

Environmental Sustainability Considerations

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

Climate Emergency

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

Equity, Inclusion and Wellbeing Considerations

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

Cultural Considerations

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

Economic Development Considerations

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

Financial and Resource Implications

Council's Valuer has placed a market value of \$2,750.00 per square metre (inc GST) on the Land. The sale of Lots 1, 2 and 3 on Title Plan TP967916N, with a combined area of 54m² is intended to be sold to the owners of 182 High Street, 184 High Street and 186 High Street, Northcote, for the total amount of \$148,500.00 (including GST). The Land will also attract Council rates once transferred.

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

Legal and Risk Implications

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

DISCUSSION

Council's property portfolio must meet current service needs while providing the flexibility to meet future requirements. Roads, reserves, revenue strips, hiatus and other pieces of land of unusual shape and limited usefulness that are less than 200m² in area (collectively referred to as minor Council property assets) were originally set aside in early plans of subdivision for a particular purpose, such as access or drainage. In many cases, these parcels of land are still required for that purpose and need to remain open and available to the public. In situations where a minor Council property asset is no longer reasonably required for that purpose or other strategic purposes, it may be considered surplus and suitable for sale.

Deregistration of the Public Road Status

As the Road, shown hatched in **Appendix A**, is currently listed on Council's Register of Public Roads under the *Road Management Act 2004*, its removal from the register will be attended to if a decision is taken by Council to discontinue the section of Road, as it will no longer be considered to be reasonably required for general public use.

OPTIONS FOR CONSIDERATION

Option 1 – Abandon the Proposal or Do Nothing

Council could resolve to abandon the proposal, take no action or may make no resolution on the matter. This option would mean that the Road would continue to vest in Council and the status quo would remain. This would leave Council responsible for any ongoing maintenance and management costs associated for the Road, which is currently unmade and unused.

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

Option 2 – Commence the Statutory Procedures (Recommended)

Council could resolve to complete the statutory procedures to potentially discontinue the Road. This would be consistent with the statutory procedures which have been completed with no submissions having been received.

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

IMPLEMENTATION STRATEGY

Details

- Arrange for the Land to be sold and transferred to the owners of 182, 184 and 186 High Street, Northcote, by private treaty in accordance with Council Policy.
- Arrange for any land not sold to be transferred to Council's ownership.

Communication

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

Timeline

It is expected that the transfer of the land to the adjoining property owners will be finalised within three months of Council approval.

RELATED DOCUMENTS

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

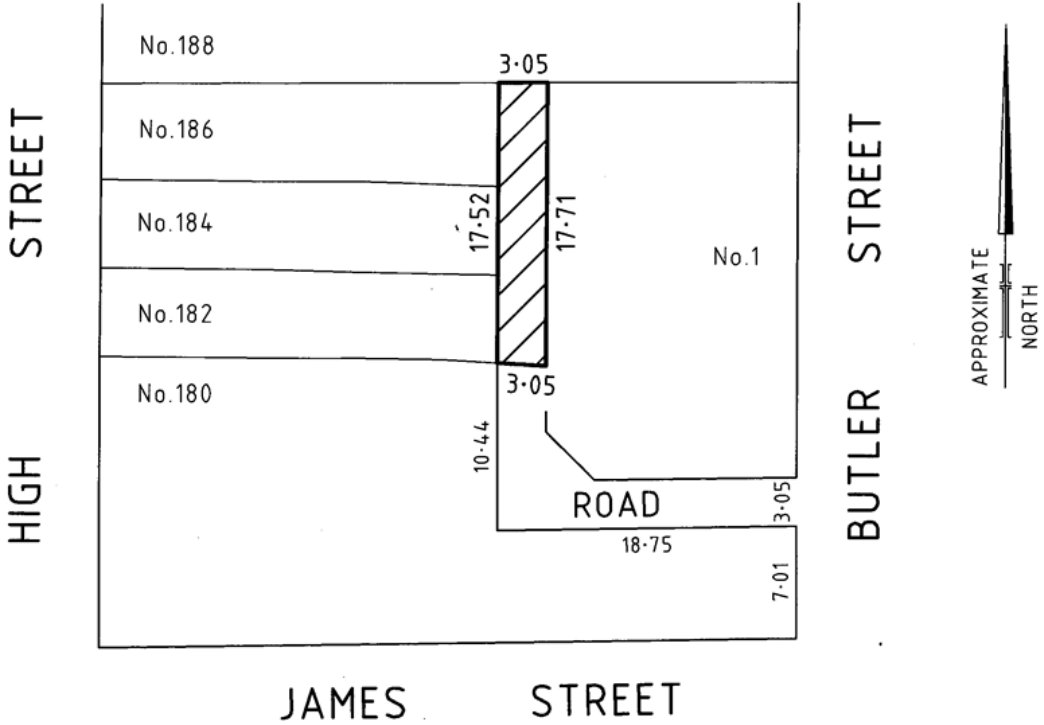
Attachments

- Statutory Plan rear 182 - 186 High Street and 1 Butler Street, Northcote (**Appendix A**) [↓](#)
- Aerial View rear 182 - 186 High Street and 1 Butler Street, Northcote (**Appendix B**) [↓](#)
- Title Plan rear 182 - 186 High Street and 1 Butler Street, Northcote (**Appendix C**) [↓](#)

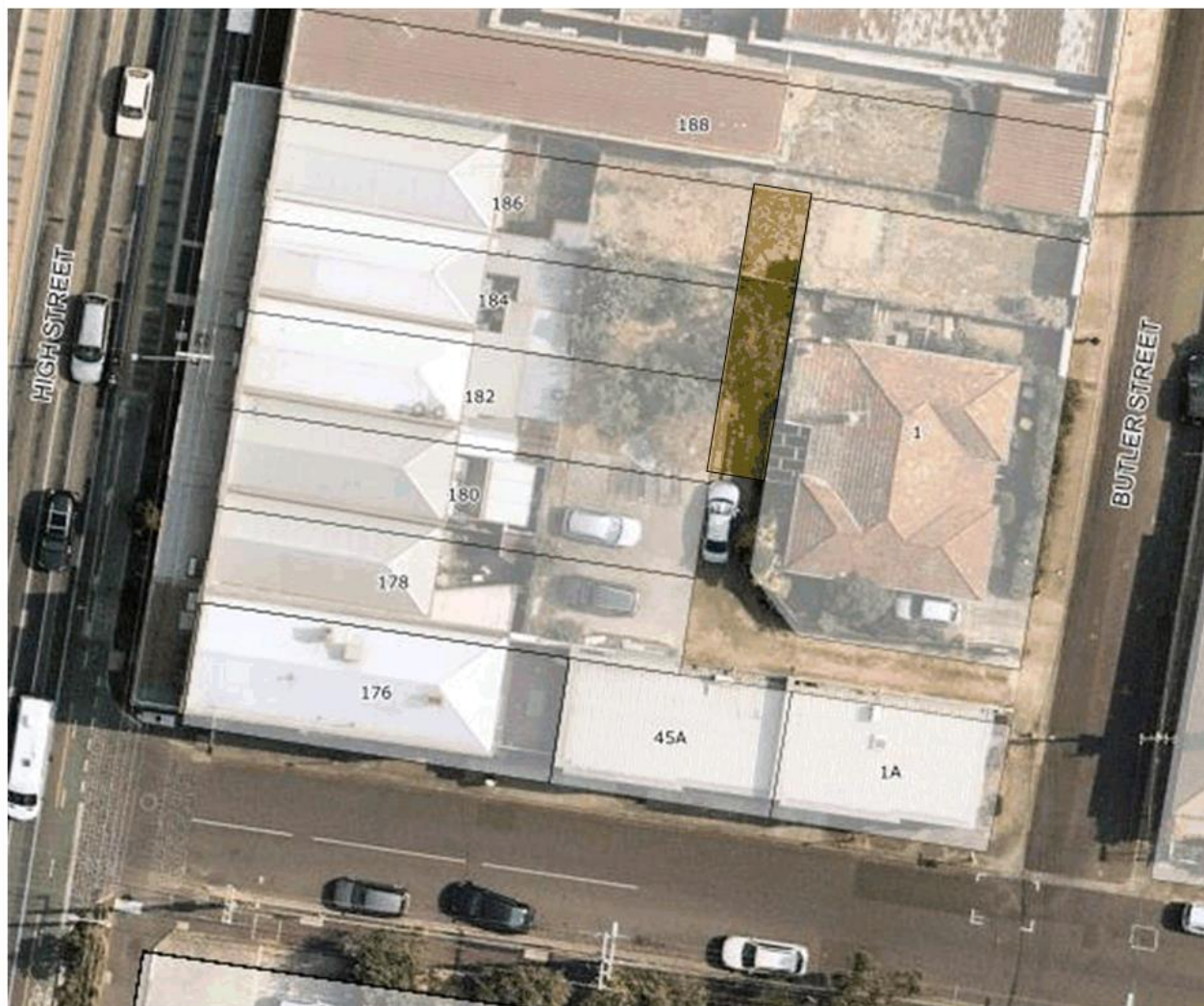
DISCLOSURE OF INTEREST

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.



Darebin City Council
12/02/2020



Whilst every endeavour has been made to ensure that the information in this product is current and accurate, the City of Darebin does not accept responsibility or liability whatsoever for the content, or for any errors or omissions contained therein © City of Darebin

TITLE PLAN		EDITION 1	TP967916N	
LOCATION OF LAND PARISH JIKA JIKA TOWNSHIP - SECTION - CROWN ALLOTMENT - CROWN PORTION 100 (PART) LAST PLAN REFERENCE LP16159 DEPTH LIMITATION DOES NOT APPLY TITLE REFERENCE VOL 4606 FOL 022 MGA CO-ORDINATES E 323 710 (APPROX. CENTRE OF LAND IN PLAN) N 5 817 260 ZONE 55		WARNING THIS PLAN REPRESENTS AN EXPECTED DIVISION OF LAND. ANY ONE LOT MAY NOT HAVE BEEN CREATED. CHECK THE LOT/PLAN INDEX FOR CURRENT INFORMATION. NOTATIONS THIS PLAN IS NOT BASED ON SURVEY.		
EASEMENT INFORMATION				
LEGEND E- ENCUMBERING EASEMENT OR CONDITION IN CROWN GRANT IN THE NATURE OF AN EASEMENT OR OTHER ENCUMBRANCE A- APPURTENANT EASEMENT R- ENCUMBERING EASEMENT (ROAD)				
EASEMENT REFERENCE	PURPOSE	WIDTH (METRES)	ORIGIN	LAND BENEFITED/IN FAVOUR OF
-	-	-	-	-
SCALE 1:250 0 2 4 6 8 10 LENGTHS ARE IN METRES SHEET 1 OF 1 ORIGINAL SHEET SIZE: A3 BARKER MONAHAN A DIVISION OF TERRAIN CONSULTING GROUP PTY LTD SURVEYORS, DEVELOPMENT AND LOCAL GOVERNMENT CONSULTANTS 581 GILBERT ROAD, PRESTON 3072 P.O. BOX 2546 REGENT WEST 3072 TELEPHONE 9478 6133 FAX 9470 5189 EMAIL: survey@barkermonahan.com.au		LICENSED SURVEYOR ANDREW CLINTON SMITH SIGNATURE _____ DATE / / REF. 19347 VERSION 01 COMPUTER FILE: 19347TP.DWG DATE: 12/08/2019 FILE NO : LGD DEALING CODE : LGA		

7.10 PROPOSED SALE OF DISCONTINUED ROAD REAR 75 TO 81 MALPAS STREET AND 182 TO 188 WOOD STREET, PRESTON**Author:** Property Officer**Reviewed By:** General Manager Governance and Engagement

EXECUTIVE SUMMARY

To complete the statutory procedures for proposed sale of land from a discontinued right-of-way/road at the rear of 75 to 81 Malpas Street and 182 to 188 Wood Street, Preston, shown hatched on the site plan **Appendix A** and in orange in the aerial view in **Appendix B** (Land) and to seek approval from Council to finalise the statutory procedures for the proposed sale.

In 2018, Council received an enquiry from the adjacent owner of the 3.66-metre-wide former road adjoining the rear of 75–81 Malpas Street and 182–188 Wood Street, Preston, who was seeking to purchase the land abutting their property, being part of the unsold land from a previously discontinued road.

The land is known as Lots 7, 8, 9 and 10 on Title Plan 023774X in **Appendix C**, shown hatched on-site plan in **Appendix A** and coloured orange in the aerial view in **Appendix B**.

Consultation with abutting property owners confirmed the feasibility of the proposed sale, with the property owners of 184 Wood Street, 186 Wood Street and 2/188 Wood Street, Preston respectively indicating their interest by signing in-principle agreements to purchase the land from the discontinued roads at market value, as well as meeting all reasonable costs associated with the statutory process.

It is therefore recommended that Council completes the statutory process to sell the land from this former road and to take title to any unsold land.

Recommendation

That Council:

Having given public notice of the proposal under section 189 of the *Local Government Act 1989* (“the Act”) to sell the land from the discontinued road adjoining the rear of 75 to 81 Malpas Street and 182 to 188 Wood Street, Preston, and to transfer to itself any land that remains unsold, shown hatched on **Appendix A** to this report and shown as Lots 7, 8, 9 and 10 on Title Plan TP023774X, **Appendix C**:

- (1) Directs that the land be sold by private treaty to the adjoining property owners, in accordance with Council policy.
 - (2) Authorises the Chief Executive Officer to sign all documents relating to the sale of the land.
 - (3) Transfers to itself any land from the road not sold.
 - (4) Authorises the Chief Executive Officer to undertake all actions required to transfer any land not sold to Council.
-

BACKGROUND / KEY INFORMATION

In 2018, Council received an enquiry from an adjoining property owner at 79 Malpas Street, Preston, looking to purchase the land from the former road at the rear of their property.

Investigations revealed that on 16 September 2002, Council resolved to discontinue the road bound by Malpas Street, McColl Street and Wood Street, Preston, and to sell the land by private treaty in accordance with Council policy. However, not all parcels of land were sold at that time, with the unsold parcels of land continuing to vest with Council. The discontinuance was published in the Victorian Government Gazette on 3 October 2002, shown in **Appendix D**.

Investigations also revealed that the parts of the land appear to have been incorporated within the properties at 182 and 186 Wood Street for many years, while the remaining land is unoccupied and landlocked. The owner at 79 Malpas Street subsequently withdrew their interest in the land and the owners of the adjoining properties at 75, 77 and 81 Malpas Street and 182 Wood Street, Preston have not objected nor expressed any interest in the land.

Previous Council Resolution

At its meeting held on 3 February 2020, Council resolved:

That Council:

Commences the statutory procedures under Section 189 of the Local Government Act 1989 ('the Act') to:

- a) *Sell the land from the discontinued road adjoining the rear of 184 Wood Street, 186 Wood Street and 2/188 Wood Street, Preston shown as Lots 8, 9 and 10 on Title Plan 023774X in **Appendix B**, to the owners of 184 Wood Street, 186 Wood Street and 2/188 Wood Street, Preston, respectively*
- b) *Take title to the land shown as Lot 7 on Title Plan 023774X in **Appendix B** in accordance with Council Policy.*

Gives public notice under Sections 189, 82A and 223 of the Act of the proposed sale in the appropriate newspapers and on Council's website, and in such notice, state that Council proposes to:

- a) *Sell the land from the former roads to the owners of 184 Wood Street, 186 Wood Street and 2/188 Wood Street, Preston, respectively by private treaty*
- b) *Transfer to itself any land that remains unsold. '*

COMMUNICATIONS AND ENGAGEMENT**Consultation with adjoining property owners**

Public notice of the proposed sale was given in the Preston Leader and Northcote Leader newspapers on 3 March 2020 and 4 March 2020, respectively.

Adjoining property owners were notified in writing and notification was also given on Council's website. The notice period ended on 2 April 2020, with no submissions or objections received.

While the owner of 79 Malpas Street, Preston, withdrew their interest in purchasing land, the property owners of 184 Wood Street, 186 Wood Street and 2/188 Wood Street, Preston have confirmed an interest in acquiring the land, shown as Lots 8, 9 and 10 respectively in the

Title Plan in **Appendix C** at current market value, as well as agreeing to meet a share of the reasonable costs associated with selling the land in accordance with current policy.

Consultation with Service Authorities and Council Departments

Easements in favour of both Council and Yarra Valley Water were saved over the land at the time of the discontinuance in 2002.

Consultation with the community

Public notice of the proposed sale was given in the Preston Leader and Northcote Leader newspapers on 3 March 2020 and 4 March 2020, respectively.

Notification was also given on Council's website. The notice period ended on 2 April 2020, with no submission received.

Communications

- All immediate adjoining property owners, both occupiers and non-occupiers were consulted regarding the proposal and no objections were received. The dimensions and proposed allocation of the land is shown in the Title Plans provided in **Appendix C**.
- The property owners of 184 Wood Street, 186 Wood Street and 2/188 Wood Street, Preston have all agreed to purchase the land adjoining their respective properties at current market value, as well as meeting all reasonable costs associated with the transfer of land, in accordance with Policy.

ANALYSIS

Alignment to Council Plan / Council policy

Goal 6 - A well governed Council

Property Asset Management Strategy

Sale of Minor Council Property Assets Policy

Environmental Sustainability Considerations

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

Equity, Inclusion and Wellbeing Considerations

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

Cultural Considerations

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

Economic Development Considerations

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

Climate Emergency

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

Financial and Resource Implications

At the commencement of negotiations with each of the property owners, Council's Valuer placed a market value of \$440.00 per square metre (including GST) on the land. Lots 8, 9 and 10, with a combined area of 168m², are intended to be sold to the property owners of 184 Wood Street, 186 Wood Street and 2/188 Wood Street, Preston respectively for the total amount of \$73,920.00 (including GST).

Costs associated with the statutory procedures and sale of the former roads will be recovered from the purchasers, should the sales proceed. The land from the former roads, once sold, will also attract Council rates.

Legal and Risk Implications

Risks associated are covered under the analysis of each option.

DISCUSSION

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

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

OPTIONS FOR CONSIDERATION**Option 1 – Abandon the Proposal or Do Nothing**

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

Council may be perceived as knowingly encouraging and enabling property owners to continue to occupy other reserves, roads or rights-of-way within Darebin to the detriment of the community (whether financially or as a benefiting right).

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

Option 2 – Commence the Statutory Procedures (Recommended)

Council could resolve to complete the statutory procedures to potentially sell the land. This would be consistent with the statutory procedures which have been completed with no submissions having been received.

Benefits of finalising the statutory process, depending on Council's decision on the proposed sale, could result in receipt of revenue from the sale of land that is no longer required for its original purpose.

IMPLEMENTATION STRATEGY

Details

- Complete the statutory process
- Arrange for the Land to be sold and transferred to the owners of 184 Wood Street, 186 Wood Street and 2/188 Wood Street, Preston by private treaty in accordance with Council Policy.
- Arrange for any land not sold to be transferred to Council's ownership.

Communication

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

Timeline

It is expected that the transfer of the land to the adjoining property owners will be finalised within three months of Council approval.

RELATED DOCUMENTS

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

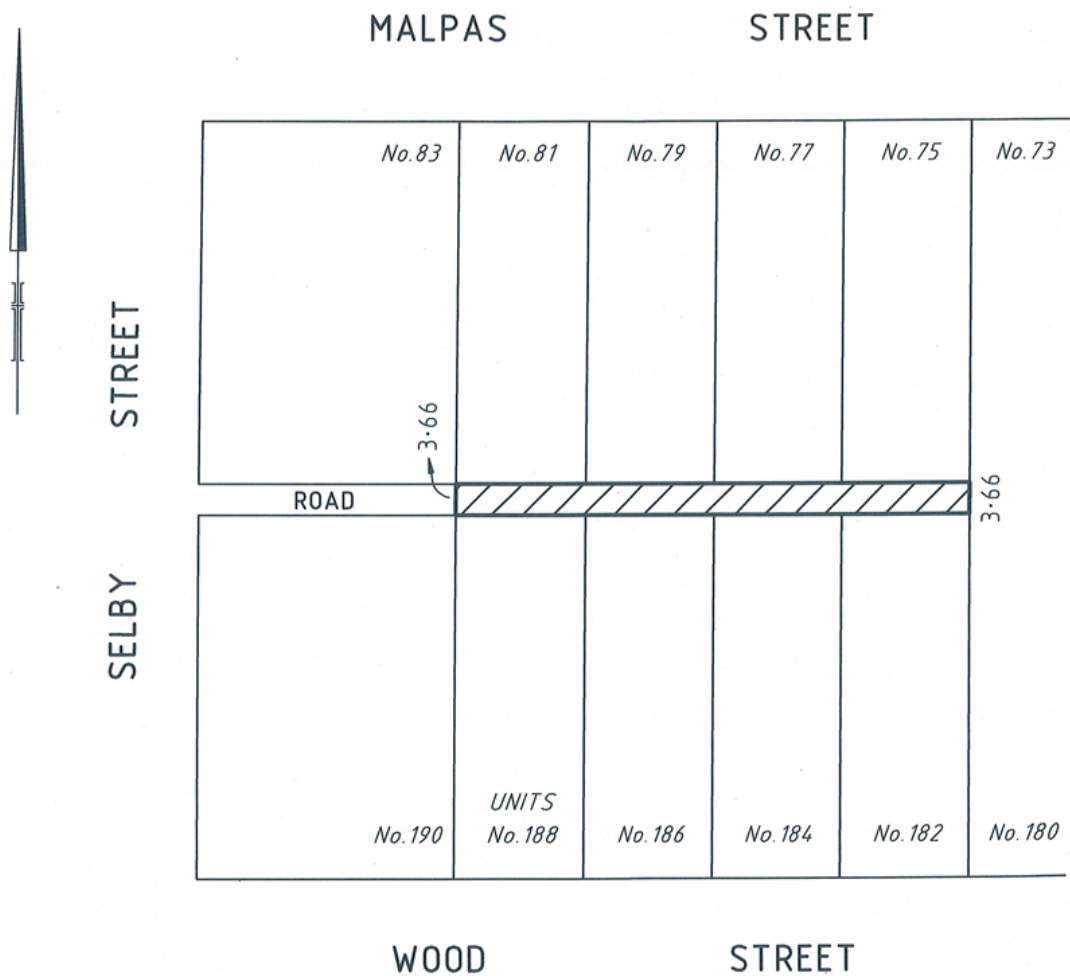
Attachments

- Site Plan rear of 75-81 Malpas Street and 182-188 Wood Street, Preston (**Appendix A**) [↓](#)
- Aerial View rear of 75-81 Malpas Street and 182-188 Wood Street, Preston (**Appendix B**) [↓](#)
- Title Plan 023774X rear of 75-81 Malpas Street and 182-188 Wood Street, Preston (**Appendix C**) [↓](#)
- Victorian Government Gazette road rear of 75-81 Malpas Street and 182-188 Wood Street, Preston (**Appendix D**) [↓](#)

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.

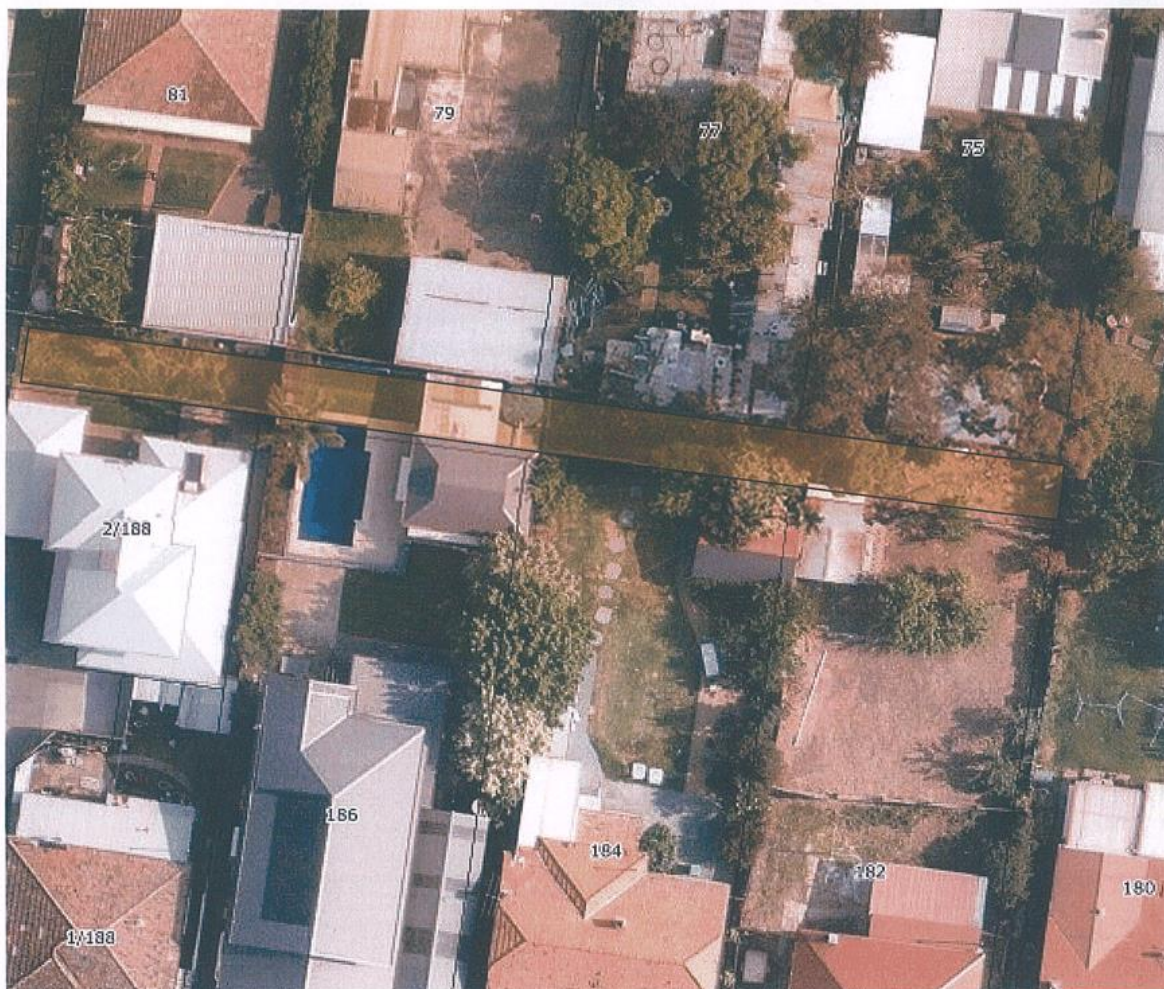
The Officer reviewing this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.



Darebin City Council
2/01/2020



MALPAS STREET



WOOD STREET

Whilst every endeavour has been made to ensure that the information in this product is current and accurate, the City of Darebin does not accept responsibility or liability whatsoever for the content, or for any errors or omissions contained therein. © City of Darebin

	TITLE PLAN		EDITION	TP023774X
LOCATION OF LAND PARISH JIKA JIKA TOWNSHIP - SECTION - CROWN ALLOTMENT - CROWN PORTION 146 (PART) LAST PLAN REFERENCE LP2995 DEPTH LIMITATION DOES NOT APPLY TITLE REFERENCE VOL.2376 FOL.087 MGA CO-ORDINATES E 325 310 ZONE 55 (APPROX. CENTRE OF LAND IN PLAN) N 5 821 810			WARNING THIS PLAN REPRESENTS AN EXPECTED DIVISION OF LAND. ANY ONE LOT MAY NOT HAVE BEEN CREATED. CHECK THE LOT/PLAN INDEX FOR CURRENT INFORMATION. NOTATIONS LOT 3 HAS BEEN OMITTED FROM THIS PLAN. THIS PLAN IS NOT BASED ON SURVEY	
EASEMENT INFORMATION				
LEGEND E- ENCUMBERING EASEMENT OR CONDITION IN CROWN GRANT IN THE NATURE OF AN EASEMENT OR OTHER ENCUMBRANCE A- APPURTENANT EASEMENT R- ENCUMBERING EASEMENT (ROAD)				
EASEMENT REFERENCE	PURPOSE	WIDTH (METRES)	ORIGIN	LAND BENEFITED/IN FAVOUR OF
ALL THE LAND IN THIS PLAN	AS PROVIDED FOR IN SEC.207C LGA 1989	3-66	SEC.207C LGA 1989	YARRA VALLEY WATER LTD.
LOT 2	DRAINAGE	3-66	AC308426K	DAREBIN CITY COUNCIL
LOT 1	DRAINAGE	3-66	AC354820U	DAREBIN CITY COUNCIL
LOT 6	DRAINAGE	3-66	AD294585A	DAREBIN CITY COUNCIL
LOT 5	DRAINAGE	3-66	AG356843L	DAREBIN CITY COUNCIL
LOT 4	DRAINAGE	3-66	AM495739A	DAREBIN CITY COUNCIL

APPROXIMATE TRUE NORTH

 SELBY STREET

MALPAS STREET

WOOD STREET

MCCOLL STREET

SCALE 1:750 LENGTHS ARE IN METRES		LICENSED SURVEYOR ANDREW CLINTON SMITH		FILE NO : LGD
BARKER MONAHAN A DIVISION OF TERRAIN CONSULTING GROUP PTY LTD SURVEYORS, DEVELOPMENT AND LOCAL GOVERNMENT CONSULTANTS 581 GILBERT ROAD, PRESTON 3072 P.O. BOX 2546 REGENT WEST 3072 TELEPHONE 9478 6139 FAX 9478 5189 EMAIL: survey@barkermonahan.com.au		SIGNATURE DATE / / REF. 19333 VERSION 02 COMPUTER FILE: 19333TPv02.DWG DATE: 08/08/2019		DEALING CODE : LGA SHEET 1 OF 1 SHEET ORIGINAL SHEET SIZE A3

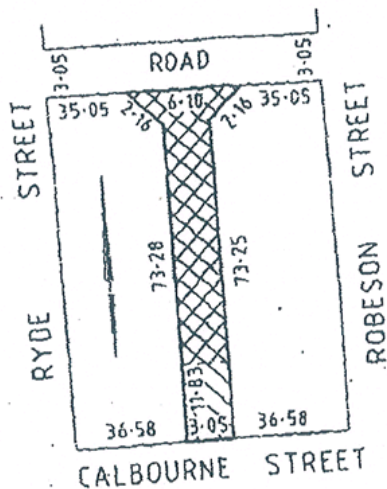
Victoria Government Gazette

G 40 3 October 2002 2685

DAREBIN CITY COUNCIL Road Discontinuance

Pursuant to section 206 and schedule 10, clause 3 of the Local Government Act 1989, the Darebin City Council at its ordinary meeting held on 16 September 2002, formed the opinion that the road at the rear of 13 to 21 Robeson Street and 2 to 10 Ryde Street, Preston, and shown hatched and cross-hatched on the plan below, is not reasonably required as a road for public use; and resolved to discontinue the road and to sell the land from the road by private treaty to the abutting property owners.

The section of road shown cross-hatched is to be sold subject to the right, power or interest held by Yarra Valley Water Limited, in the road in connection with any sewers, drains or pipes, under the control of that authority in or near the road.



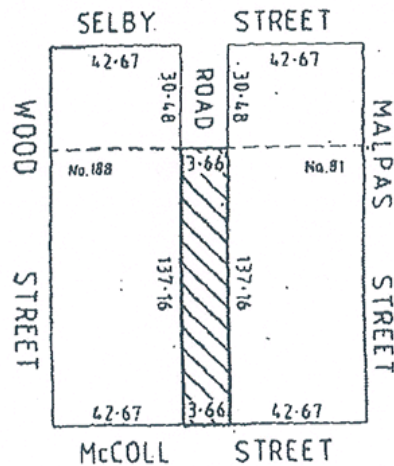
PHILLIP SHANAHAN
Chief Executive Officer

DAREBIN CITY COUNCIL Road Discontinuance

Pursuant to section 206 and schedule 10, clause 3 of the Local Government Act 1989, the Darebin City Council at its ordinary meeting held on 16 September 2002, formed the opinion that the road at the rear of 65 to 81 Malpas

Street and 172 to 188 Wood Street, Preston, and shown by hatching on the plan below, is not reasonably required as a road for public use and resolved to discontinue the road and to sell the land from the road by private treaty to the abutting property owners.

The road is to be sold subject to the right, power or interest held by Yarra Valley Water Limited, in the road in connection with any sewers, drains or pipes, under the control of that authority in or near the road.



PHILLIP SHANAHAN
Chief Executive Officer



ALPINE SHIRE

LOCAL LAW No. 2 MUNICIPAL PLACES AMENDMENT

Notice is hereby given that at a meeting of the Alpine Shire Council on 1 October 2002, Council proposed to amend Local Law No. 2 - Municipal Places.

The purpose of the amendment is to extend the time when alcohol consumption is restricted

**7.11 PROPOSED DISCONTINUANCE AND SALE OF ROAD
REAR 100 TO 102 HUGHES PARADE AND ADJOINING 2
WELLMAN STREET, RESERVOIR**

Author: Property Officer

Reviewed By: General Manager Governance and Engagement

EXECUTIVE SUMMARY

This report recommends Council completes the statutory procedures for the proposed discontinuance of the right-of-way/road adjoining 100 and 102 Hughes Parade and 2 Wellman Street, Reservoir, shown hatched in the statutory plan in **Appendix A** and in orange on the aerial view in **Appendix B** (Road).

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

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

Recommendation

That Council:

Having given public notice of a proposal to discontinue the right-of-way/road adjoining 100 and 102 Hughes Parade and 2 Wellman Street, Reservoir, shown hatched in **Appendix A** to this report, and having received no submissions in respect of this proposal under section 223 of the *Local Government Act 1989*:

- (1) Has formed the opinion that the Road shown in the statutory plan in **Appendix A** and coloured orange on the aerial photo in **Appendix B** to this report is no longer reasonably required for road purposes.
- (2) Discontinues the Road in accordance with section 206 and schedule 10, Clause 3 to the *Local Government Act 1989*.
- (3) Directs that a notice be published in the Victoria Government Gazette.
- (4) Directs that the land from the Road be sold by private treaty to the owners of the adjoining properties in accordance with Council policy and transfer to itself any land from the Road not sold to the adjoining property owners, in accordance with Council policy.
- (5) Authorises the Chief Executive Officer to sign all documents relating to the sale of any land from the discontinued Road to the owners of the adjoining properties.
- (6) Authorises the Chief Executive Officer to do all other acts to enable any land from the Road not sold to the adjoining property owners to be transferred to Council.
- (7) Directs that the discontinuance and sale will not affect any right, power or interest held by Yarra Valley Water, in the Road in connection with any sewers, drains or pipes under the control of Yarra Valley Water in or near the Road.

BACKGROUND / KEY INFORMATION

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

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

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

Previous Council Resolution

At its meeting held on 24 February 2020, Council resolved:

That Council:

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

COMMUNICATIONS AND ENGAGEMENT

Consultation with adjoining property owners

Public notice of the proposed sale was given in the Preston Leader and Northcote Leader newspapers on 17 March 2020 and 18 March 2020, respectively.

All adjoining property owners were notified in writing and notification was also given on Council's website. The notice period ended on 16 April 2020, with no submissions or objections received.

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

Consultation with Service Authorities and Council Departments

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

Consultation with the community

Public notice of the proposed sale was given in the Preston Leader and Northcote Leader newspapers on 17 March 2020 and 18 March 2020, respectively. Notification was also given on Council's website. The notice period ended on 16 April 2020, with no submissions received.

Communications

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

ANALYSIS**Alignment to Council Plan / Council policy**

Goal 6 - A well governed Council

Property Assets Management Strategy

Sale of Minor Council Property Assets Policy

Environmental Sustainability Considerations

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

Climate Emergency

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

Equity, Inclusion and Wellbeing Considerations

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

Cultural Considerations

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

Economic Development Considerations

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

Financial and Resource Implications

Council's Valuer has placed a market value of \$341.00 per square metre (inc GST) on the Land. The sale of Lot 1 on Title Plan TP967917L, with an area of 44m² is intended to be sold to the owners of 102 Hughes Parade, Reservoir, for the total amount of \$15,004.00 (including GST). The Land will also attract Council rates once transferred.

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

Legal and Risk Implications

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

DISCUSSION

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

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

OPTIONS FOR CONSIDERATION

Option 1 – Abandon the Proposal or Do Nothing

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

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

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

Option 2 – Commence the Statutory Procedures (Recommended)

Council could resolve to complete the statutory procedures to potentially discontinue the Road. This would be consistent with the statutory procedures which have been completed with no submissions having been received.

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

IMPLEMENTATION STRATEGY

Details

- Arrange for the Land to be sold and transferred to the owners of 102 Hughes Parade, Reservoir, by private treaty in accordance with Council Policy.
- Arrange for any land not sold to be transferred to Council's ownership.

Communication

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

Timeline

It is expected that the transfer of the land to the adjoining property owners will be finalised within three months of Council approval.

RELATED DOCUMENTS

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

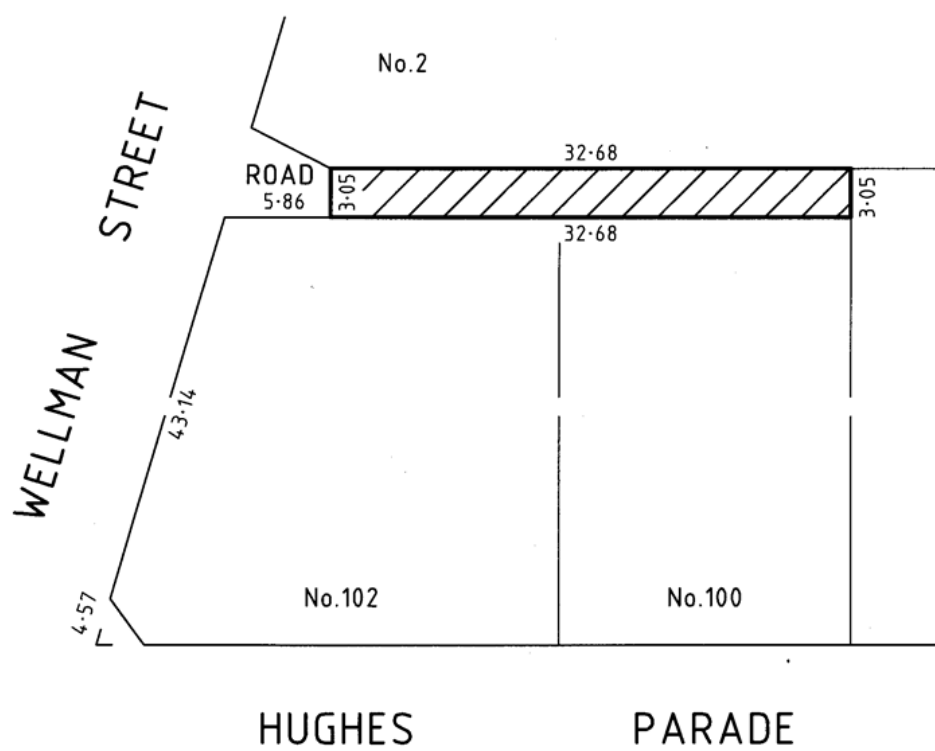
Attachments

- Statutory Plan 100-102 Hughes Parade and 2 Wellman Street, Reservoir (**Appendix A**) [↓](#)
- Aerial View 100-102 Hughes Parade and 2 Wellman Street, Reservoir (**Appendix B**) [↓](#)
- Title Plan TP967917L 100-102 Hughes Parade and 2 Wellman Street, Reservoir (**Appendix C**) [↓](#)

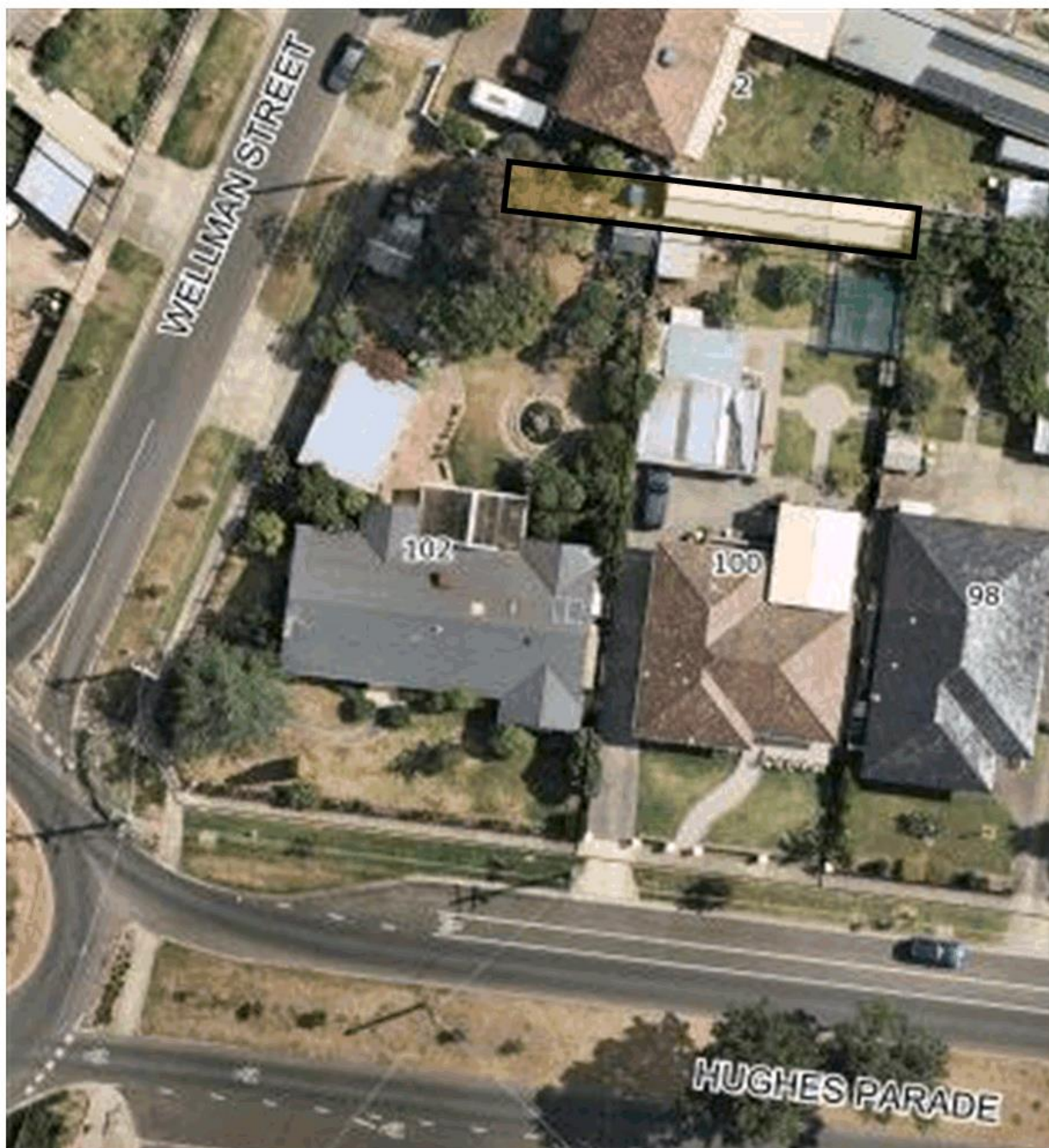
DISCLOSURE OF INTEREST

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

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



Darebin City Council
10/01/2020



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TITLE PLAN		EDITION 1	TP967917L	
LOCATION OF LAND PARISH KEELBUNDORA TOWNSHIP - SECTION - CROWN ALLOTMENT - CROWN PORTION 13 (PART) LAST PLAN REFERENCE LP8482 DEPTH LIMITATION DOES NOT APPLY TITLE REFERENCE VOL.12085 FOL.364 MGA CO-ORDINATES E 323 410 (APPROX. CENTRE OF LAND IN PLAN) N 5 825 700 ZONE 55			WARNING THIS PLAN REPRESENTS AN EXPECTED DIVISION OF LAND. ANY ONE LOT MAY NOT HAVE BEEN CREATED. CHECK THE LOT/PLAN INDEX FOR CURRENT INFORMATION. NOTATIONS THIS PLAN IS NOT BASED ON SURVEY.	
EASEMENT INFORMATION				
LEGEND E- ENCUMBERING EASEMENT OR CONDITION IN CROWN GRANT IN THE NATURE OF AN EASEMENT OR OTHER ENCUMBRANCE A- APPURTENANT EASEMENT R- ENCUMBERING EASEMENT (ROAD)				
EASEMENT REFERENCE	PURPOSE	WIDTH (METRES)	ORIGIN	LAND BENEFITED/IN FAVOUR OF
E-1	AS PROVIDED FOR IN SEC.207C LGA 1989	SEE DIAGRAM	SEC.207C LGA 1989	YARRA VALLEY WATER

The diagram illustrates a survey plan with three main parcels: No. 2 at the top, No. 102 at the bottom left, and No. 100 at the bottom right. A 'STREET' runs along the top boundary of No. 2 and No. 102. A 'ROAD' is shown between No. 2 and No. 102. An easement 'E-1' is indicated on the boundary between No. 2 and No. 100. Dimensions are given in degrees, minutes, and seconds (e.g., 90°00' 32.68) and in metres (e.g., 3.05, 5.86). Two specific areas are highlighted: '1' with an area of 44m² and '2' with an area of 56m². A north arrow is located on the left side, pointing upwards and labeled 'APPROXIMATE NORTH'. The bottom of the diagram is labeled 'HUGHES PARADE'.

SCALE 1:250	LENGTHS ARE IN METRES	LICENSED SURVEYOR ANDREW CLINTON SMITH SIGNATURE DATE / /	FILE NO : LGD DEALING CODE : LGA
SHEET 1 OF 1 SHEET ORIGINAL SHEET SIZE: A3		REF. 19404 VERSION 01 COMPUTER FILE: 19404TP.DWG DATE: 09/10/2019	

BARKER MONAHAN
 A DIVISION OF TERRAIN CONSULTING GROUP PTY LTD
 SURVEYORS, DEVELOPMENT AND
 LOCAL GOVERNMENT CONSULTANTS
 581 GILBERT ROAD, PRESTON 3072
 P.O. BOX 2546 REGENT WEST 3072
 TELEPHONE 9478 6133 FAX 9470 5189
 EMAIL: survey@barkermonahan.com.au

7.12**JOB KEEPER - COVID19 STATISTICS**

Author: Business Engagement Skills and Employment Officer

Reviewed By: General Manager Community

PURPOSE

The purpose of this report is to provide a response to 18 May 2020 Notice of Motion regarding COVID19 job support payments and other relevant employment information.

EXECUTIVE SUMMARY

Like the rest of Australia, our community has faced an unprecedented and devastating challenge in the face of the COVID-19 pandemic. We know that COVID-19 will continue to have a substantial impact on the social and economic health of our community, in particular those community members already experiencing disadvantage.

To better understand the impact on Darebin residents and businesses, it will be important for to analyse data as it becomes available. Reporting on business activity and employment is undertaken by agencies such as the Australian Tax Office, Services Australia, Department of Education, Skills and Employment and Australian Bureau of Statistics. Figures nationally are released on a monthly or quarterly basis and there is a lag time in receiving this information at a local level.

In order to provide this report and considering the timing of the report, officers have been able to obtain some local data, forecasting data, and analyse data and reports to draw some general conclusions specific to Darebin. Unfortunately, considering the timing of the report, this information is not as comprehensive are required for our needs at this stage. We will continue to build this out as the data becomes more updated and available.

Recommendation

That Council notes this report.

BACKGROUND / KEY INFORMATION

The Federal and State governments have announced a series for support packages for those impacted by COVID19. This included the Federal income supplements announced by the Prime Minister on 30 March 2020:

- JobSeeker Payment. An additional \$550 coronavirus supplement to payments such as Newstart Allowance and various pensions. These payments commenced on 20 March 2020.
- JobKeeper Payment. A temporary subsidy for businesses impacted by COVID19. Eligible employers, sole traders and other entities can apply to receive \$1,500 per eligible employee per fortnight. The 31 May was the final date for businesses to register their April and May claims.

At a special meeting on 27 March 2020, Council endorsed the COVID19 Community and Business Resilience and Recovery Package. The package prioritises assisting people already experiencing disadvantage or who are in a state of vulnerability, while also providing immediate and ongoing support to local businesses, seeking to complement the existing State and Federal Government stimulus packages.

At its meeting held 18 May 2020, Council resolved:

***‘That** Council calls for a report at the next Council Meeting on the 9 June 2020 which outlines as best as possible on available data:*

- *How many residents in Darebin have received the Centrelink Job Seeker Coronavirus Supplement of \$550 per fortnight.*
- *How many residents in Darebin have received the Job Keeper payment of \$1,500 per fortnight.*
- *How many small and medium sized business in Darebin are eligible for the federal government Covid-19 assistance program because they have experienced more than a 30% drop in turnover.*
- *How many Darebin residents will be supported through Council’s Working for Victoria application, if approved.*
- *How the local youth labour market has been impacted by Covid-19.*
- *How many Darebin residents have received one or both of the \$750 economic support payments from the federal government?*
- *How many residents in Darebin work in industries that are not covered by Jobkeeper?*

COMMUNICATIONS AND ENGAGEMENT

Consultation

In order to provide data for this report, several agencies were contacted including: Australian Bureau of Statistics, Department of Education, Skills and Employment, Australian Taxation Office, Services Australia, Inner Northern LLEN, AGA Apprenticeships Plus and Into Work Group.

Economy id consulting has developed a COVID19 Outlook Tool to show the economic and industry impacts at the LGA level. This tool draws on the economic forecast model developed by NIEIR and focuses on the impacts to June 2020.

We have also referenced external research and evidenced based publications from the Grattan Institute; Youth Affairs Council of Victoria and articles from Bankwest Curtin Economics Centre Research and The Guardian.

Communications

As Darebin specific data is released, this information will be available to enable us to continue to make evidence-based decisions.

ANALYSIS

Alignment to Council Plan / Council policy

Goal 4 - A strong economy

Environmental Sustainability Considerations

There are no environmental sustainability considerations arising from the preparation of this report.

Equity, Inclusion and Wellbeing Considerations

COVID19 has impacted several vulnerable groups within Darebin and exacerbated existing inequities. Council's *Towards Equality* Framework recognises that individuals and families may experience disadvantage that intersects across more than one of these categories and that there will be new cohorts of people experiencing this vulnerability for the first time.

COVID19 has placed increased restrictions on human rights, such as freedom of movement, freedom of association and privacy including those which are protected in law. The Victorian Human Rights Commission has reported a 50% increase in reports related to racism since March 2020. These restrictions have had a compounding impact on other rights - including protection of families, the right to practice culture and faith and religion and freedom from racial abuse.

Cultural Considerations

As a result of COVID19, Council seeks to provide financial support, community connection and creative engagement to those who live and work in Darebin. We are targeting vulnerable community members and those already experiencing disadvantage to provide immediate and ongoing support to our local artists and creative businesses, who are currently experiencing devastating levels of disruption and financial uncertainty.

Economic Development Considerations

Business impacts related to COVID-19 and the associated closures and social distancing requirements have been felt nationally and at a state and local level. The impacts will be assessed through external evidence, data and consultation with businesses to assess consumer and business confidence and how Council can assist.

Financial and Resource Implications

There are no financial and resource implications arising from the preparation of this report.

Legal and Risk Implications

There are no legal and risk implications arising from the preparation of this report.

DISCUSSION

Officers have been able to collect statistical data based on various data sources, as well as from external publications, forecasting and projections. Specific details of numbers of residents receiving specific payments such as JobSeeker or the associated supplements are not yet available. We expect that this data will become available in August once the June quarter data is published by the ABS in conjunction with Services Australia.

Information relating to the Working for Victoria application is not yet available and Council is still awaiting approval of our submission.

Unemployment rates

The national unemployment rate seasonally adjusted for April 2020 was 6.2% overall and 13.8% for those aged 15 – 24. Between March 2020 – 2 May 2020, payroll jobs (those for which people received income) decreased by 7.3% of all jobs.

As at the week ending 18 April 2020:

- Victoria recorded a 7.6% decrease and Australia recorded a 7.1% decrease in jobs.
- Melbourne North East (which includes the Darebin suburbs of Preston and Reservoir but also includes parts of Banyule and Nillumbik), recorded a 6.9% decrease in jobs.
- Melbourne Inner (which includes the Darebin suburbs of Northcote and Thornbury but also includes parts of Yarra and the City of Melbourne), recorded a 7.8% decrease in jobs.

As at 7 May 2020, local jobs are forecast to fall by -9.7% in the June Quarter 2020. This equates to an expected loss of approximately 5,700 local jobs provided by local businesses. The expected job losses for Darebin residents is an expected decline of -9.6%. Details that the expected job change in Darebin in Q4 2020 will be as detailed in Table 1 below:

Table 1 – Forecast job change in Darebin Q4 2020 as at 7 May 2020 *Source: Economy id*

June quarter 2020	Estimated change	Estimated change including JobKeeper
Local job change (created by Darebin businesses)	-9.7%	-16.3%
Employed resident change (Darebin residents)	-9.6%	-15.7%

For those industry sectors that have been traditionally been Darebin's largest employers, the job loss numbers are likely to be around 1,000 for the following industries: i) retail trade; ii) education and training and iii) accommodation and food services. (source: Economy id). Actual data expected to be available by August will clarify the forecast information provided by Economy ID.

On 30 April 2020, Preston Job Active providers were managing 3,895 people who are registered for Centrelink services including but not exclusively JobSeeker allowance. Data covering the month of May is due for release this month and we expect is likely to show a significant increase in these figures. (Source: Department of Education, Skills and Employment).

Business turnover

In seasonally adjusted terms, turnover of Australian business fell 9.4% in April 2020 compared with April 2019. Seven in ten businesses reported that reduced cash flow (72%) and reduced demand for goods and services (69%) are expected to have an adverse impact over the next two months (April/ May 2020). (Source: Australian Bureau of Statistics)

Local impact - Economic projections suggest Gross Regional Product (GRP) is forecast to fall by -15.7% in the June Quarter 2020. This is expected to fall higher than the state average (projected to be 12.8%) (Source: Economy ID). The industries immediately affected by COVID-19 and subsequent government restrictions, are highlighted within Darebin's Tourism Strategy as the key points of difference and attractors for our City. These include:

- Creative industries including live music venues, musicians and supported industries
- Hospitality businesses – cafes and restaurants and food manufacturing.

- Micro businesses – over 8,000 (source: Darebin Micro Business Research 2019).

Due to access to current data, we do not know how many small and medium sized business in Darebin are eligible for the federal government COVID-19 assistance program because they have experienced more than a 30% drop in turnover.

The impacts of the gradual easing of restrictions by State and Federal Governments are not yet known.

JobKeeper payments

National and Victorian data - As of April 2020, more than two in five businesses (44%) reported that the announcement of the JobKeeper Payment scheme influenced their decision to continue to employ staff and three in five businesses (61%) reported having registered or intending to register for the JobKeeper Payment scheme. As of 6 May 2020: 728,640 organisations had enrolled for JobKeeper nationally covering around 4.7 million employees which included 197,987 organisations in Victoria.

Local analysis - Although there is no regional or local data currently available, we have looked the ABS data and compared this to the numbers of businesses who employ at least one or more people in Darebin. If we use the figure of 61% of national businesses registering for JobKeeper and apply this to the numbers of employing businesses in Darebin, as recorded in 2019, we estimate that approximately 2,500 – 3,000 businesses have registered for JobKeeper. Eligibility criterion may have excluded several businesses in various industries who employ international students, people seeking asylum and casual employees.

Impacts on vulnerable groups:

COVID19 has had consequences on several vulnerable groups within the Darebin community. The following is list not by any means comprehensive and as we receive further data, it will be important to assist understand the ongoing needs of our community.

Young people - National unemployment statistics for April 2020 showed that those in age range 15 – 24 is 13.4% whereas generally it was recorded at 6.2%. Recent modelling undertaken by the Grattan Institute and reported by the Victorian Youth Affairs Council (YACVIC) based on survey data, estimates that over 40% of 15 -19-years and around 30% of 20 – 29 years will lose employment as a result of COVID-19.

In Darebin, as at 30 April 2020, 569 young people (those aged under 25) were registered with Preston based Job Active service providers. Locally based Group Training Organisation AGA, part of the Into Work Group, reports that of its 167 apprentice/ trainee numbers displaced or stood down as a result of the present circumstances, 40 of whom reside in Darebin. Most of these would be young people.

Casual workers - Short-term casual workers who have been employed in their current job for less than 12 months constitute around 1 million workers and make up 40% of Australia's casual workforce. The JobKeeper package announced on the 30 March excluded short-term casuals from eligibility (*Source: Bankwest Curtin Economics Centre Research*).

Women - Referred to as “the pink collar” recession, it is anticipated that women are over-represented in the industries most affected by this economic shutdown (*Source: The Guardian*). For Darebin, the immediate hardest-hit sectors, food and accommodation services and retail are strong employers of women. Women are also over-represented in casual employment and are therefore more likely to both lose their jobs during the COVID-19 contraction and may also be ineligible for support under the Government's JobKeeper package (*Source: Bankwest Curtin Economics Centre Research*).

Until 30 June 2020, women and families who can work, have had access to free child-care which has meant that the financial burden of childcare has not be an obstruction to employment. However, this is likely to be a temporary measure only.

Creative industries - Creative economy: artists and arts organisations have been relatively excluded by government schemes including creative industries, live music operators and people working in the gig economy. In 2019, there were 476 Darebin jobs in the creative and performance arts. According to forecasts until the end of June 2020, there is an expected loss of 129 jobs with an additional 213 being held on JobKeeper payments. This does not include creative jobs within other industries. *Source: Economy ID*

International students - In 2017, there were approximately 7,000 international students attending tertiary institutions based in Darebin (*source: Darebin Tourism Strategy 2017*). International students are not eligible to receive JobKeeper or JobSeeker and may have been severely impacted by business closures. To date, they have received a one-off federal payment of \$1,100. Council is responding to the needs of International Students working with local educational bodies and support services.

Advocacy

As part of Council's Recovery Package, Council endorsed a targeted COVID19 Advocacy Strategy including in areas such as: permanent increase in the JobSeeker allowance, reinstating Status Resolution Support Service for asylum seekers, increasing investment in family violence, the impact of gambling and electronic gaming, homeless and affordable housing sector and supporting increased funding for our neighbourhood houses and emergency relief sector.

Council has also written to the Federal and State Governments asking for support for the recovery phase by investment in our planned construction projects at MSS and NARC. The employment benefits of these projects would act as economic stimulus measures.

Additional advocacy will include:

- Access to timely information so that Local Governments like Darebin, can understand the impact of COVID19 on their residents and businesses.
- Continuation of free child-care.
- Extension of income support to international students, asylum seekers and refugees.
- Increase support and funding to community legal services and mental health services.
- Extension & expansion of the JobKeeper scheme for businesses past September 2020.
- Investment in job ready programs for young people and incentives for businesses to employ young people.
- Recognising the increased impacts of racism for our communities as aligned with our human rights commitments.

IMPLEMENTATION STRATEGY

Details

Councillors will receive regular updates on information as it is released as part of the monthly update on the Community and Business Resilience and Recovery Package. It is expected that by August Council will have access further data for Q4 of 2020.

RELATED DOCUMENTS

- Council meeting – 27 March 2020 minutes
- Grattan Institute “*Shutdown: estimating the COVID 19 employment shock*”;
- Youth Affairs Council of Victoria (YACVIC) “*COVID 19 and Young People*” survey report
- *Economic and Social Value of Arts and Creative Sector in Darebin, 2016*
- Darebin’s Micro Business Research 2019
- *Bankwest Curtin Economics Centre Research*
- Tourism: A destination plan for Darebin, 2017
- <https://www.theguardian.com/world/2020/may/24/pink-collar-recession-how-the-covid-19-crisis-is-eroding-womens-economic-power>.

Attachments

Nil

7.13 CAPITAL WORKS UPDATE**Author:** General Manager Operations and Capital**Reviewed By:** Chief Executive Officer

EXECUTIVE SUMMARY

Like most organisations, Council is facing significant challenges related to the impact of COVID-19: challenges to its staff, to contractors, to residents, businesses, visitors, to the broader community, to service delivery and to its assets. And like most organisations, COVID-19 has impacted Council's financial position and has required a response which supports the community's most vulnerable.

Council has shown its leadership by responding to these challenges through the announcement of an \$11.3m Community and Local Business Resilience and Recovery Package – a support package which aims to support the entire Darebin community through these very difficult times.

To accommodate this community support package, Council has proposed a \$34m capital works program in its draft 2020/2021 budget. The community has now been invited to have its say on the draft budget and any submissions will be heard by Council at its meeting of 25 June 2020 before the 2020/2021 budget is formally adopted on 15 July 2020.

Recommendation

That Council notes the report.

BACKGROUND / KEY INFORMATION

At its meeting of 18 May 2020, in responding to a Notice of Motion from Cr Greco, Council resolved to:

- (1) *Notes that a Special Meeting was originally scheduled (but later cancelled due to COVID-19) for 25 March 2020 to consider the release of the Draft Annual Budget 2020/2021 and Draft Strategic Resource Plan for community consultation which included over \$53m in capital works projects for the 2020/2021 financial year.*
- (2) *Calls for a report at the next Council meeting on the 9 June 2020 in time for our final budget deliberations in July 2020 outlining;*
 - *Which capital works projects are proposed to be cut in the draft Annual Budget 2020/2021 in response to the proposed decrease in Capital works expenditure to no more than \$33m as per council resolution adopted on 27 March 2020 and why.*
 - *A rigorous evaluation of potential capital works projects (up to a total capital works budget of \$53m) that could be prioritised from our 10 year capital works plan and that will provide short to medium term economic stimulus to our economy in light of the negative impact the coronavirus has had on our local economy including projects that are:*

- a) *Shovel ready*
- b) *Can be brought forward from future years*
- c) *Do not require a long lead time to complete*
- d) *Are labour intensive.*
- e) *Provide improved infrastructure benefits across the whole municipality*

This report is in response to this Notice of Motion.

COMMUNICATIONS AND ENGAGEMENT

Consultation

Council's draft annual budget, including the annual capital works program, is currently out for consultation and the community has been invited to make submissions to the draft budget. Any submission received will be heard by Council at its meeting of 25 June 2020.

Communications

At this stage, no further communication is required.

ANALYSIS

Alignment to Council Plan / Council policy

Goal 4 - A strong economy

Council's significant investment in capital works projects and programs in 2019/2020 and in 2020/2021 will stimulate local and regional economies and will sustain local jobs. In addition, this investment ensures important community assets are renewed and upgraded to ensure they continue delivering important services for the community.

Environmental Sustainability Considerations

Many of Council's capital works projects and programs have integrated environmentally sustainable design elements and benefits within them. These include, where possible, recycled content, water and energy saving elements, waste reduction elements, improved sustainable transport elements, sustainably sourced products, and where possible, formal Greenstar applications.

Climate Emergency

Council's draft capital works program includes projects and programs that specifically respond to the climate emergency including Greenstar applications for major projects like the Multi-Sports Stadium and Northcote Aquatic & Recreation Centre (NARC) and also the rapid canopy cover program which begins the planting of an additional 6,000 street trees throughout the municipality.

Equity, Inclusion and Wellbeing Considerations

The draft capital works program that the community has been invited to comment on includes community safety initiatives, safe travel, pedestrian priority projects, open space upgrades and lighting upgrades projects. The equity team also advises capital works project managers

and project sponsors on each significant project to ensure they are as inclusive as they can be to meet Darebin's diverse community's needs.

Cultural Considerations

As projects and programs of works are planned, they are considered for their cultural appropriateness. These projects include the redeveloped aquatic centre in Northcote which is being designed to respond to particular cultural requirements of Darebin's community.

Economic Development Considerations

Council's 2019/2020 capital works program is currently stimulating the local and regional economies and supporting local jobs. In addition, Council's proposed \$34m capital works program includes many projects and programs which are shovel-ready and will have an immediate impact on supporting local jobs. Council's Social and Sustainable Procurement Policy also prioritises local companies and local suppliers which benefits the local and regional economies.

Financial and Resource Implications

Darebin and all other Victorian Councils are required by the Victorian Auditor General to make decisions that ensure the financial sustainability of the Council. The draft annual budget 2020/2021 has been prepared to ensure that council maintains its financial sustainability, is in line with the Victorian Auditor General key risk indicators and is agile enough to respond to the unprecedented impact of Coronavirus.

The COVID-19 Financial Hardship Policy allows ratepayers experiencing financial hardship to defer their rate payments for up to 14 months. This is a great initiative by Council to support the community however as rate revenue accounts for 75% of total revenue there is a risk that if a high percentage of ratepayers choose to defer their rate payments that Council's cashflow solvency during the financial year would become a high risk and impact its short-term financial sustainability.

Council expects an \$18m decrease to its overall revenue because of COVID-19 but has still prioritised the things that matter most and a significant recovery package for the community. Officers have focused on capital works projects that can generate local jobs and act as an economic stimulus. Council is committed to investing in the public infrastructure the community needs, responding to the climate emergency and supporting those hardest hit, particularly those who are already disadvantaged.

Legal and Risk Implications

Other than the significant financial risk outlined above, there are no other material legal risks relevant to this report.

DISCUSSION

COVID-19 has resulted in worldwide health and financial disruption. Darebin Council, like the rest of the local government sector, needed to reimagine its financial priorities in order to support the community's most vulnerable while creating conditions that will promote a 'return to normal' as best and quickly as possible.

Council's 2020/2021 capital works program has been reconsidered in the context of COVID-19. In order to accommodate Council's \$11.3m community and package support package, officers considered the overall capital works program and has made recommendations on adjustments to previously planned projects and programs using the following guiding principles:

- Ensure Council's financial short, medium and long term sustainability
- Ensure asset renewal is prioritised
- Ensure community safety is prioritised
- Council's 3 major projects need to be prioritised
- Ensure a focus on essential service delivery

As a result of this re-prioritisation a draft \$34m capital works program was developed for Council's consideration.

Appendix A identifies projects and programs that have been reduced, deferred or slowed, and the reasons why, in order to fund other Council priority initiatives like the \$11.3m Community and Local Business Resilience and Recovery Package.

Appendix B identifies projects and programs that officers believe may fit some of the criteria as set out in the Notice of Motion – that is, they are shovel-ready, can be brought forward, do not need a long lead time, are labour intensive and would benefit the municipality.

The qualifications and assumptions to the projects on this list are:

- 'Shovel-ready' are projects that can be started within 6 months (Federal government definition)
- The scope for some projects would need to be quickly developed
- There is an assumption that broad scale consultation is not required for some projects
- Planning permission is not required
- Project management resources will be required
- Budgets are approximate

The Notice of Motion also called for a list of projects that totalled approximately \$20m. Council is advised that officers are unable to find \$20m of 'shovel-ready' projects that can be brought forward but have identified approximately \$16m for Council's consideration.

In addition, State and Federal governments have made announcements in relation to grant funding to local government. Officers have submitted applications or are preparing documentation to respond to these grant opportunities. For example, Council was recently informed by the Federal government that it will receive \$581,000 for additional community infrastructure projects which will be added to the 2020/2021 capital works program budget. Council is ready to respond to any funding opportunity that arises and will advise Council, and adjust its capital works program, should applications be successful.

OPTIONS FOR CONSIDERATION

Option 1 - Council's current draft 2020/2021 capital works program budget includes provision for a sizeable investment of \$34m in community infrastructure including its signature major projects, roads, building improvements, furniture, bridges, drainage, footpaths & cycleways, land improvements, parks & open spaces, information technology, plant, machinery and equipment. This provision is financially prudent and responds to immediate community and asset renewal demands.

This option is recommended.

Option 2 – Council may choose to add a number of projects and programs or increase budgets for existing projects and programs to the proposed \$34m draft capital works program for 2020/2021. As has been previously discussed with Council, the impact of this action may jeopardise Council's sound short to medium term financial position.

This option is not recommended.

IMPLEMENTATION STRATEGY

Details

Council's draft 2020/2021 budget, including its draft capital works budget, is currently out for community consultation. Any community submissions will be heard at a meeting of Council on 25 June 2020 after which Council will make decisions and then adopt its annual budget and strategic resource plan at a Special Council meeting on 15 July 2020.

RELATED DOCUMENTS

- Nil

Attachments

- 2020-2021 Capital Works Changes (**Appendix A**) [↓](#)
- Shovel Ready Projects (**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 - Capital Works Project/Program Changes

Asset Type and Project Title	Previously proposed CWP 2020/21 \$ '000	New proposed CWP 2020/21 \$ '000	Difference CWP 2020/21 \$ '000	Comment
Carbon Management Plan - Buildings	400	0	-400	Energy efficient lighting upgrades to be delivered from the building renewal program
Catalyst Project - Preston Civic Precinct (includes Intercultural Centre)	1,150	1,000	-150	Modest reduction which can still deliver the program of works
Multi Sport Stadium	11,500	6,700	-4,800	Budget profile managed over 2 years
Darebin International Sports Centre (DISC) & Darebin Community Sports Stadium (DCSS) renewal	190	100	-90	Renewal of these buildings can be managed within new budget envelope
Darebin Arts Centre - Stage 2 External Building Invigoration	75	0	-75	Program of works to be delivered in subsequent year
BT Connor Pavilion Redevelopment	3,000	500	-2,500	Budget profile managed over 2 years
Building Renewal Program	5,300	3,000	-2,300	Building renewal improvements in 19/20 has allowed for a slow down in 20/21
KP Hardiman Pavilion Redevelopment	287	0	-287	Pavilion design delayed 12 months
Northcote Aquatic and Recreation Centre	3,250	3,000	-250	Budget profile managed over 3 years
Reservoir Leisure Centre	1,000	800	-200	Budget profile managed over next few years
Toilet Strategy	400	0	-400	Changing places facility being constructed at MSS in 20/21
Sportsground Sub-surface Drainage	306	0	-306	Program of works deferred by 12 months
Bundoora Park Farm Pathway Safety & DDA	30	0	-30	Project deferred 12 months
Cycling Program Detailed Design and Construction	1,021	500	-521	Program of works slowed for 12 months
Shared Path - Parks Renewal Program	500	250	-250	Program of works slowed for 12 months
Walking Program Detailed Design and Construction	998	500	-498	Program of works slowed for 12 months
Darebin Libraries Technology Action Plan	164	64	-100	Program of works slowed for 12 months
IT Improvement Program	1,800	900	-900	Program of works slowed for 12 months
Irrigation Upgrades and Renewals Program	111	0	-111	Program of works deferred 12 months
Synthetic Cricket Wicket Installation	51	0	-51	Program of works deferred 12 months
Oval and Sportsground Renewal and Upgrade Program	306	0	-306	Program of works deferred 12 months
Darebin Libraries Product Purchases (Collection)	836	800	-36	Modest reduction which can still deliver the program of works
Open Space Improvements Program	2,880	1,951	-929	Program of works slowed for 12 months
Park Asset Renewal Program including Drinking Fountains	300	150	-150	Program of works slowed for 12 months
Art Collection Acquisitions - Bundoora Homestead Art Centre	50	0	-50	Art purchases deferred for 12 months
Vehicular Plant Replacement - Heavy Vehicle	2,400	1,500	-900	Heavy fleet renewal slowed for 12 months
Vehicular Plant Replacement - Light Vehicle	382	250	-132	Asset renewal can be accommodated within a reduced budget
Youth Services Asset Renewal Program	148	75	-73	Renewal program can be accommodated within budget envelope
Arts Venues & Hubs Plant & Equipment Program	300	150	-150	Renewal program can be accommodated within budget envelope
Cricket Practice Nets and Cages	200	0	-200	Program of works deferred 12 months
John Hall Oval Lighting Upgrade	382	0	-382	Project deferred 12 months
KP Hardiman Reserve Hockey Lighting Upgrade	289	0	-289	Project is being delivered with the hockey pitch renewal project
Kerb and Channel Renewal Program	398	200	-198	Program of works slowed for 12 months
Right of Way Rehabilitation Program	151	100	-51	Program of works slowed for 12 months
Safe Travel Program Detailed Design and Construction	713	350	-363	Program of works slowed for 12 months
Establishment of New Recycling and Low Carbon Waste Services	200	0	-200	Project deferred 12 months
Streetscape and Place Improvements - Small and Medium Works	170	0	-170	Project deferred 12 months
Furniture Replacement Program	200	100	-100	Renewal program can be accommodated within budget envelope
TOTAL			-18,898	

Working Budget
Difference between Total and Working Budget

59,035
5,873

Appendix B - Shovel-ready projects

Project	Approximate budget	Comments
Water Tanks Installation Program	\$250,000	New program of works to install water tanks at community facilities could be ready to deliver in 20/21
Synthetic Wicket Renewal	\$50,000	Project could be ready to deliver in 20/21
BT Connor Irrigation	\$50,000	Project could be ready to deliver in 20/21
Mayer Park Irrigation	\$50,000	Project could be ready to deliver in 20/21
John Cain Concrete Driveway	\$50,000	Project could be ready to deliver in 20/21
Electric Vehicle Charging Stations	\$150,000	Additional charging stations could be ready for delivery in 20/21
WH Robinon Cricket Nets	\$150,000	Project could be ready to deliver in 20/21
Right of Way Rehabilitation Program	\$150,000	Additional projects could be added to this program in 20/21
Crispe Park Boundary Fencing	\$80,000	Project could be ready to deliver in 20/21
Donath Reserve #1 Boundary Fencing	\$80,000	Project could be ready to deliver in 20/21
Bill Lawry Oval Fencing	\$80,000	Project could be ready to deliver in 20/21
Softfall For Playgrounds	\$150,000	Playgrounds could benefit from softfall renewal
Kerb & Channel Program	\$300,000	The asset condition data indicates additional works could be carried out next year
Operations Centre CCTV	\$200,000	Additional safety and security cameras could be installed at the Operations Centre
Public Toilet at Bundoora Park	\$400,000	Project is designed and could be ready to tender
Northcote Library Façade	\$400,000	Project is designed and could be ready to tender
John Hall Lighting	\$382,000	Project is designed and could be ready to tender
Sportsground Sub-Surface Drainage	\$300,000	Project could be ready to deliver in 20/21
BT Connor Pavilion	\$2,500,000	Project is designed and could be made ready to tender
Dole Reserve Wetland	\$1,300,000	Project could be ready to tender in late 2020
Reseal Program	\$1,000,000	An additional program of works could be delivered in the year
Footpath Program	\$3,000,000	An additional program of works could be delivered in the year
Sportsground Renewal Program	\$300,000	Project could be ready to deliver in 20/21
Park Asset Renewal Program	\$150,000	An additional program of works could be delivered in the year
Art Acquisition	\$50,000	An additional program of works could be delivered in the year
Shared Parks Path Program	\$250,000	An additional program of works could be delivered in the year
Arts Venue Equipment Program	\$150,000	Project could be ready to deliver in 20/21
Furniture Replacement Program	\$100,000	An additional program of works could be delivered in the year
Building Renewal Program	\$2,300,000	An additional program of works could be delivered in the year
Solar Panels and Batteries Program	\$250,000	New program of works to install solar panels and batteries at community facilities could be ready to deliver in 20/21
Preston Cenotaph Renewal	\$100,000	Project could be ready to tender
Open Space Improvement Program	\$900,000	An additional program of works could be delivered in the year
Darebin Arts Centre External Building Works	\$75,000	Project could be ready to deliver in 20/21
	\$15,697,000	

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

Nil

9. NOTICES OF MOTION

9.1 REQUEST FOR DISCLOSURE - OFFICE OF THE VICTORIAN GOVERNMENT ARCHITECT REPORT

Councillor: Gaetano GRECO

NoM No.: 477

Take notice that at the Council Meeting to be held on 9 June 2020, it is my intention to move:

“That Council;

- (1) Notes Council has been working in good faith with the Victorian Planning Authority (VPA) regarding the future planning controls that will apply to the Preston Market site.*
- (2) Notes that the VPA have received a report from the Office of the Victorian Government Architect in August 2019 regarding Preston Market.*
- (3) Resolves to write to the VPA and OVGA formally requesting they release the report to Council and make it available to the public.”*

Rationale

The Council has been working very closely and in good faith with the VPA and shared information and reports concerning the Preston Market in the process of preparing the future planning controls. The VPA have also relied on advice from different experts and sources including the Office of the Victorian Government Architect and in the spirit of openness and transparency it makes sense that Council should formally request such reports and ask that they be made public.

Notice Received: 25 May 2020

Notice Given to Councillors 1 June 2020

Date of Meeting: 9 June 2020

Attachments

Nil

9.2 RESCHEDULING OF ANNUAL BUDGET SPECIAL COUNCIL MEETING**Councillor:** Gaetano GRECO**NoM No.:** 478

Take notice that at the Council Meeting to be held on 9 June 2020, it is my intention to move:

“That Council;

- (1) Notes the adoption of the Annual Budget 2020-21 and Strategic Resource Plan 2020-24 in its final form is currently scheduled at a Special Meeting on Wednesday 15 July 2020.*
- (2) Notes that under clause 66(2) of the Council Meeting Governance Rules members of the public are given the opportunity to make a submission in relation to matters listed on the Agenda for an Ordinary Council Meeting.*
- (3) Notes that under clause 71(1) of the Council Meeting Governance Rules public question time is only applicable at Ordinary Council Meetings.*
- (4) Resolves to reschedule the adoption of the Annual Budget 2020-21 and Strategic Resource Plan 2020-24 in its final form to an Ordinary Meeting of Council on Monday 20 July 2020 to enable members of the public to submit questions and make submission.”*

Rationale

This will give residents an opportunity to lodge final questions and submissions on the council's final budget presentation before it is considered for endorsement. It is important that this is done as changes may be made to the budget as a result of the Hearing of Submission process that residents may have questions or comments on.

Notice Received: 25 May 2020**Notice Given to Councillors** 1 June 2020**Date of Meeting:** 9 June 2020**Attachments**

Nil

**9.3 PUBLIC DISCLOSURE OF ROOT PARTNERSHIP
CONSULTANT'S ADVICE REGARDING PRESTON MARKET****Councillor:** Gaetano GRECO**NoM No.:** 479

Take notice that at the Council Meeting to be held on 9 June 2020, it is my intention to move:

"That Council

- (1) Notes the summary of advice it has received from Root Partnership in July 2019.*
- (2) Immediately writes to the landowner/developer requesting permission from them to publicly release the confidential asset condition information provided to council on the basis of openness and transparency."*

Rationale

For the sake of community transparency Council needs to be open and forthcoming with all relevant information that is being relied on to make decisions regarding the future of the market. I appreciate officers have provided a brief responses to questions when asked about the nature of this advice however it's incumbent on Council to release all the advice they have received

Notice Received: 25 May 2020**Notice Given to Councillors** 1 June 2020**Date of Meeting:** 9 June 2020**Attachments**

Nil

10. URGENT BUSINESS

11. REPORTS OF STANDING COMMITTEES

Nil

12. RECORDS OF ASSEMBLIES OF COUNCILLORS

12.1 ASSEMBLIES OF COUNCILLORS HELD

Section 80A of the Local Government Act 1989 which outlined the requirements to be observed in respect to Assemblies ie

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.

was repealed on the 1 May 2020 by the *Local Government Act 2020*.

An Assembly of Councillors was defined in the Act 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.

Officers anticipate that the issue of public transparency and accountability in relation to forums involving Councillors previously defined as Assemblies of Councillors will be addressed in the Councils Governance Rules which must be adopted by the 1 September 2020.

Until the Governance Rules are developed and adopted by Council the 'regime' previously followed will continue in the interests of good governance.

An Assembly of Councillors record was kept for:

- Councillor Briefing – 25 May 2020
- Darebin Nature Trust Meeting #16 – 26 May 2020
- Welcoming Cities Reference Group – 26 May 2020
- Councillor Briefing – 1 June 2020

Recommendation

That the record of the Assembly of Councillors held on 25 & 26 May and 1 June 2020w and attached as **Appendix A** to this report, be noted and incorporated in the minutes of this meeting.

Attachments

- Assemblies of Councillors - 9 June 2020 (**Appendix A**) [↓](#)



ASSEMBLY OF COUNCILLORS PUBLIC RECORD

ASSEMBLY DETAILS:	Title:	Councillor Briefing
	Date:	Monday 25 May 2020
	Location:	Town Hall , Gower Street, Darebin Civic Centre
PRESENT:	Councillors:	Cr. Susan Rennie (Mayor) Cr. Kim Le Cerf , Cr. Trent McCarthy (arrived 6.17pm), Cr. Lina Messina, Cr. Susanne Newton, Cr. Julie Williams, Cr. Gaetano Greco, Cr. Steph Amir (arrived 5.38pm)
	Council Staff:	Sue Wilkinson, Rachel Ollivier, Kerry McGrath, Sam Hewitt, Sunny Haynes, Stevie Meyer, Allan Middlemast, Kamran Ghani, Michelle Van Gerrevink, Stephen Mahon
	Other:	Dr Jane Stanley – attended virtually
APOLOGIES:		Cr. Tim Laurence – Approved leave of absence

The Assembly commenced at 5.30 pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Presentation by Dr Jane Stanley on Preston Market	No disclosures were made.
2	Traffic Management around schools in Darebin and Cheddar LAPM	No disclosures were made.
3	Update – Local Government Power Purchase Agreement	No disclosures were made.
4	CEO / General Managers Updates	No disclosures were made.

The Assembly concluded at 7.58 pm

RECORD COMPLETED BY:	Officer Name:	Officer Name – Stephen Mahon
	Officer Title:	Officer Title – Co Ordinator Governance, Council Business and Civic Services



ASSEMBLY OF COUNCILLORS PUBLIC RECORD

ASSEMBLY DETAILS:	Title:	Darebin Nature Trust Meeting #16
	Date:	Tuesday 26 May 2020
	Location:	Online meeting via Microsoft Teams
PRESENT:	Councillors:	Cr. Susanne Newton, Cr. Trent McCarthy
	Council Staff:	Rachel Ollivier, Michelle Van Gerrevink, Steve Tierney, Andrea Canzano, Sunny Haynes, Amy O'Keefe
	Other:	Community Representatives of Darebin Nature Trust: Ray Radford, David Taylor, Nadine Richings, Megan Ivey-Law
APOLOGIES:		Cr. Gaetano Greco, Neal Masters

The Assembly commenced at 6:30pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Biodiversity pilot – Rewilding Darebin update followed by discussion	None
2	Gardens for Wildlife update followed by discussion	None
3	Biodiversity Management Plan update and discussion	None
4	Monash City Council Open Space Levy Submission update and discussion	None
5	Darebin Draft Annual Budget 2020-2021 discussion	None
6	Parliamentary Inquiry into Biodiversity & Ecosystem Decline discussion	None
7	Proposal for Working Groups / DNT Restructure discussion	None
8	Forward Agenda Planning	None
9	Other business	None

ASSEMBLY OF COUNCILLORS – PUBLIC RECORD (CONT)

The Assembly concluded at 8:00pm

RECORD COMPLETED BY:	Officer Name:	Andrea Canzano
	Officer Title:	Senior Environment Officer (Biodiversity)

This form is to be completed by the nominated Council Officer and returned to the Governance, Council Business and civic Services Team within 3 working days for inclusion the agenda of the next Council meeting and in the register available for public inspection.



ASSEMBLY OF COUNCILLORS PUBLIC RECORD

ASSEMBLY DETAILS:	Title:	Welcoming Cities Reference Group
	Date:	Tuesday 26 May 2020
	Location:	Virtual via Microsoft Teams Meeting
PRESENT:	Councillors:	Cr. Gaetano Greco
	Council Staff:	Mandy Bathgate, Kerry McGrath, Shabaz Fattah
	Other:	Members of Darebin Welcoming Cities Reference Group
APOLOGIES:		Alan Brown, Erica Higgins, Ponniah Ananda, Zaynab Farah, Devinder Singh, Catherine Scarfe.

The Assembly commenced at 6.00pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Updates from Council: Resilience and Recovery Package	No disclosures were made
2	Responding to COVID-19; How are diverse communities responding? what are the emerging challenges, needs and gaps? What support is needed?	No disclosures were made
3	Welcoming Cities Midway Progress Report	No disclosures were made
4	Update on Welcoming Cities Accreditation as an 'Excelling' City.	No disclosures were made
5	Update on Refugee Welcome Zone Leadership Council	No disclosures were made
6	Upcoming events, dates and key advocacy actions: National Reconciliation Week, Refugee Week, Refugee and Asylum Seekers at Mantra Bell, Nobody Left Behind Campaign	No disclosures were made

Assembly of Councillors

26 May 2020

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
7	Council 2020/21 Budget	No disclosures were made
8	Meeting close	

The Assembly concluded at 8.00pm

RECORD COMPLETED BY:	Officer Name:	Shabaz Fattah
	Officer Title:	Multicultural and Diversity Project Officer



ASSEMBLY OF COUNCILLORS PUBLIC RECORD

ASSEMBLY DETAILS:	Title:	Councillor Briefing
	Date:	Monday 1 June 2020
	Location:	Preston Town Hall, Gower Street, Preston
PRESENT:	Councillors:	Cr. Susan Rennie (Mayor), Cr. Steph Amir (Arrived 5.38pm), Cr. Gaetano Greco, Cr. Susanne Newton, Cr. Julie Williams, Cr. Kim LeCerf, Cr. Trent McCarthy
	Council Staff:	Sue Wilkinson, Ingrid Bishop, Sam Hewett, Kerry McGrath, Rachel Ollivier, Sunny Haynes, Stevie Meyer, Edward Crossland, Amy O'Keefe, Anika Labadie, Felicity Leahy, Sunny Haynes, Felicity Leahy, Vicky Guglielmo, Wendy Dinning, Stephen Mahon
	Other:	Leanne Hoddle and Desley Renton
APOLOGIES:		Cr. Lina Messina Cr. Tim Laurence (Leave of Absence)

The Assembly commenced at 5.34 pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Future Darebin Project Update & Councillor Workshop	No disclosures were made.
2	Reimagining Ruthven – Adoption of Master Plan	No disclosures were made.
3	Open Space Levy Planning Scheme Amendment – Project Update and Considerations for Next Steps	No disclosures were made.
4	Outdoor Sports Infrastructure Framework (Adoption of Final)	No disclosures were made
5	Darebin Intercultural Centre Community Reference Group and Terms of Reference	No disclosures were made
6	COVID-19 Community & Business Resilience and Recovery Package	No disclosures were made

ASSEMBLY OF COUNCILLORS – PUBLIC RECORD (CONT)

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
	Update	
7	Major Projects Update	No disclosures were made
8	Electoral Advertising Signage & Electioneering Policy	No disclosures were made
9	CEO / General Managers Update	No disclosures were made

The Assembly concluded at 9.00 pm

RECORD COMPLETED BY:	Officer Name:	Officer Name – Stephen Mahon
	Officer Title:	Officer Title – Coordinator Governance and Council Business

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13. REPORTS BY MAYOR AND COUNCILLORS

Recommendation

That Council note the Reports by Mayor and Councillors.

14. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL

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 YMCA Deed for COVID-19 Impacted Operations at NARC

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

14.2 Strathallan Golf Course Update

This item is designated confidential because it is a legal advice pursuant to Section 89(2) (f) of the Act.

This item is designated confidential because it is a Any other matter which the Council or special committee considers would prejudice the Council or any person pursuant to Section 89(2) (h) 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 items designated confidential by the Chief Executive Officer.

RE-OPENING OF MEETING

Recommendation

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

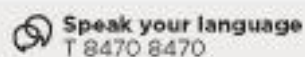
15. CLOSE OF MEETING

CITY OF DAREBIN

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