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AGENDA OF THE ORDINARY COUNCIL MEETING

To be held on Wednesday 15 December 2021 at 6.00pm

**This Council Meeting will be held at Preston Town Hall,
284 Gower Street, Preston.**

**This meeting will be open to the public in line with current
health restrictions. This meeting will also be livestreamed
and may be accessed from Councils website
www.darebin.vic.gov.au.**

Persons wishing to submit a 'Public Question' may do so
online by 12.00 noon on the day of the meeting via the
Question and Submissions form.



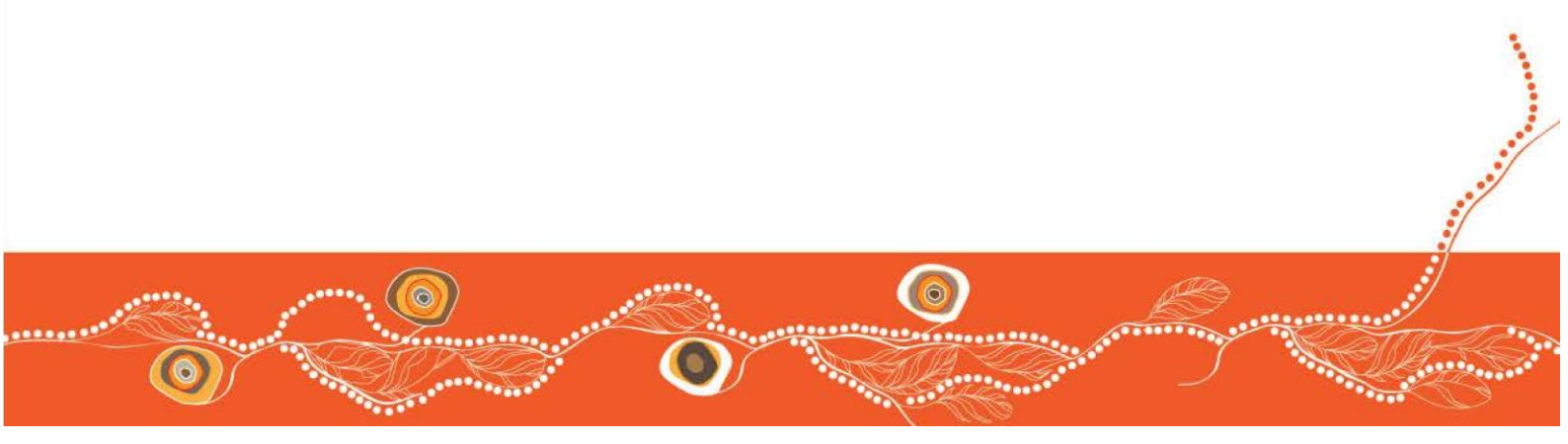
ACKNOWLEDGEMENT OF TRADITIONAL OWNERS AND ABORIGINAL AND TORRES STRAIT ISLANDER COMMUNITIES IN DAREBIN

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

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

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

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



English

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

Arabic

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

Chinese

这些是市议会会议纪要。如需协助了解任何纪要项目，请致电8470 8888。

Greek

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

Hindi

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

Italian

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

Macedonian

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

Nepali

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

Punjabi

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

Somali

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

Spanish

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

Urdu

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

Vietnamese

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

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Agenda

1. OPENING OF MEETING AND MEMBERSHIP

Cr. Lina Messina (Mayor) (Chairperson)

Cr. Trent McCarthy (Deputy Mayor)

Cr. Emily Dimitriadis

Cr. Gaetano Greco

Cr. Tom Hannan

Cr. Tim Laurence

Cr. Susanne Newton

Cr. Susan Rennie

Cr. Julie Williams

2. ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

3. APOLOGIES

4. DISCLOSURES OF CONFLICTS OF INTEREST

5. CONFIRMATION OF THE MINUTES OF COUNCIL MEETINGS

Clarification to the Minutes of the Ordinary Council Meeting on 22 November 2021

A public question was submitted online for the Ordinary Council Meeting on the 22 November 2021 from Ms Di Woodcroft of Northcote.

Ms Woodcroft's question was as follows ;

'Is it possible to make an appointment to meet with the General Manager that City Works reports to regarding systemic service problems in this area?'

Prior to the Council Meeting the General Manager Operations & Capital contacted Ms Woodcroft and on the basis of this advice the Coordinator Council Business made the judgement that the presentation of the question to the Council Meeting was not necessary.

Ms woodcroft has request that the Minutes of the 22nd November 2021 reflect her submitted question and in the interests of transparency it is recommended that this clarification be made.

Recommendation

That the Minutes of the Ordinary Meeting of Council held on 22 November 2021 as amended above and the Special Council Meetings held on the 24 and 25 November 2021 be confirmed as a correct record of business transacted.

6. QUESTION AND SUBMISSION TIME

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

QUESTIONS

Members of the public can ask up to three (3) questions at an Ordinary Council meeting.

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.

Questions from the gallery must be submitted in writing to the Council Officer in attendance in the gallery prior to the commencement of the meeting.

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 Governance Rules 2020, the Chairperson may disallow a question if it:

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

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

SUBMISSIONS OR COMMENTS

Members of the public may make a comment or 2 minute submission on a report listed on the Agenda (unless not permitted pursuant to the Councils Governance Rules) 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. If a person or their representative is not present in the gallery when the agenda item is considered, their submission will not be read out.

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 mail to PO Box 91, Preston 3072.

Council meetings can be viewed at the Watch Council meetings online 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.

7. PETITIONS

8. CONSIDERATION OF REPORTS

8.1 CONTRACT AWARD CT202171 - VICTORIA ST PRESTON, ROAD REHABILITATION

Author: Coordinator Urban Works

Reviewed By: General Manager Operations and Capital

EXECUTIVE SUMMARY

Council has an ongoing road rehabilitation program to improve the condition, safety and appearance of its network of roads. Victoria Street Preston, between Neale Street and Raglan Street, was identified for rehabilitation in the 2021/2022 capital works program, due to its aging condition and high traffic count.

Interest was sought from experienced contractors for the rehabilitation of Victoria Street, between Neale Street and Raglan Street, via an open public tender. Works include the reconstruction of the road pavement, improvements to kerb and channel, footpaths, vehicle crossings, nature strips and underground drainage.

A tender evaluation panel has completed a detailed evaluation process and recommends awarding the Contract to the preferred tenderer.

The proposed Contract arrangement is a lump sum contract and works are expected to be completed by the end of April 2022.

Officer Recommendation

That Council:

- (1) Awards Contract No. CT202171 Victoria Street Preston, Road Rehabilitation to _____ for the contract sum of \$_____.
 - (2) Approves a contingency amount of \$_____ (inclusive of GST), being approximately ___% of the contract sum, to be used if required for variations and other unforeseen items, as part of Contract No. CT202171 and authorise the Chief Executive Officer to vary the contract;
 - (3) Authorises the Chief Executive Officer to finalise and execute the contract documentation.
-

BACKGROUND / KEY INFORMATION

The Road Management Plan and Pavement Management System are used to determine which roads require reconstruction. The Road Management Plan utilises data collected on Council's road assets across the whole municipality and prioritises roads using an assessment criteria formula.

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

Victoria Street Preston is a local collector road and the section between Neale Street and Raglan Street is approximately 295 metres in length. The existing road is in poor condition and has failed in parts. Significant roadworks are now required to bring it back to near new condition, to extend the serviceable life of the asset and also to improve the safety and amenity of the area.

A geotechnical investigation completed in November 2019 identified that deep strength pavement is required for this section of road. In 2020/2021 JCA Land Consultants were engaged to undertake survey and design. Council has allocated funding in the 2021/2022 capital works program and has received Federal Government funding (through the Roads to Recovery program) towards the project.

Previous Council Resolution

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

ALIGNMENT TO 2041 DAREBIN COMMUNITY VISION

Strategic Direction 2: Prosperous, Liveable and Flourishing

ALIGNMENT TO 2021-25 COUNCIL PLAN

Strategic Direction 2: Prosperous, Liveable and Flourishing

ALIGNMENT TO COUNCIL PLAN STRATEGIC OBJECTIVES

2.5 We will invest in services and the built environment to improve access for our residents and visitors

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

DISCUSSION

In accordance with Council's Social and Sustainable Procurement Policy, a public tender methodology was adopted. Tenders were advertised on Council's online portal website and in The Age newspaper. Tender conditions were based on Council's Standard Request for Tender documentation and contract conditions were based on AS4000 – 1997, General Conditions of Contract. The tender sought lump sum tender prices based on the project specifications.

The request for tender was issued on 4 September 2021 and closed on 7 October 2021. Details of the contractors that submitted proposals by the closing date and time are outlined in Confidential **Appendix A** circulated to councillors under separate cover.

Submissions were evaluated by a panel against the following pre-established criteria:

- Tender price
- Local business content
- Social initiatives and practices
- Sustainable initiatives and practices
- Past performance
- Construction methodology

- Timelines
- Management & Quality Systems
- Compliance: Financial capacity, reference checks and conflict of interest

The members of the panel, evaluation details, pricing, scoring and reference checks for the evaluation is provided in Confidential **Appendix A** issued under separate cover.

CONSIDERATION OF LOCAL GOVERNMENT ACT (2020) PRINCIPLES

Financial Management

The capital works budget in 2021/2022 for Victoria Street road rehabilitation is \$1,650,000 (excl. GST). The Federal Government has provided a contribution of \$581,561 to fund these works through its Roads to Recovery program. Council's contribution will fund the remainder of the contract sum. The total project cost is within the allocated Council budget. See Confidential **Appendix A** for details of the budget and financials

Community Engagement

Consultation was conducted with residents and traders during the survey and design periods. All local residents will be notified of the construction works prior to commencing with regard to impact on their premises and access to properties. Bus companies and emergency service organisations will also be consulted with before and during construction.

Other Principles for consideration

Overarching Governance Principles and Supporting Principles

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

Public Transparency Principles

- (b) Council information must be publicly available unless (i) the information is confidential by virtue of this Act or any other Act; or (ii) public availability of the information would be contrary to the public interest;

Strategic Planning Principles

- (c) Strategic planning must take into account the resources needed for effective implementation;

Service Performance Principles

- (c) quality and costs standards for services set by the Council should provide good value to the municipal community;

COUNCIL POLICY CONSIDERATIONS

Environmental Sustainability Considerations (including Climate Emergency)

Recycled content in concrete, road base and steel reinforcement will be used for the project by the recommended contractor. The recommended contingency as part of this report will increase the amount of recycled product in the asphalt – which will both meet the VicRoads standards and also Council's aspirations for maximising recycled content in road works. The preferred tenderer's Integrated Management Plan indicates a commitment to quality and environmentally sensitive activities during construction.

Equity, Inclusion, Wellbeing and Human Rights Considerations:

Rehabilitation of Victoria St will increase safety, amenity and access outcomes for residents and the travelling public.

In line with Darebin's Social and Sustainable Procurement policy, tender evaluation criteria gave weight to social initiatives and practices. Tenderers were asked to consider how their business activities demonstrated a commitment to address disadvantage and improve equity to deliver social value and positive social outcomes. The preferred tenderer demonstrated a commitment to employment of youth, disadvantaged and aboriginal people.

Economic Development and Cultural Considerations

Evaluation criteria gave weight to Darebin based businesses. In addition, businesses that could demonstrate a local economic contribution through regular purchasing from local traders or the employment of local people were viewed favourably in line with evaluation criteria.

Operational Impacts

This project will involve reconstruction of the road pavement, some driveways and sections of kerb and footpath. The works will be maintained by the successful contractor for 52 weeks from the date of practical completion before being handed over Council to maintain.

Legal and Risk Implications

This project is not complicated and is considered low risk. Once the contract is duly awarded and the site is handed over the contractor will be responsible for all OH&S risks associated with road construction, including site safety and management of traffic, including pedestrian traffic.

COVID-19 Impacts and Considerations

The impacts of COVID-19 on the construction contract have been carefully considered by Council. Contractors are required to prepare a COVID-19 business continuity plan as part of their tender submission and will form part of the construction contract for the appointed contractor to implement during construction.

IMPLEMENTATION ACTIONS

The contract is scheduled to commence in January 2022 and will reach practical completion by late April 2022. This contract has a defects liability period of 52 weeks from the date of a practical completion certificate being issued to the contractor.

RELATED DOCUMENTS

NIL

Attachments

- Contract Award CT202171 Victoria St Preston Road Rehabilitation (**Appendix A**) Confidential - enclosed under separate cover
- Probity Report (**Appendix B**) Confidential - enclosed under separate cover
- Financial Report (**Appendix C**) Confidential - enclosed under separate cover

DISCLOSURE OF INTEREST

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

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

8.2 GOVERNANCE REPORT - DECEMBER 2021**Author:** Senior Council Business Officer**Reviewed By:** General Manager, Governance and Engagement

EXECUTIVE SUMMARY

The matters covered under the Governance Report for the month of December 2021 are:

- Summary of Advisory Committees, Councillor Briefing and other informal meetings of Councillors;
- Reports by Mayor and Councillors;
- Responses to the questions taken on notice during Public Question Time at the Council Meeting held on 22 November 2021;
- Update on the publication of past Council Meeting/Planning Meeting/Hearing of Submissions Committee Meeting Agendas and Minutes on the Website;
- Audit and Risk Committee Bi-annual Report;
- Appointment of Councillor Delegates to:
 - State-wide, Metropolitan, Regional and Darebin-based Organisations;
 - Council Advisory Committees and Community Reference Groups;
 - Audit and Risk Committee and CEO Employment Matters Committee

Officer Recommendation

That Council:

- (1) Notes the Governance Report – December 2021.
- (2) Notes the Summary of Advisory Committees, Councillor Briefings and other Informal Meetings of Councillors at **Appendix A** to this report, for incorporation in the minutes of this meeting.
- (3) Notes that reports by Mayors and Councillors submitted prior to the meeting and circulated to Councillors, will be incorporated in the minutes of this meeting.
- (4) Notes the responses to the questions taken on notice during Public Question Time at the Council meeting held on 22 November 2021, at **Appendix B** to this report.
- (5) Notes that the past agendas and minutes of the Council Meeting, Planning Committee Meeting, Hearing of Submissions Committee Meeting from 2016 have now been published to the new Website.
- (6) Notes and receives the Audit and Risk Committee Biannual Report for the period from June 2021 to November 2021 at **Appendix C** to this Report.
- (7) Appoints Councillor representatives to the State-wide, Metropolitan, Regional and Darebin-based Organisations and entities as listed in the report at **Table A** for a period of 12 months, or until such time as Council makes a further resolution on the matter.
- (8) Appoints Councillor representatives to the Council Advisory Committees and Community Reference Groups as listed in the report at **Table B** for a period of 12 months, or until such time as Council makes a further resolution on the matter.

- (9) Appoints Councillor representatives to the Audit and Risk Committee and CEO Employment Matters Committee as listed in the report at **Table C** below in the Report for a period of 12 months, or until such time as Council makes a further resolution on the matter.
-

BACKGROUND / KEY INFORMATION

In accordance with Council's Governance Rules 2020, the agenda for each Ordinary Meeting is required to list certain governance / administrative matters in addition to other specified items. These include the Reports of Standing Committees (for example the Hearing of Submissions Committee), Summary of Meetings (for example Briefings, Advisory Committee), responses to Public Questions taken on notice and reports by Mayor and Councillors.

Instead of having multiple reports for these governance / administrative matters on each agenda, it is considered appropriate to consolidate these matters in one single standing report to provide a single reporting mechanism for a range of statutory compliance, transparency and governance matters.

This is in accordance with best practice, good governance principles, transparent and accountable reporting of governance activities and to ensure compliance with the requirements of the Act, Council's Governance Rules and related regulations. This report additionally incorporates matters including but not limited to reporting of advisory committees, items relating to the delegation of Council powers, policy and strategy reporting, and the reporting on Councillors expenses.

DISCUSSION

The matters covered in this Governance Report are:

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

In accordance with Council's Governance Rules 2020 for any meeting of an Advisory Committee established by Council attended by at least one Councillor or a scheduled or planned meeting to discuss the business of Council or to brief Councillors, and which is attended by at least half of the Councillors and one member of Council staff and which is not a Council meeting, Delegated Committee meeting or Community Asset Committee meeting the Chief Executive Officer must ensure that a summary of the meeting is:-

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

The summary of the meeting should include a) the time, date and location of the meeting, b) the Councillors in attendance, c) the topics discussed, d) the positions of Council officers in attendance, e) the organisation that any attendees external to council are representing and f) any conflicts of interest declared, including the reason. A Summary of the following Advisory Committees, Councillor Briefings or other Informal Meetings of Councillors are attached at **Appendix A** to this Report:

- Darebin Women's Advisory Committee – Induction for Advisory Committee members – 9 November 2021
- Councillor Briefing Session – 15 November 2021
- Darebin Welcoming Cities Community Reference Group – 16 November 2021

- Councillor Briefing (Special Briefing – Financial Sustainability & Waste Cost Recovery) – 18 November 2021
- Councillor Briefing (Special Briefing for Councillor Dimitriadis, Councillor Williams & Councillor Laurence – Financial Sustainability & Waste Cost Recovery) – 19 November 2021
- Councillor Briefing Session – 29 November 2021
- Darebin Sexuality Sex and Gender Diversity Advisory Committee – 30 November 2021
- Climate Emergency Darebin Advisory Committee – 2 December 2021
- Councillor Briefing Session – 6 December 2021

Reports by Mayor and Councillors

The Mayor and Councillors submit their monthly report by 4.00pm on the day of each Ordinary Council Meeting, detailing their attendance at various functions and activities since the last Council Meeting. Reports submitted by Mayor and Councillors will be recorded in the minutes of this meeting.

Responses to Public Questions taken On Notice – Council meeting 22 November 2021

Pursuant to the Councils Governance Rules the response to a question from the public taken on notice must be recorded in the minutes of the next Ordinary Council meeting.

Questions taken on notice at the Ordinary Council meeting held on 22 November 2021 and subsequently responded to are provided in **Appendix B** to this report.

Status update on the publication of past agendas and minutes

At the October Council Meeting in response to a question from Vasilios Tsalkos of Reservoir regarding publication of old Agendas and Minutes on the Council's website, a commitment was given to publish the past agendas/minutes by the 30 November 2021 and to report the status through this report.

The Agendas and Minutes of the Council Meetings, Planning Committee Meetings and Hearing of Submissions Meetings from 2016 onwards are now publicly available on the Council's website.

Audit and Risk Committee – Biannual Report

The Audit and Risk Committee is a committee established in accordance with section 53 and 54 of the Local Government Act 2020 (the Act) to assist Darebin City Council (Council) in fulfilling its responsibilities relating to external financial and performance reporting, risk and financial management, corporate governance, internal control systems and providing advice to drive continuous improvement.

The Audit and Risk Committee's role is to report to the Council and provide appropriate advice and recommendations on matters relevant to its Charter in order to facilitate decision making by the Council in relation to the discharge of its responsibilities.

This Bi-Annual Report provides a summary of the activities, issues and related recommendations of the Audit and Risk Committee between June 2021 to November 2021 (**Appendix C**). This report meets the reporting requirements to Council as mandated by the *Local Government Act 2020* (LGA) pursuant to section 54(5) and importantly provides Council with a summary of the matters that the Audit and Risk Committee has addressed in the reporting period in discharging its responsibilities under its Charter.

The next report on the Audit and Risk Committee will be reported to Council in June 2022.

Appointment of Councillors to State-wide, Metropolitan, Regional and Darebin-based Organisations, Council Advisory Committees and Community Reference Groups, Standing Committees - Audit and Risk Committee and CEO Employment Matters Committee

Each year Council nominates Councillors to various State-wide, Metropolitan, Regional and Darebin-based Organisations, Council Advisory Committees and Community Reference Groups and to the Standing Committees.

This matter was informally discussed at the Councillor Briefing on the 29 November to ascertain the 'in principle' interest of Councillors in the various appointments. Further it should be noted that these appointments represent only those bodies where Council is required to make a decision annually about its delegate or appointee. Bodies for example such as the Reservoir Revitalisation Board are not included.

State-wide, Metropolitan, Regional and Darebin-based organisations

Appropriate representation on state-wide, metropolitan, regional and Darebin-based organisations enables Council to further its advocacy and engagement goals, and to gather information about sector opportunities and emerging issues, to inform decision-making.

A summary of the organisations, nominees required and Councillor appointments from 2020/21 is provided in the **Table A** below:

TABLE A

State-wide, metropolitan or regional organisation	Nominees required	Appointments 2020/21	Appointments 2021/22
Municipal Association of Victoria	One Councillor and one proxy	Cr. Rennie Cr. Messina (Proxy)	
Metropolitan Local Government Waste Forum	One Councillor (This appointment is only required until the 1 st July 2022)	Cr. Messina	
Friends of Baucau Inc.	One Councillor	Cr. Cr. Greco	
Metropolitan Transport Forum	One Councillor	Cr. Messina	
Northern Alliance for Greenhouse Action	One Councillor	Cr. McCarthy	
Global Covenant of Mayors for Climate and Energy	Mayor of the Day	Mayor, Cr. Messina	

State-wide, metropolitan or regional organisation	Nominees required	Appointments 2020/21	Appointments 2021/22
Northern Council Alliance	One Councillor And Chief Executive Officer Note - Charter states ' it is the strong preference of the NCA that where possible that the appointed Councillor representative is to be appointed for a term of two years up to four year terms	Cr. Messina	

Darebin-based organisation	Nominees required	Appointments 2020/21	Appointments 2021/22
Melbourne Innovation Centre	Two Councillors	Cr. McCarthy Cr. Messina	
Darebin Ethnic Communities Council	Two Councillors	Cr. Dimitriadis Cr Greco	
Darebin Creek Management Committee Inc.	One Councillor	Cr. Dimitriadis	
Merri Creek Management Committee Inc.	One Councillor	Cr. Hannan Cr Greco (Proxy)	

Council Advisory Committees and Community Reference Groups

Council has established a number of Community Advisory Committees and Community Reference Groups to facilitate community participation and input into policy and service development, and to assist with facility, project and event management.

These Committees typically comprise one or more Councillors, Council Officers and a number of community representatives. The community representatives can be local residents or stakeholders appointed in their own right or representatives of service authorities, support agencies or community organisations.

The progress, advice and recommendations of these Committees is reported to Council through formal Officer reports (supplemented from time to time by verbal reports by Councillors).

A summary of the committees and reference groups, nominees required and Councillor appointments from 2020/21 is provided in the table below:

TABLE B

Community Advisory Committee	Nominees required (Based on adopted Terms of Reference)	Councillor Appointments 2020/21	Appointments 2021/22
Active and Healthy Ageing Advisory Committee	<i>One Councillor nominated as Chair of the Committee and one as a proxy</i>	Cr. Greco (Chair) Cr. Rennie (Deputy) Cr. Williams (Proxy)	

Community Advisory Committee	Nominees required (Based on adopted Terms of Reference)	Councillor Appointments 2020/21	Appointments 2021/22
Climate Emergency Darebin Advisory Committee	<i>Two Councillors one nominated as Chair of the Committee, one as a member and one as a proxy</i>	Cr. McCarthy (Chair) Cr. Rennie (Deputy)	
Darebin Aboriginal Advisory Committee	<i>One Councillor nominated as Co Chair of the Committee and one as a proxy</i>	Cr. Messina (Chair) Cr. Greco (Deputy) Cr. Laurence (Proxy) Cr. Newton (Proxy) Cr Rennie (Proxy)	
Darebin Community Awards Advisory Committee	<i>The current Mayor nominated as the Chair of the Committee and one as a proxy</i>	Cr. Messina	
Darebin Disability Advisory Committee	<i>One Councillor nominated as Chair of the Committee and one as a proxy</i>	Cr. Williams (Chair) Cr. Laurence (Proxy)	
Darebin Domestic Animal Management Reference Group	<i>One Councillor nominated as Chair of the Committee and one as a proxy</i>	Cr. Williams (Chair) Cr. Laurence (Proxy)	
Darebin Education Network	<i>One Councillor nominated as Chair of the Committee and one as a proxy</i>	Cr. Rennie (Chair) Cr. Dimitriadis (Proxy)	
Darebin Interfaith Council	<i>One Councillor nominated as Co Chair of the Committee and one as a proxy</i>	Cr. Greco (Chair)	
Darebin Nature Trust	<i>Three Councillors, one nominated as Co-Chair of the Committee, two as members and one as a proxy</i>	Cr Mc Carthy (Chair) Cr Laurence Cr Greco Cr Hannan	
Darebin Women's Advisory Committee	<i>One female Councillor nominated as Chair of the Committee and one as a proxy</i>	Cr. Dimitriadis (Chair)	
Sexuality, Sex and Gender Diversity Advisory Committee	<i>One Councillor nominated as Chair of the Committee and one as a proxy</i>	Cr. Newton (Chair)	
Welcoming Cities Community Reference Group	<i>One Councillor nominated as Chair of the Committee and one as a proxy</i>	Cr Greco	

Community Advisory Committee	Nominees required (Based on adopted Terms of Reference)	Councillor Appointments 2020/21	Appointments 2021/22
Arts & Heritage Advisory Committee Established April 2020	<i>One Councillor nominated as Co-Chair of the Committee and one as a proxy</i>	Cr Newton Cr Messina (Proxy)	
Edwardes Lake Water Quality Task Force	<i>One Councillor nominated as Chair of the Committee and one as a proxy</i>	N/a	

Standing Committees

These committees make decisions on behalf of Council and provide advice on specific areas of Council business. Standing committees are formal committees that either make decisions on behalf of Council, manage a service or facility on behalf of Council, or advise and recommend to Council on a specific area of Council's functions or responsibilities.

Depending on their role and the need for delegated power, standing committees can either be a Delegated committee or an advisory committee. The Audit and Risk Committee is also designated as Standing Committee.

The CEO Employment Matters Committee is an Advisory Committee appointed for the purpose of assisting Council in fulfilling its responsibilities relating to CEO employment matters.

Nominees required for Audit and Risk Committee and CEO Employment Matters Committee, Councillor appointments from 2020/21 is provided in the table below:

TABLE C

Standing Advisory Committees	Nominees required (Based on adopted Charter and/or the Local Government Act)	Councillor Appointments 2020/21	Appointments 2021/22
Audit and Risk Committee	Two Councillors	Cr Messina, Cr Hannan	
CEO Employment Matters Committee	Mayor and All Councillors	All Councillors	

ALIGNMENT TO 2041 DAREBIN COMMUNITY VISION

Strategic Direction 1: Vibrant, Respectful and Connected

ALIGNMENT TO 2021-25 COUNCIL PLAN

Strategic Direction 4 Responsible, Transparent and Responsive

ALIGNMENT TO COUNCIL PLAN STRATEGIC OBJECTIVES

1.2 We will help to build an inclusive and empowered community, where social cohesion and community harmony are fostered

1.3 We will embrace diversity and ensure everyone is included in our society, and no one is left behind – by combating discrimination, and championing equity, inclusivity and diversity

CONSIDERATION OF LOCAL GOVERNMENT ACT (2020) PRINCIPLES

Financial Management

There are no direct financial management issues to be considered.

Overarching Governance Principles and Supporting Principles

- (a) Council decisions are to be made and actions taken in accordance with the relevant law;
- (i) the transparency of Council decisions, actions and information is to be ensured.

COUNCIL POLICY CONSIDERATIONS

Environmental Sustainability Considerations (including Climate Emergency)

Nil

Equity, Inclusion, Wellbeing and Human Rights Considerations:

Nil

IMPLEMENTATION STRATEGY

Upon appointment of Councillor representatives to the various Organisations/Committees the information will be updated on the Council's Website.

Related Documents

Nil

Attachments

- Summary of Meetings of Councillors - 15 December 2021 ([Appendix A](#)) [↓](#)
- Questions taken on Notice - Council Meeting 22 November 2021 ([Appendix B](#)) [↓](#)
- Audit and Risk Committee Biannual Report - June to November 2021 ([Appendix C](#)) [↓](#)

DISCLOSURE OF INTEREST

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

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



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

MEETING DETAILS:	Title:	Darebin Women's Advisory Committee – Induction for Advisory Committee members
	Date:	Tuesday 9 November 2021
	Location:	Microsoft Teams online meeting
PRESENT:	Councillors:	Cr. Emily Dimitriadis
	Council Staff:	Jess Fraser, Samuel Muchoki, Sally Lay, Jessica Chaaban, Stephen Mahon
	Other:	Members of the Darebin Women's Advisory Committee (12)
APOLOGIES:		Members of the Darebin Women's Advisory Committee (3)

The Meeting commenced at 5.32pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Introductions	No disclosures were made.
2.	Overview of Darebin Council <ul style="list-style-type: none"> • Organisation Overview • Council's strategic documents • Purpose of Darebin Women's Advisory Committee • Documents and legislation relevant to the Committee • Questions and answers 	No disclosures were made. Council Officer Jess Fraser left the meeting at 6.02pm.
3.	Committee Governance <ul style="list-style-type: none"> • Council decision making process • Role of the advisory committees • Terms of Reference • Chair arrangement • Members' roles and responsibility • Housekeeping matters • Questions and answers 	No disclosures were made. Council Officer Stephen Mahon joined the meeting at 6.28pm.
4.	Future meeting dates	No disclosures were made

SUMMARY OF MEETINGS – PUBLIC RECORD (CONT)

The Meeting concluded at 7.08pm

RECORD COMPLETED BY:	Officer Name:	Samuel Muchoki
	Officer Title:	Acting Coordinator Equity and Diversity

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

MEETING DETAILS:	Title:	Councillor Briefing
	Date:	Monday 15 November 2021
	Location:	Virtual (Microsoft Teams)
PRESENT:	Councillors:	Cr. Messina, Cr. Greco, Cr. Hannan, Cr. Laurence, Cr. Rennie, Cr. Williams, Cr. Newton, Cr. McCarthy Cr Laurence departed the briefing at 4.30pm
	Council Staff:	Sue Wilkinson, CEO Jodie Watson, GM Governance & Engagement (Item 4.3) Sam Hewett, GM Operations and Capital Rachel Ollivier, GM City Sustainability and Strategy Kerry McGrath, GM Communities Chad Griffiths, Manager City Futures (Items 4.1, 4.5 & 4.6) Stevie Meyer, Coordinator Strategic Planning (Items 4.1 & 4.6) Sophie Jordan, Principal Strategic Planner (Item 4.1) Steve Tierney, Manager Parks & Open Space (Items 4.2 & 4.4) Romina Atai, Coordinator, Parks Strategy & Special Projects (Items 4.2 & 4.4) Christina Plant, Community and Environment Special Projects Officer (Item 4.2) Srini Vasam, A/Manager Finance (Item 4.3) Tony Blackwell, Project Lead Waste Fees (Item 4.3) Vanessa Petrie, Manager Climate Emergency and Sustainable Transport (Item 4.3) Michelle Van Gerrevink, Coordinator Climate Emergency and Environment Strategy (Item 4.3) Michele Burton, Coordinator Climate Emergency and Environment Programs (Item 4.3) Brett Grambau, Manager Operations (Item 4.3) Brendan Moore, Coordinator Waste (Item 4.3) Enna Giampiccolo, Manager Communications and Engagement (Item 4.3)

		Justin Hanrahan, Manager Economic Recovery and Resilience (Item 4.5) Vicky Gugliemo, Manager Creative Culture and Events (Item 4.5) Hamish Jacobson, Senior Strategic Planner (Item 4.6)
	Other:	
APOLOGIES:		Cr. Dimitriadis

The briefing commenced at 2.00pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
4.1	Housing Strategy, Neighbourhood Character Study and Community Engagement	No disclosures
4.2	Edwardes Lake Park Improvements – Dog Off Lead Area Consultation Outcome	No disclosures
4.3	Financial Sustainability – Waste Fee (#6)	No disclosures
4.4	Management of land owned by other agencies	No disclosures
4.5	Outdoor dining and festive season activation	No disclosures
4.6	Development Contributions Plan – Planning Scheme Amendment C170dare	No disclosures
4.7	General Business <ul style="list-style-type: none"> • Health and Safety Update • Legal matter • Arrangements for Council meetings 	No disclosures
5.1	Information Only Asset Management Strategy and Asset Management Policy – Community Consultation Outcome	No disclosures

The briefing concluded at 6.30pm

RECORD COMPLETED BY:	Officer Name:	Jodie Watson
	Officer Title:	General Manager Governance & Engagement

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

MEETING DETAILS:	Title:	Darebin Welcoming Cities Community Reference Group
	Date:	16 November 2021
	Location:	Online
PRESENT:	Councillors:	Cr Gaetano Greco
	Council Staff:	Kerry McGrath, General Manager Community; Jess Fraser, Manager Equity and Wellbeing; Stephen Mahon, Coordinator Council Business Governance and Corporate Strategy; Shabaz Fattah, Multicultural and Diversity Officer.
	Other:	Catherine Scarth, AMES; Ginta Mebalds, Community Member; Hugh Morris Dalton, Community Member; John Zika, Community Member; Margaret Anne Learmonth, Community Member; Mohammed Yassin, Spectrum Migrant Resource Centre; Monica Forson, Victorian Equal Opportunity and Human Rights Commission (VEOHRC); Nalliah Suriyakumaran (, Darebin Ethnic Communities Council ; Owen Butler, Darebin Aboriginal Advisory Committee (DAAC); Ponniah Anandajayasekeram (Ananda), Community Member; Rosa Vassegghi, Community Member.
APOLOGIES:		

The Meeting commenced at 5:30pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Acknowledgement and Welcome List each separate matter considered for example:	No disclosures were made.

SUMMARY OF MEETINGS – PUBLIC RECORD (CONT)

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
2	Introductions - round table meet and greet - question for reflection	No disclosures were made.
3	Committee Governance:	No disclosures were made.
4	Overview of Darebin Council, Welcoming Cities and Darebin Welcoming Cities Community Reference Group:	No disclosures were made.
5	Future Welcoming Cities CRG and proposed meeting structure	No disclosures were made.

The Meeting concluded at 7:30pm

RECORD COMPLETED BY:	Officer Name:	Shabaz Fattah
	Officer Title:	Multicultural and Diversity Project Officer

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

MEETING DETAILS:	Title:	Councillor Briefing (Special Briefing – Financial Sustainability & Waste Cost Recovery)
	Date:	Thursday 18 November 2021
	Location:	Virtual (Microsoft Teams)
PRESENT:	Councillors:	Cr. Greco, Cr. Rennie, Cr. Williams, Cr. Newton Cr Messina joined the briefing at 5.10pm. Cr Hannan joined the briefing at 5.25pm. Cr Hannan left the briefing at 5.40pm. Cr Rennie left the briefing at 5.31pm Cr Laurence joined the briefing at approximately 5.05pm
	Council Staff:	Jodie Watson, GM Governance & Engagement Sam Hewett, GM Operations and Capital Rachel Ollivier, GM City Sustainability and Strategy Srini Vasan, A/Manager Finance Tony Blackwell, Project Lead Waste Fees Vanessa Petrie, Manager Climate Emergency and Sustainable Transport Michelle Van Gerrevink, Coordinator Climate Emergency and Environment Strategy Brett Grambau, Manager Operations Brendan Moore, Coordinator Waste
	Other:	-
APOLOGIES:		Cr Dimitradis, Cr McCarthy

The briefing commenced at 5.00pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
4.1	Financial Sustainability – Waste Fees	No disclosures of conflict were made

The briefing concluded at 6.09pm

RECORD COMPLETED BY:	Officer Name:	Jodie Watson
	Officer Title:	General Manager Governance & Engagement

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

MEETING DETAILS:	Title:	Councillor Briefing (Special Briefing for Cr Dimitriadis, Cr Williams & Cr Laurence – Financial Sustainability & Waste Cost Recovery)
	Date:	Friday 19 November 2021
	Location:	Virtual (Microsoft Teams)
PRESENT:	Councillors:	Cr. Dimitriadis, Cr Greco, Cr Laurence, Cr. Williams
	Council Staff:	Jodie Watson, GM Governance & Engagement Tony Blackwell, Project Lead Waste Fees Vanessa Petrie, Manager Climate Emergency and Sustainable Transport Michelle Van Gerrevink, Coordinator Climate Emergency and Environment Strategy Brett Grambau, Manager Operations
	Other:	-
APOLOGIES:		

The briefing commenced at 5.00pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
4.1	Financial Sustainability – Waste Fees	No disclosures of conflict were made

The briefing concluded at 6.25pm

RECORD COMPLETED BY:	Officer Name:	Jodie Watson
	Officer Title:	General Manager Governance & Engagement

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

MEETING DETAILS:	Title:	Councillor Briefing
	Date:	Monday 29 November 2021
	Location:	Virtual (Microsoft Teams)
PRESENT:	Councillors:	Cr. Messina (Mayor), Cr. McCarthy (Deputy Mayor), Cr. Dimitriadis, Cr. Greco, Cr. Hannan, Cr. Newton, Cr. Rennie
	Council Staff:	Sam Hewett, GM Operations and Capital Rachel Ollivier, GM City Strategy and Sustainability Kerry McGrath, GM Community Jodie Watson, GM Governance & Engagement Stephen Mahon, Coordinator Council Business (Item 2)
	Other:	Karen Maher, SmartCulture (Item 1)
APOLOGIES:		Cr. Laurence, Cr. Williams Sue Wilkinson, CEO

The training commenced at 2.00pm
The briefing items commenced at 4.15pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Sexual Harassment Prevention Training for Councillors	No disclosures of conflict were made
2	Appointment of Councillor Delegates to external organisations and Council Advisory Committees for 2021/22	No disclosures of conflict were made
3	General Business	No disclosures of conflict were made

The briefing concluded at 5.25pm

RECORD COMPLETED BY:	Officer Name:	Jodie Watson
	Officer Title:	General Manager Governance & Engagement

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

MEETING DETAILS:	Title:	Darebin Sexuality Sex and Gender Diversity Advisory Committee – Induction for Advisory Committee members
	Date:	Tuesday 30 November 2021
	Location:	Zoom online meeting
PRESENT:	Councillors:	Councillor Susanne Newton
	Council Staff:	Amelia Basset, Stephen Mahon
	Other:	Members of the Darebin Sexuality, Sex and Gender Diversity Advisory Committee (9)
APOLOGIES:		Members of the Darebin Sexuality Sex and Gender Diversity Advisory Committee (2)

The Meeting commenced at 6.32pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Introductions	No disclosures were made.
2.	Committee Governance <ul style="list-style-type: none"> • Council decision making process • Role of the advisory committees • Terms of Reference • Chair arrangement • Members' roles and responsibility • Questions and answers 	No disclosures were made. Council Officer Stephen Mahon left the meeting at 7.10pm.
3.	Member discussion: motivations and aspirations for next term.	No disclosures were made.
4.	Key LGBTIQ+ community events and activities Jan – May 2022 and opportunities for members to support / get involved.	No disclosures were made.
5.	Proposed federal Religious Discrimination Bill: Potential for Council	No disclosures were made.

MATTERS CONSIDERED	DISCLOSURES AND COMMENTS
advocacy; practicing self-care during the debate.	

SUMMARY OF MEETINGS – PUBLIC RECORD (CONT)

The Meeting concluded at 7.08pm

RECORD COMPLETED BY:	Officer Name: Officer Title:	Samuel Muchoki Acting Coordinator Equity and Diversity
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SUMMARY OF ADVISORY COMMITTEES, COUNCILLOR BRIEFINGS AND OTHER INFORMAL MEETINGS OF COUNCILLORS

MEETING DETAILS:	Title:	Climate Emergency Darebin Advisory Committee
	Date:	Thursday 2 December 2021
	Location:	Gleeson Environment Centre, Darebin Parklands
PRESENT:	Councillors:	Cr. Trent McCarthy (Chair) Cr. Susan Rennie
	Council Staff:	Vanessa Petrie, Uncle Stuart McFarlane, Michele Burton, Kristie Dunn, Rachel Ollivier
	Other:	Members of Climate Emergency Darebin Advisory Committee (9)
APOLOGIES:		Members of the Climate Emergency Darebin Advisory Committee (4) No disclosures were made

The Meeting commenced at 6pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Welcome, Acknowledgements and introductions	No disclosures were made.
2		Cr. Rennie left the meeting at 7.55pm
3	4. Committee Governance -Terms of Reference -Code of Conduct and Child safe policy -member roles and responsibilities -agendas -Values, Code of Conduct, Child Safe Policy	No disclosures were made
4	Selection of Co-Chair -co-chair arrangements including selection of community co-chair for next meeting	No disclosures were made

SUMMARY OF MEETINGS CONTINUED

5	Climate Emergency Programs and Strategies – short presentations from staff - Community emissions reduction programs - batteries, PPAs for businesses - Community risk and adaptation work incl Fuel Poverty – Solar Savers, Climate Emergency plan consultation – organisational over view, Council Plan 2021-25, Transport Strategy	No disclosures were made
6	CED AC meeting dates 2022 and closing	No disclosures were made

The Meeting concluded at 8.10pm

RECORD COMPLETED BY:	Officer Name: Officer Title:	Officer Name: Natalie Jamieson Officer Title: Environment Officer
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SUMMARY OF ADVISORY COMMITTEES, COUNCILLOR BRIEFINGS AND OTHER INFORMAL MEETINGS OF COUNCILLORS

MEETING DETAILS:	Title:	Councillor Briefing
	Date:	Monday 6 December 2021
	Location:	Council Chamber, Preston
PRESENT:	Councillors:	Cr. McCarthy, Cr. Greco, Cr. Dimitriadis, Cr. Rennie Cr Hannan joined the meeting at 2.27pm
	Council Staff:	Sue Wilkinson, CEO Jodie Watson, GM Governance & Engagement Sam Hewett, GM Operations and Capital Rachel Ollivier, GM City Sustainability and Strategy (Item 4.2 & 4.3) Kerry McGrath, GM Communities (Item 4.1) Jess Fraser, Manager Equity and Wellbeing (Item 4.1 & 5.2) Felicity Leahy, Manager Recreation & Libraries (Item 4.1 & 5.1) Casey Ward, Project Manager (Item 4.1) Chad Griffiths, Manager City Futures (Item 4.2 & 4.3) Stevie Meyer, Coordinator City Futures (Item 4.2) Naomi Keung (Item 4.2) Simon Chitre (Item 4.2)
	Other:	
APOLOGIES:		Cr. Messina, Cr. Williams, Cr. Newton, Cr. Laurence

The briefings commenced at 2.07pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
4.1	Reservoir Leisure Centre Health and Wellbeing Study Outcomes – Part One	No conflicts were disclosed
4.2	Thornbury Park Estate Heritage Precinct Planning Scheme Amendment C191	No conflicts were disclosed
4.3	Victorian Planning System Reforms	No conflicts were disclosed

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
	Information Only	
5.1	Community Sports Grant	
5.2	Planned Actions for 26 January 2022	
5.3	Community Skills for Climate Action Program Update	

The briefing concluded at 4.27pm

RECORD COMPLETED BY:	Officer Name:	Jodie Watson
	Officer Title:	General Manager Governance & Engagement

This form is to be completed by the nominated Council Officer and returned to the Council Business Team within 3 working days for inclusion the agenda of the next Council meeting and in the register available for public inspection.

Question and Submission Time

Council Meeting – 22 November 2021

**Question and Submission Time –
Questions taken on notice**

Pursuant to the Councils *Governance Local Law 2017* the response to a question from the public taken on notice must be recorded in the minutes of the next Ordinary Council meeting.

At the Council meeting held on 22 November 2021, the following questions were taken on notice by the Chairperson, Mayor Messina

1. Name Annette Kalkbrenner

How can Council vote on a consultation with a budget proposal?

Response from the Coordinator of Council Business

Officers have attempted without success to contact Ms Kalkbrenner to clarify this question.

2. Name Serena O'Mealey of Reservoir

On just one side of Boldrewood Parade (between Whitelaw and Dunne Streets) I counted six untended nature strips which are infested with African daisies. This is just near the Arch Gibson Reserve and across the road from where some important rewilding is happening in Strathmerton Street Reserve.

This is what one website says about them: "African daisy is a strong competitor in natural environments and forms dense thickets that exclude native plant species, resulting in a reduction in habitat."

Darebin City Council I suspect this weed is out of control in the area - I've even had to pull one out of my own garden. What can you do about it?

Response from Sam Hewett, General Manager, Operations & Capital

The team from Operations and Capital called Serena and explained that they plan to work towards weed eradication as resourcing allows.

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City of Darebin Audit and Risk Committee

Bi-Annual Report

June 2021 – November 2021

1. Summary

The Audit and Risk Committee (the Committee) is a committee established in accordance with section 53 and 54 of the *Local Government Act 2020* (the Act) to assist Darebin City Council in fulfilling its responsibilities relating to external financial and performance reporting, risk and financial management, corporate governance, internal control systems and providing advice to drive continuous improvement.

The Committee's role is to report to the Council and provide appropriate advice and recommendations on matters relevant to its charter in order to facilitate decision making by the Council in relation to the discharge of its responsibilities.

The objective of the Committee is to oversee:

- the integrity of external financial reporting, including accounting policies
- the scope of work, objectivity, performance, and independence of the external and internal auditors
- the establishment, effectiveness and maintenance of controls and systems to safeguard the City's financial and physical resources
- the systems or procedures that are designed to ensure that the City comply with relevant statutory and regulatory requirements
- the process for recognising risks arising from the City's operations and strategies, and consider the adequacy of measures taken to manage those risks, including compliance
- the processes and systems which protect the Council against fraud and irregularities including the Protected Disclosures Act procedures.

2. Period of Reporting

This report meets the reporting requirements to Council as mandated by section 54(5) the Local Government Act 2020 (LGA).

The report provides Council and the community with a summary of the matters that the Audit and Risk Committee has addressed in the reporting period in discharging its responsibilities under its Charter and under the Act.

This report provides an overview of the activity of the Audit and Risk Committee from 1 June 2021 to 30 November 2021.

3. Committee Membership and Meetings

The Committee has met two times during the reporting period – on 29 June 2021 and 13 September 2021 and their meeting attendance is highlighted in the table below:

Member	Role	29/06/2021 Quarterly	13/09/2021 Quarterly
Ms. Lisa Tripodi	Independent Member & Chairperson	✓	✓
Mr. Craig Geddes	Independent Member	✓	✓
Dr. Marco Bini	Independent Member	✓	✓
Cr. Tom Hannan	Committee Member	✓	✓
Cr. Lina Messina	Committee Member & Mayor	✓	✓

4. Committee Annual Work Plan and Charter

The Committee has dealt with all matters scheduled for consideration in Annual Work Plan for the specified reporting period.

There has been no significant impact on the operation on the Committee or its activities as the recent changes in the Local Government Act were already in place. These include:

- adopting the revised Committee Annual Work Plan
- undertaking an Annual Performance Assessment of Committee activities against its Charter

All of these changes have been incorporated into the Committee's Annual Work Plan.

The Committee's Annual Work Plan was reviewed and endorsed by the Committee at its meeting on 29 June 2021.

The Committee's Charter was reviewed by the Committee at its meeting on 29 June 2021 and adopted by Council on Monday 22 August 2021.

5. Committee Responsibilities

5.1 Financial and Performance Reporting

- **Quarterly Reports** – The Committee reviewed the Quarterly Financial Reports. These reports include budget comparison and forecast updates as required.
- **Annual Reports** – The Committee reviewed the Draft 2020-21 Annual Financial Report and Annual Performance Statement at the September 2021 meeting.
- The Committee was satisfied with these reports, assessing them as being of high quality, and noting that the matters raised by the external auditors at the conclusion of their work were not substantive in nature. The Committee endorsed both the Annual Financial Report and the Annual Performance Statement for the year ended 30 June 2021 to Council for approval.

5.2 External Audit

The Victorian Auditor General's Office (VAGO) undertakes the external audit of Council's Annual Financial Report. At the June 2021 meeting the Committee considered VAGO's interim management letter which was issued at the conclusion of the first audit visit for the year summarising the status of open recommendations arising from the current and prior year audits. The Committee noted that Council has made excellent progress in closing out six of these items which had carried forward from prior year audits.

At the September 2021 meeting VAGO's Closing Report provided the outcomes of the audit of the Annual Financial Report and the Annual Performance Statement for 2020/21. The Closing Report advised that VAGO will issue a clear opinion on the statements. The Committee noted the representations by management to VAGO in regard to the preparation of the Annual Financial Report and the Annual Performance Report and also noted that those representations contained no qualifications.

The Final Management Letter issued by VAGO at the conclusion of the 2020/21 audit process contained six issues. Two of the recommendations were from the current period and four from the previous year audits. These recommendations relate to control enhancements noted by VAGO whilst undertaking standard audit procedures and are provided to Council as opportunities for improvement. One has been completed, one partially resolved, and the remaining four issues incorporated in business unit work plans for completion in 201/22.

In conclusion the Committee resolved that the external audit process had been thorough and was pleased with the outcomes of the audit which indicated that the systems and controls related to the preparation of the Annual Financial Report and the Annual Performance Statement were efficient and effective. The Committee endorsed both reports and recommended them for approval by Council.

5.2 Risk Management

During the period, the Committee noted the endorsement of the Risk Management Policy and Framework as well as the Fraud and Corruption Policy and Plan. Other reports such as insurance policies and indemnity limits, as well as updates regarding motor vehicle incidents and claims were also considered by the Committee. The Committee also noted high-level indicators and analysis of matters relating to Safety, Wellbeing and WorkCover.

5.3 Fraud Prevention Systems and Controls

During the reporting period, there were no other material matters of fraud, corruption, ethics or code of conduct reported to the Committee.

Fraud and Corruption will continue to remain top of mind for employees and attitudes towards reporting of incidents and being alert to fraud risks.

5.4 Internal Audit

At each meeting, the Committee received an update on the Internal Audit Plan. Changes were made to the Plan reviews/schedule as required. The Committee also received reports on the status of prior report recommendations and actions.

The Committee received two reports on internal audit reviews complied in the period:

- Review of Cyber Security (Penetration Testing) (June 2021)
- Review of VicRoads Confidentiality Agreement (September 2021)

Management have accepted all recommendations. Implementation of actions to address findings from internal audit reports is monitored at subsequent Committee meetings.

5.6 Strategic Annual Internal Audit Plan 2021/22

The Strategic Annual Internal Audit Plan 2021/22 was reviewed in August 2021 and the Committee accepted a request from management to revise the 2021/22 internal audit plan.

The Review of the Portable and Attractive Assets was replaced with a Review of Cyber Security (Essential 8) audit.

It is not unusual to make changes to internal audit plans. Such changes are often driven by changed risk factors, timing issues and even changes in organisational priorities. The key concerns for the Committee when changes are proposed are to ensure that there are valid reasons for change and that

City of Darebin Audit and Risk Committee – Biannual Report (June 2021 – November 2021)

reviews being deferred remain on the longer-term internal audit plan and reconsidered in subsequent years.

The 2021/22 Program will continue to ensure delivery of program by June 2022 which is highlighted in the table below and provides a timeline of the 2021/22 Internal Audits.

	Audit	Audit Plan (scope) approval	Audit commencement	Final Audit Report Due	Final Audit Report provided to ARC
1.	Review of Lease Management	Out of Session	Aug 2021	Oct 2021	6 Dec 2021
2.	Review of Inventory controls for Small Plant, Equipment & Materials	13 Sep 2021	Sept 2021	Nov 2021	Mar 2021
3.	Review of Occupational Health & Safety	13 Sep 2021	Nov 2021	Feb 2022	21 Mar 2022
4.	Review of Compliance (Strategy & Sustainability)	13 Sep 2021	Jan 2022	Feb 2022	21 Mar 2022 / 20 Jun 2022
5.	Review of Cyber Security (Essential 8)	13 Sep 2021	Mar 2022	May 2022	20 Jun 2022
6.	Review of Event Management	6 Dec 2021	Apr 2022	May 2022	20 Jun 2022
7.	Review of Statutory Planning	6 Dec 2021	May 2022	July 2022	12 Sept 2022
8.	Review of CAATS	6 Dec 2021	June 2022	Aug 2022	12 Sept 2022

5.7 Other Matters

The Committee received reports on, and discussed other matters, including:

- COVID-19 impact and actions
- Strategic Annual Internal Audit Plan 2021/22
- VAGO Sexual Harassment Survey Outcomes (Action Updates)
- Councillor Support & Expenses
- Councillor Gifts, Benefits & Hospitality Register
- Systems Surveillance Report
- Policy Framework – Embedding of Governance Principles
- CEO Credit Card Expenses
- Strategic and Operational Risks
- Insurance Claims – Claims Management
- Business Continuity Planning
- Compliance Management – Statutory Obligations
- Building Cladding
- Information Services Risk Management (including Information Services Projects update)

- Governance & Management Checklist
- Local Government Performance Sector Report

6. Reporting to Council

As previously indicated, these reports are formally provided to Council twice per annum, in June and in December. In accordance with the Governance Rules 2020, minutes of Audit and Risk Committee meetings, as an advisory Committee to Council, are provided to Council as soon as practical after each meeting.

7. Meeting Schedule to 2022

The Committee's upcoming meeting schedule to end 2022 is as follows:

- Monday 6 December 2021
- Monday 21 March 2022
- Monday 20 June 2022
- Monday 05 September 2022*
- Monday 12 September 2022
- Monday 12 December 2022

* This meeting will consider the Annual Financial Report and the Annual Performance statement

8. Overall comments

The Committee welcomes feedback as to whether this report meets Council's expectations. If Council wishes to be briefed by the Committee on any matters raised in this report, I would be delighted to attend as required.

Thank you to Committee members, all Councillors and Council Officers for your support during this period and especially during these challenging times.

Yours Sincerely

Lisa Tripodi

Chair on behalf of the Audit and Risk Committee

30 November 2021

8.3 CEO EMPLOYMENT AND REMUNERATION POLICY**Author:** Manager People and Culture**Reviewed By:** General Manager, Governance and Engagement

EXECUTIVE SUMMARY

This report is for Council to consider the proposed CEO (Chief Executive Officer) Employment and Remuneration Policy.

The proposed Policy (shown at **Appendix A**) has been established to align with matters which Council is responsible for under the Local Government Act 2020 including:

- the recruitment and appointment of the Chief Executive Officer
- provisions to be included in the contract of employment
- the appointment of an Acting Chief Executive Officer
- the provision of independent professional advice in relation to the matters dealt within the Policy
- the monitoring of the Chief Executive Officer's performance
- an annual review of the Chief Executive Officer's performance
- any other matters prescribed by legislation
- determining the Chief Executive Officer's remuneration.

Officer Recommendation

That Council:

- (1) Note that the draft CEO Employment and Remuneration Policy was considered by the CEO Employment Matters Committee at its meeting on 8 December 2021 and is recommended to Council for adoption by the Committee.
- (2) Adopt the CEO Employment and Remuneration Policy in **Appendix A** to come into effect on 31 December 2021 in accordance with the *Local Government Act 2020*.

BACKGROUND / KEY INFORMATION

Under section 45 of the Local Government Act 2020 (the Act), Council is required to "develop, adopt and keep in force" a Chief Executive Officer Employment and Remuneration Policy. The Policy must be adopted within 6 months after the relevant section of the Act comes into effect on 1 July 2021 (i.e. the Policy must be adopted by 31 December 2021 and be in place by the 1 January 2022).

The *Local Government Act 2020* (Section 45) requires:

"(1) A Council must develop, adopt and keep in force a Chief Executive Officer Employment and Remuneration Policy.

(2) A Chief Executive Officer Employment and Remuneration Policy must—

(a) provide for the Council to obtain independent professional advice in relation to the matters dealt with in the Chief Executive Officer Employment and Remuneration Policy; and

(b) provide for the following—

(i) the recruitment and appointment process;

(ii) provisions to be included in the contract of employment;

(iii) performance monitoring;

(iv) an annual review; and

(c) include any other matters prescribed by the regulations.

(3) A Council must have regard to—

(a) any statement of policy issued by the Government of Victoria which is in force with respect to its wages policy (or equivalent); and

(b) any Determination that is currently in effect under section 21 of the Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019 in relation to remuneration bands for executives employed in public service bodies— in developing the Chief Executive Officer Employment and Remuneration Policy.

(4) A Council must adopt the first Chief Executive Officer Employment and Remuneration Policy under this section within 6 months of the commencement of this section.”

Previous Council Resolution

This matter has not previously been considered by Council.

ALIGNMENT TO 2041 DAREBIN COMMUNITY VISION

Strategic Direction 1: Vibrant, Respectful and Connected

ALIGNMENT TO 2021-25 COUNCIL PLAN

Strategic Direction 4 Responsible, Transparent and Responsive

ALIGNMENT TO COUNCIL PLAN STRATEGIC OBJECTIVES

N/A

DISCUSSION

The CEO Employment and Remuneration Policy is required to be in place by 1 January 2022. Council does not have an existing policy relating to CEO employment, so this is a new policy for Council.

A draft CEO Employment and Remuneration Policy (**Appendix A**) has been prepared incorporating the *Local Government Act 2020* requirements and benchmarking with best practice examples across the sector by the Manager People and Culture. This has further been supported by legal review for legislative compliance and best practice. The policy has been developed with consideration of the CEO Employment Matters Committee Charter provided in **Appendix B**. The draft CEO Employment and Remuneration Policy (the Policy) is provided in **Appendix A** for Council review and consideration.

This Policy has been reviewed by the CEO Employment Matters Committee and is recommended to Council for adoption.

This Policy will provide direction to the matters considered by the CEO Employment Matters Committee as an Advisory Committee to Council, and in Council's management of the employment and remuneration of the Chief Executive Officer.

Adoption of the Policy will provide certainty to all parties and sets out the process and requirements for CEO employment matters. The CEO (Chief Executive Officer) Employment and Remuneration Policy provides for the following matters which Council is responsible for under the Act:

- the recruitment and appointment of the Chief Executive Officer
- provisions to be included in the contract of employment
- the appointment of an Acting Chief Executive Officer
- the provision of independent professional advice in relation to the matters dealt within the Policy
- the monitoring of the Chief Executive Officer's performance
- an annual review of the Chief Executive Officer's performance
- any other matters prescribed by legislation
- determining the Chief Executive Officer's remuneration.

CONSIDERATION OF LOCAL GOVERNMENT ACT (2020) PRINCIPLES

Financial Management

The main cost associated is the remuneration of a person to provide independent advice to the advisory committee and cost of any legal advice.

A component of the draft CEO Employment and Remuneration Policy includes decision making with regard to CEO Credit Card transactions and request for reimbursement by the CEO. Oversight on CEO Credit Card transactions is currently provided by the Audit and Risk Committee twice annually. The draft Policy incorporates best practice process that all Credit Card transactions and Reimbursements be approved by Council twice annually.

Community Engagement

Affected persons rights and interests

Before making a decision that affects a person's rights, Council must identify whose rights may be directly affected and provide an opportunity for that person (or persons) to convey those views regarding the effect on their rights and consider those views.

The CEO and Manager People and Culture have been consulted in the preparation of this policy, noting that the policy incorporates the requirements of the *Local Government Act 2020*.

Other Principles for consideration

Overarching Governance Principles and Supporting Principles

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

Public Transparency Principles

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

Strategic Planning Principles

N/A

Service Performance Principles

N/A

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

There is no direct climate emergency and environmental sustainability implications resulting from Council adopting a CEO Employment and Remuneration Policy.

Equity, Inclusion, Wellbeing and Human Rights Considerations:

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities and the Policy includes that Council will carry out its functions relating to the appointment, remuneration and performance appraisal of the CEO in accordance with the principle that decisions to appoint new employees that are based on competitive selection, open processes.

Economic Development and Cultural Considerations

N/A

Operational Impacts

The draft CEO Employment and Remuneration Policy articulates the role of the Manager People and Culture and General Manager Governance and Engagement in relation to CEO employment and remuneration matters.

The draft Policy also provides direction on the establishment and management of the employment of the CEO.

Legal and Risk Implications

The CEO Employment and Remuneration Policy will support the Council to effectively manage the CEO employment lifecycle and employment related matters and meet its obligations under the *Local Government Act 2020*.

The draft CEO Employment and Remuneration Policy was subject to independent legal review to confirm best practice and legislative compliance in December 2021.

IMPLEMENTATION ACTIONS

Once adopted (subject to Council's decision) the CEO Employment and Remuneration Policy will come into effect from 31 December 2021 and support Council to continue considerations regarding CEO employment matters.

The Manager People and Culture will undertake an approach to market in accordance with Council's Social and Sustainable Procurement Policy to engage an appropriate provider to provide independent remuneration and employment advice to the CEO Employment Matters Committee in accordance with the CEO Employment and Remuneration Policy. The CEO

Employment Matters Committee will be briefed as soon as possible with the scope of this approach and the recommendation(s) regarding this appointment. A report will be presented to Council at its January meeting for decision.

RELATED DOCUMENTS

CEO Employment Matters Committee Charter

Local Government Act 2020

Attachments

- Draft CEO Employment and Remuneration Policy (**Appendix A**) [↓](#)
- CEO Employment Matters Committee Charter (**Appendix B**) [↓](#)

DISCLOSURE OF INTEREST

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

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



CEO Employment and Remuneration Policy

<p>Purpose</p>	<p>This policy sets out the way in which Council will manage the recruitment and appointment of its Chief Executive Officer, providing principles for meeting the requirements of Section 45 of the <i>Local Government Act 2020 (The Act)</i>.</p> <p>This policy must have regard to the State Government's wages policy and any recent or relevant Victorian <i>Independent Remuneration Tribunal Determination</i>.¹ ²</p>
<p>Scope</p>	<p>The employment cycle of a CEO is a core responsibility of the elected Council. This policy outlines the mechanisms which will support the Council in fulfilling its obligations regarding CEO employment and remuneration.</p> <p>This policy sets out the framework and process for managing CEO employment matters, including employment, remuneration and review.</p> <p>In the event of any inconsistency between this policy and the CEO's Contract of Employment, subject to the Act, the provisions of the Contract of Employment shall prevail to the extent of the inconsistency.</p>
<p>Definitions and Abbreviations</p>	<p>Act - Local Government Act 2020.</p> <p>Chief Executive Officer (CEO) - Person occupying the office of Chief Executive Officer of Council, and includes a person acting in that office.</p> <p>Committee - CEO Employment Matters Committee, an advisory Committee to Council.</p> <p>Council - Darebin City Council, being a body corporate constituted as a municipal Council under the Local Government Act 1989 and the Local Government Act 2020.</p> <p>Councillors - Individuals holding the office of a member of Darebin City Council</p> <p>Independent Chair - The independent chairperson will provide advice to the CEO Employment Matters Committee and, annually develop the draft performance criteria and performance review methodology for consideration by the Committee and Council.</p>
<p>Policy Statements</p>	<p>This policy has been developed to support the requirements of the Local Government Act 2020 relating to CEO employment and remuneration.</p> <p>The Policy has been developed in accordance with the requirements of section 45 of the Local Government Act 2020 (The Act) and provides guidance on management of CEO employment, including:</p> <ul style="list-style-type: none"> • Recruitment • Contract of employment

¹ Section 45(3)(a) of the Act requires Council to have regard to any statement of policy issued by Government of Victoria which is in force with respect to its wages policy (or equivalent). The current Victorian Government Wages Policy applies in the public sector until 31 December 2021. See: <https://www.vic.gov.au/wages-policy-and-enterprise-bargaining-framework>

² Section 45(3)(b) of the Act requires Council to have regard to the published remuneration bands for executives employed in public service bodies. See: <https://www.vic.gov.au/tribunals-determination-vos-executive-remuneration-bands>

	<ul style="list-style-type: none"> • Remuneration • Setting annual performance objectives and measures • Managing performance and performance reviews • Other terms and conditions of employment, including any requirements prescribed in Regulations <p>Principles</p> <p>Council will carry out its functions relating to the selection, appointment remuneration and performance review of the CEO in accordance with the following principles:</p> <ul style="list-style-type: none"> • decision-making processes are fair, accessible and applied consistently; • decision-making criteria are relevant, objective and available to the CEO; • documentation is sufficiently clear and comprehensive to render decisions transparent and capable of effective review; • employment decisions are based on the proper assessment of the CEO's work-related qualities, abilities and potential against the genuine requirements of the role; and • decisions to appoint a new CEO that are based on competitive selection transparent processes and objective criteria.
<p>Mandatory Contract Terms</p>	<p>The mandatory contractual terms and conditions for the Chief Executive are:</p> <ul style="list-style-type: none"> • A contract of employment is to be offered for a period of up to five years; • A CEO is eligible to be reappointed under a new contract of employment; • If there is a vacancy in the office of the CEO or the CEO is unable to perform the duties of the office of the CEO, the Council must appoint a person to be the Acting CEO if it is for more than 28 days. • The total remuneration package (TRP) includes salary, superannuation, the cost of a motor vehicle to an employer and the cost of other employment benefits and associated fringe benefits tax, but excludes general business expenses such as laptop computers, mobile phones or study leave; • Superannuation (and the TRP) will increase if the charge percentage increases under superannuation guarantee legislation, in accordance with the VIRT Guidance that employers should bear the cost of increases to superannuation liabilities and the recent VIRT determination); and • Termination of contract provisions – the employer may terminate a contract by providing the executive with six months' notice in writing.
<p>Mandatory Policy Criteria</p>	<p>Section 45(2, a) of the Act requires the policy to provide for the Council to obtain professional advice in relation to the matters dealt with in the Chief Executive Officer Employment and Remuneration Policy.</p> <p>At Darebin, the responsibility for assisting the Council with its obligations regarding CEO employment, performance and remuneration matters shall be delivered through the establishment of a CEO Employment Matters Committee.</p> <p>Independent Professional Advice</p> <p>The CEO Employment Matters Committee (the Committee) may obtain independent advice in relation to any matters dealt with in the CEO Employment and Remuneration policy, including but not limited to, CEO performance review and CEO recruitment.</p> <p>CEO Performance Review</p> <p>An independent consultant will be appointed by the officers supporting the Committee to assist with the CEO's annual review process. The consultant will support the Committee with assessing the performance of the CEO against the current annual objectives, and the development of new objectives for the following performance year. If required, the consultant shall provide briefings to Councillors.</p>

	<p>Annual reviews will include the opportunity to provide the CEO with performance related feedback in person and input into the CEO's development plan. The CEO will also provide feedback on Council through a review process facilitated by the independent Chair in conjunction with the independent consultant.</p> <p>The performance review will be completed annually to coincide with the anniversary of the CEO's commencement date, unless an alternative date is agreed (in order to align to annual delivery requirements).</p> <p>An informal performance review will be conducted within 6 months of the formal annual review each year thereafter. The informal review will provide the CEO with feedback and the opportunity to adjust any of the objectives set in the formal performance review if required. The independent consultant will be available to provide support for this review at the request of the Committee.</p> <p>Outcomes of the performance review and future performance plans and KPI's will be recommended to Council through a confidential report and formal resolution.</p> <p>CEO Remuneration Following the annual formal performance review of the CEO the independent consultant will support the Committee to review the remuneration of the CEO.</p> <p>In determining the CEO's Total Remuneration Package, on appointment and in subsequent reviews, the Council must have regard to:</p> <ul style="list-style-type: none"> • Any statement of policy issued by Government of Victoria which is in force with respect to its wages policy (or equivalent) • Any Determination that is currently in effect under section 21 of the <i>Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019</i> relating to remuneration bands for executive employees employed in public service bodies <p>The Committee will make a recommendation to Council through a confidential report and formal resolution.</p> <p>CEO Recruitment Council will appoint a specialist recruitment consultant to manage the end to end process of CEO recruitment. This will include;</p> <ul style="list-style-type: none"> • Taking a brief from the Council on the role and the ideal candidate; • Preparing a detailed schedule outlining the recruitment process; • Developing an advertising strategy to attract suitable candidates; • Assisting the Council to conduct interviews to determine a shortlist of candidates; • Conducting the relevant psychometrics to be applied to the recruitment • Conducting reference checks on the preferred candidate; • Performing probity checks on the preferred candidate; • Working with the Manager People & Culture to issue the contract of employment for the new CEO; • Working with the General Manager Governance and Engagement and Manager People and Culture to induct the new CEO. <p>Council must resolve to execute the contract of employment.</p> <p>Appointment of a recruitment consultant, appointment of an acting CEO in excess of 28 days, re-appointment or appointment of a substantive CEO will be recommended to Council through a confidential report and formal resolution.</p> <p>Council must not delegate the power to appoint the CEO, whether on a permanent or acting basis, however it may delegate to the CEO the power to appoint an Acting CEO for a period not exceeding 28 days (sections 11(2)(d) and 11(3) of the Act).</p>
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	<p>Council must not delegate the power to make any decision in relation to the employment, dismissal or removal of the CEO (Section 11(2)(e) of the Act).</p> <p>A Council resolution is required for the appointment of the CEO, the reappointment of the current CEO or any variation to the contract of employment.</p> <p>CEO Expenses</p> <p>The Chief Executive Officer will be provided with a Corporate Card to use. Corporate card expenditure will be reviewed and approved by the Chief Financial Officer, in conjunction with the General Manager Governance & Engagement for payment purposes. The independent Audit & Risk Committee will receive twice annual reporting on all CEO corporate card transactions for oversight.</p> <p>Council will receive a report on credit card transactions and any claim for reimbursements for approval twice annually. Credit card transactions not approved by Council will be reimbursed by the CEO to Council.</p> <p>Council will meet expenses incurred by the CEO including:</p> <ul style="list-style-type: none"> • Membership and subscription fees payable to professional association which are necessary or desirable in performance of duties; • Reasonable costs incurred where attending conferences, seminars or undertaking professional development activities; and • Reasonable costs incurred in performance of duties. <p>Contract Expiry</p> <p>The Committee must make recommendations to Council six months prior to the expiry of the CEO contract and with regards to current legislation to:</p> <ul style="list-style-type: none"> • reappoint the CEO; and/or • advertise for recruitment the role of CEO. <p>Such recommendations will be made through a confidential report to Council with a resolution outlining the recommended course of action.</p>
<p>Responsibilities</p>	<p>How is Council responsible for the success of the policy?</p> <p>The Council is responsible for the success of the policy by:</p> <ul style="list-style-type: none"> • The recruitment, appointment, reappointment and management of the CEO including an Acting CEO, where required • Appointing the members of the Committee – including the Mayor, Deputy Mayor and some or all of the Councillors • Appointing the Independent member(s) of the Committee • Appointing independent consultants when required • Adopting, overseeing and monitoring the implementation of this Policy • Undertaking a review of the Policy within six (6) months of each Council election. <p>The Council must also have regard to:</p> <ul style="list-style-type: none"> • any statement of policy issued by the Government of Victoria which is in force with respect to its wages policy (or equivalent); and • any determination that is currently in effect under section 21 of the <i>Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019</i> in relation to remuneration bands for executives employed in public service bodies, in the implementation of the

	<p>Policy.</p> <p>Councillors must also have regard to the Councillor Code of Conduct (January 2021), specifically:</p> <ul style="list-style-type: none"> - Section 3 Roles and Responsibilities - Section 4 Standards of Conduct - Section 5 Working Together <p>How is the Audit & Risk Committee responsible for the success of the policy?</p> <p>The Audit and Risk Committee is responsible for the success of the policy by:</p> <ul style="list-style-type: none"> • Overseeing adherence to the CEO Employment and Remuneration Policy • Overseeing adherence to the Credit Card Policy for expenses incurred by the CEO. <p>How is the Chief Executive Officer responsible for the success of the policy?</p> <p>The Chief Executive Officer is responsible for the success of the policy by:</p> <ul style="list-style-type: none"> • Providing secretariat support independent of influence to support the Committee in its functions <p>How are the General Manager Governance and Engagement and the Manager People & Culture responsible for the success of the policy?</p> <p>The General Manager Governance and Engagement and Manager People & Culture is responsible for the success of the policy by:</p> <ul style="list-style-type: none"> • Providing secretariat and logistical functions to Council which facilitate the reports and documentation required under this policy. <p>The GM Governance & Engagement will:</p> <ul style="list-style-type: none"> • Lead the relationship with the Committee Independent Chair • Coordinate the calling of the CEO Employment Matters Committee • Act as Secretariat for the Committee (primary) • Council Reporting on performance and contract reviews. <p>The Manager People & Culture</p> <ul style="list-style-type: none"> • Supports the Committee Independent Chair as required • Act as Secretariat for the Committee (secondary) • Supports the preparation of Council Reports relating to performance and contract reviews and assists in presenting as required • Prepares the Committee meeting agenda • Support professional development opportunities for the CEO. <p>How is the CEO Employment Matters Committee responsible for the success of the policy?</p> <p>The CEO Employment Matters Committee is responsible for the success of the policy by undertaking the responsibilities of the Committee as set out in this Policy, the Committee Charter and the Act, including:</p> <ul style="list-style-type: none"> • Developing and recommending performance criteria and undertaking; • the annual review of the CEO • Identifying and recommending appropriate development opportunities for
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	<p>the CEO</p> <ul style="list-style-type: none"> • Making recommendations on the CEO's Total Remuneration Package and remuneration reviews • Advising of conflicts of interest • Performing any other prescribed functions or responsibilities stipulated under the Local Government Act 2020 or Regulations. • Adhering to the principles of this policy, and any other relevant Council policy <p>How is the Independent Chair responsible for the success of the policy?</p> <ul style="list-style-type: none"> • Attending meetings of the Committee • Assisting in developing performance criteria and undertaking the annual review of the CEO • Performing other functions as required in supporting the CEO's performance reviews and performance development, providing advice on appropriate development opportunities for the CEO • Providing independent advice on the CEO's Total Remuneration Package and remuneration reviews • Ensuring that the Committee adheres to the principles of this policy, and any other relevant Council policy • Advising of any conflict of interest <p>How is the Independent advisor responsible for the success of the policy?</p> <ul style="list-style-type: none"> • Provide independent professional advice in relation to the matters dealt with in the Chief Executive Officer Employment and Remuneration Policy, and providing independent advice and services towards which may be one or more of the below actions: <ul style="list-style-type: none"> ○ the recruitment and appointment process ○ provisions to be included in the contract of employment ○ performance monitoring ○ annual review <p>Integrity of the Processes</p> <p>All information relating to the recruitment, selection and review processes must be kept confidential. Councillors, independent chair and advisors, and staff involved in the processes must take all reasonable steps to maintain confidentiality and respect the privacy of all persons involved.</p> <p>Any breaches of confidentiality may constitute a breach of the Councillor or Employee Code of Conduct.</p> <p>Reporting</p> <p>Disclosure of the CEO's Total Remuneration Package will only be by way of information included in Council's Annual Report and in accordance with any other legislative requirements.</p>
<p>Breach of Policy</p>	<p>Breaches of policies are treated seriously. Any concerns about non-compliance should be reported immediately to the owner of this policy.</p>

GOVERNANCE

<p>Parent Strategy/ Plan</p>	<p>Council Plan</p>
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Supporting Procedures and Guidelines	This policy is enabled and supported by: <ul style="list-style-type: none"> • Victorian Independent Remuneration Tribunal (VIRT) Determination • CEO Employment Matters Committee Charter • CEO Performance Plan • Councillor Code of Conduct 2021
Legislation/ Regulation	Local Government Act 2020 Local Government Planning and Reporting Regulations Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019
Author	Manager, People and Culture
Policy Owner/ Sponsor	General Manager, Governance and Engagement
Date Effective	31 December 2021
Review Date	December 2024; and this policy shall thereafter be reviewed, in consultation with the CEO Employment Matters Committee, after each election
Version Number	1.0
Document ID	TBD
Content enquiries	Manager, People and Culture



CEO Employment Matters Committee Charter

Purpose	An Advisory Committee appointed to assist Council in fulfilling its responsibilities relating to CEO Employment Matters. The Committee will need to be established within 6 months following the Council election, and the Charter reviewed during this period.
Authority	<p>The CEO Employment Matters Committee has the responsibility for recommending and advising Darebin City Council on:</p> <p>a) Contractual matters relating to the CEO or the person to act as the CEO, including, but not limited to, the following:</p> <ul style="list-style-type: none"> • Recruitment of the Chief Executive Officer ('the CEO') or the person to act as the CEO; • Remuneration and conditions of appointment of the CEO or person to act as the CEO • Extension (i.e. reappointment) of the CEO or person to act as the CEO <p>b) To conduct performance reviews of the CEO and make any recommendations to Council as a result of the review including:</p> <ul style="list-style-type: none"> • determining the Performance Plan of the CEO • monitoring the CEO's achievement of the Performance Plan; and • preparing an Annual Review Report on the CEO's performance and key terms of employment. <p>c) To perform any other prescribed functions or responsibilities stipulated under the <i>Local Government Act 2020</i> or Regulations.</p>
Composition	<ul style="list-style-type: none"> • The Committee will be constituted by an independent chairperson, the Mayor and all Councillors. • A quorum requires the Independent Chair to be present (in person or remotely) • A quorum of six members will be necessary to transact business of the Committee. • The Darebin City Council Governance Unit will make a recommendation to Council on the appointment of an independent chairperson. The independent chairperson appointed by Council will be a neutral person with appropriate experience.
Chairperson	<ul style="list-style-type: none"> • The independent chairperson is to be appointed for a two-year term with an option for a further two one-year term extensions by mutual consent with Council.



	<ul style="list-style-type: none"> • The independent chairperson cannot be a Councillor or member of Council staff. • The independent chairperson will provide advice to the Committee and, annually develop the draft performance criteria and performance review methodology for consideration by the Committee and Council. • The independent chairperson is entitled to vote on recommendations put before the Committee. • The independent chairperson is entitled to be remunerated for their work.
<p>Meetings</p>	<p>The CEO Employment Matters Committee will meet twice yearly with authority to convene additional meetings, as circumstances require.</p> <p><u>Agenda</u></p> <ul style="list-style-type: none"> • Agenda items can be submitted by Members for consideration for inclusion by the Chair. • The structure of the Committee Agenda and documents will be determined by the Chair. • Meeting agendas will be prepared and provided at least seventy-two (72) hours in advance to members, along with appropriate briefing materials. <p><u>Quorum</u></p> <ul style="list-style-type: none"> • A quorum of the Chair and at least five other members will be necessary to transact the business of the committee. • If a quorum is not present within 20 minutes of the time appointed for the commencement of the meeting, the meeting shall lapse. • If a quorum fails after the commencement of the meeting, the meeting shall lapse. Business that is unfinished at the completion of a meeting may at the discretion of the Chair be referred to the next meeting of the Committee. <p><u>Minutes</u></p> <ul style="list-style-type: none"> • The General Manager, Governance and Engagement will take the minutes for each Committee meeting. • Minutes will be prepared and distributed to the CEO Employment Matters Committee within three (3) working days of the meeting. • The minutes shall be in a standard format including a record of those present, apologies for absence, adoption of previous minutes and a list of adopted actions and resolutions of the Committee. • Minutes of each meeting will be presented at the next Council meeting.
<p>Attendance at Meetings</p>	<p>A member who is unable to attend a meeting is required to provide their apology to the Chair in advance. The member will be noted as absent from the record of the meeting.</p>
<p>Conflict of Interest</p>	<p>If a Member has a conflict of interest relating to any item on a Meeting Agenda, the member must verbally disclose the type and nature of the interest immediately before consideration of the matter in question.</p>



Confidentiality	All Committee meetings, discussion and records are considered confidential and are as designated as such.
Responsibilities	<p>The CEO Employment Matters Committee has the following functions and responsibilities:</p> <p>Recruitment and Contract commencement</p> <p>The Committee should undertake the recruitment process* adopted for the CEO and any person to act as the CEO. The Committee must make recommendations to Council on contractual matters of the:</p> <ul style="list-style-type: none"> • CEO; and • Person to act as CEO. <p>This includes making recommendations on:</p> <ul style="list-style-type: none"> • Appointment; and • Remuneration and other conditions of employment. <p><i>*It is open to Council to contract an executive recruiter to assist. If so, the Committee should oversee the appointment of that person or organisation and subsequent steps in the recruitment process.</i></p> <p>Annual Review</p> <p>The Committee must conduct a performance review of the CEO and make recommendations to Council on matters including:</p> <ul style="list-style-type: none"> • Whether the CEO meets the performance criteria in the contract; • Implement incremental remuneration increases; and • Vary performance criteria, remuneration, or other terms of conditions of the contract. <p>Note: A performance criteria for a person acting as the CEO is optional. If included in a contract, this should be reviewed by the Committee.</p> <p>Contract Expiry</p> <p>As part of a performance review of the CEO* the Committee must make recommendations on whether:</p> <ul style="list-style-type: none"> • To reappoint the CEO (6 months leading up to termination of the CEO's contract of employment). • Exercise an option to renew the contract. • Early termination of the contract where warranted. • To terminate in accordance with the contract. <p><i>*The Committee should also make recommendations on termination of an acting CEO following a performance review.</i></p>
Dispute Resolution Procedure	The CEO's employment contract should include a dispute resolution procedure, to deal with disputes arising out of the contract.
Fees	Council will pay a set fee of \$1,200 per meeting to the independent Chairperson. The amount of the fee has regard to the specific roles and responsibilities the chairperson will undertake.



	<p>The Chairperson Fee:</p> <ul style="list-style-type: none"> • Will be paid to the Chairperson of the CEO Employment Matters Committee immediately following the scheduled Committee meetings. • An agreed additional fee will be paid to the independent chairperson for every meeting attended that exceeds the required two (2) meetings in any one year. <p><i>Note: The year to year date is based on the anniversary engagement date of the independent chairperson.</i></p>
Support	<p>To facilitate the operation of the CEO Employment Matters Committee, the Chief Executive Officers delegate has responsibility to provide:</p> <ul style="list-style-type: none"> • Information and any necessary training for members in relation to their responsibilities under the Local Government Act 2020. • Officer advice in respect of matters before the CEO Employment Matters Committee. • Secretariat and logistical functions to the CEO Employment Matters Committee.
Records	<p>All records pertaining to the Committee's function shall be kept by the General Manager Governance and Engagement on the CEO's personnel file.</p> <p>The records may be accessed by the Chair, Mayor and CEO (current incumbent only).</p>
Key Meeting and Reporting Requirements	<ul style="list-style-type: none"> • Mid-year Performance Review (CEO & Committee). • Full Year Performance Review (CEO & Committee). • Submission of the Committee's Annual Review report to the Council - to occur within 4 weeks the anniversary date of the CEO's date of commencement of employment.

8.4 PROPERTY MATTERS**Author:** Coordinator Property Services**Reviewed By:** General Manager, Governance and Engagement

EXECUTIVE SUMMARY

This report provides Council an update on the completion of the statutory procedures to discontinue the road adjoining 1 and 3 Merrilands Road and 4 Hughes Parade, Reservoir.

The report further recommends the land from the discontinued road be sold to the owners of 4 Hughes Parade, Reservoir, by private treaty in accordance with Council Policy.

Officer Recommendation

Discontinued road adjoining 1 and 3 Merrilands Road and 4 Hughes Parade, Reservoir**That Council:**

1. Notes that following completion of the statutory procedures under section 206 and clause 3 of Schedule 10 to the Local Government Act 1989 for the discontinuance and sale of the road adjoining the rear of 1 to 11 Merrilands Road, 4 to 10 Hughes Parade and 12 Asquith Street, Reservoir, the owners of both 1 and 3 Merrilands Road, Reservoir have declined to purchase from Council the land adjoining their properties shown as Lots 10 and 8 respectively on Title Plan TP967921V (version 8) in **Appendix A**.
 2. Directs that the land from the discontinued road, shown as Lot 5 on Title Plan TP967921V (version 6) in **Appendix A** be sold to the owners of 4 Hughes Parade, Reservoir, by private treaty in accordance with Council Policy.
 3. Authorises the Chief Executive Officer to sign all documents relating to the sale of the land.
 4. Transfers to itself any land from the road not sold.
 5. Authorises the Chief Executive Officer to undertake all actions required to transfer to Council any land not sold.
-

BACKGROUND / KEY INFORMATION

Council is required to consider a range of property matters for decision. These include matters such as property acquisitions and disposals, statutory naming processes, Right of Way disposals and proposed Road declarations. In accordance with best practice and good governance principles reporting of property matters has been consolidated into one single standing report.

Local Government Act

Section 189 (Restriction on power to sell land) of the *Local Government Act 1989* (Act) was revoked on 1 July 2021 and replaced by Section 114 of the *Local Government Act 2020*.

Section 114 of the *Local Government Act 2020* is similar to section 189, however the exemption from compliance with section 223 (the right to make a submission) has been removed.

Because section 223 does not apply under the 2020 Act, from 1 July 2021, any sale of land from a discontinued road must first comply with the community engagement provisions of Council's Community Engagement Policy.

Accordingly, from 1 July 2021 Council will be required to undertake a 2 staged process of first resolving to discontinue a road and sell the land under clause 3 of Schedule 10 of the Act and then propose the sale of the land under section 114 of the 2020 Act

The statutory procedures under section 114 of the *Local Government Act 2020* requires that Council publish a notice of its intention to sell the Land on the Council's website and undertake a community engagement process in accordance with its community engagement policy.

In contrast to the now repealed s. 189 of the *Local Government Act 1989*, Section 114 of the *Local Government Act 2020* does not require Council to publish a public notice in a newspaper circulated within the municipality nor provide for the lodgement of submissions to Council and the consideration of those submissions, pursuant to section 223 of the *Local Government Act 1989*.

Nevertheless, in order to provide a mechanism for feedback from interested parties as part of Council's community engagement process, it is recommended that Council invite both written and verbal submissions on the proposal, and deal with any submissions received, in line with the principles set out in section 223 of the *Local Government Act 1989*.

Under the principles, the notice of intention to sell the Land will afford affected parties the right to lodge a written submission with Council. Submitters may request to be heard by Council prior to a decision being made to proceed or otherwise with the proposal. Any verbal submissions received will be considered by Council's Hearing of Submissions Committee.

Previous Council Resolutions

At its meeting held on 26 April 2021, resolved:

"That Council:

Having given public notice of a proposal to discontinue the road adjoining adjoining the rear of 1 to 11 Merrilands Road, 4 to 10 Hughes Parade and 12 Asquith Street, Reservoir, shown hatched on **Appendix A** to this report, and having considered/heard the submissions from the owners of 1, 3, 5 and 11 Merrilands Road in accordance with section 223 of the *Local Government Act 1989*:

- (a) Has formed the opinion that the road shown in the statutory plan in **Appendix A** and coloured yellow on the aerial view in **Appendix B** to this report, is no longer required for road purposes;
- (b) Discontinues the road in accordance with section 206 and schedule 10, Clause 3 to the *Local Government Act 1989*;
- (c) Directs that a notice be published in the Victoria Government Gazette;

- (d) Directs that the land from the road be sold by private treaty to the owners of the adjoining properties at 8 Hughes Parade, 10 Hughes Parade, 5 Merrilands Road, 7 Merrilands Road and 12 Asquith Street, Reservoir, 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;
- (e) Directs that specifically having taken into consideration the submissions from the owners of 1 and 3 Merrilands Road, the land from the road located at the rear of 4 Hughes Parade and 1 & 3 Merrilands Road be divided in a fair and equitable manner and sold by private treaty to the owners of 4 Hughes Parade, 1 Merrilands Road and 3 Merrilands Road, in accordance with Council's Sale of Minor Council Property Assets Policy.
- (f) 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 and to do all other acts to enable any land from the Road not sold to the adjoining property owners to be transferred to Council; and
- (g) Directs that the discontinuance and sale will not affect any right, power or interest held by Yarra Valley Water and Darebin City Council, in the road in connection with any sewers, drains or pipes under the control of Yarra Valley Water and Darebin City Council in or near the road.
- (h) Directs that the Chief Executive Officer notify in writing each person who has made a separate submission of the decision of Council and the reasons for the decision, the reasons being:
 - (i) Council considers that the road is not reasonably required as a road for public use.
 - (ii) that Council considers that it is acting in accordance with the functions and powers conferred upon it under the Local Government Act 1989 (Vic), having regard to its role, purposes and objectives, particularly in relation to the efficient management of resources in Council's control and having regard to the long-term occupation and use of the road.

ALIGNMENT TO 2041 DAREBIN COMMUNITY VISION

Strategic Direction 3: Climate, Green and Sustainable

ALIGNMENT TO 2021-25 COUNCIL PLAN

Strategic Direction 4 Responsible, Transparent and Responsive

ALIGNMENT TO COUNCIL PLAN STRATEGIC OBJECTIVES

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

DISCUSSION

Council's property portfolio must meet current service needs while providing the flexibility to meet future requirements. Roads, reserves, revenue strips 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 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 any other strategic purposes it may be considered surplus and suitable for sale.

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

The purchase price has been determined through an independent valuation and all associated transfer costs have been agreed with the Applicant through a signed letter of offer.

This work will be undertaken within current budget parameters.

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

(a) Council decisions are to be made and actions taken in accordance with the relevant law;

Public Transparency Principles

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

Strategic Planning Principles

(d) strategic planning must identify and address the risks to effective implementation;

Service Performance Principles

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

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

The land is currently occupied as passive open space and any future use of the land will be guided through planning and building regulations and controls.

Equity, Inclusion, Wellbeing and Human Rights Considerations:

An Equity Impact Assessment (EIA) / Gender Impact Assessment has been conducted.

The proposed sale of land process undertaken was confirmed to accord with suitable EIA measures. This included that that all adjoining landowners were:

- afforded an equal opportunity to purchase the land
- had financial capacity to purchase
- protect their current and future property rights
- ensure that each adjoining landowner were not prohibited by language barriers or Covid related issues (which affected their ability to respond).

Economic Development and Cultural Considerations

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

Operational Impacts

There are no operational impacts given the land is not actively managed as public open space and all drainage rights are reserved in favour of Yarra Valley Water.

Legal and Risk Implications

Any legal or other risks and governance implications associated with the matter have been highlighted in the reporting to Council.

IMPLEMENTATION ACTIONS**Timeline**

It is expected that all relevant actions will be implemented within 4 - 6 weeks of Councils decision.

RELATED DOCUMENTS

- *Local Government Act 1989*
- *Local Government Act 2020*
- *Road Management Act 2004*
- Sale of Minor Council Property Assets Policy 2015

Attachments

- Appendix A - Sites & Plans (**Appendix A**) [↓](#)

DISCLOSURE OF INTEREST

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

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

Appendix A

Discontinued road adjoining 1 and 3 Merrilands Road and 4 Hughes Parade, Reservoir

To contextualise the property matter:

- Victoria Government Gazette notice is shown as **Figure 1**.
- The Title Plan TP967921V (version 8) is shown as **Figure 2**.
- The Title Plan TP967921V (version 6) is shown as **Figure 3**.
- The Aerial View is shown as **Figure 4**.

Figure 1 - Victoria Government Gazette notice discontinued road adjoining 1 and 3 Merrilands Road and 4 Hughes Parade, Reservoir

Victoria Government Gazette

G 22 3 June 2021

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**GOVERNMENT AND OUTER BUDGET
SECTOR AGENCIES NOTICES**

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 26 April 2021, resolved to discontinue the road adjoining the rear of 1 to 11 Merrilands Road, 4 to 10 Hughes Parade and 12 Asquith Street, Reservoir, shown on the plan below and to sell the land from the road by private treaty to the adjoining property owners and to transfer to itself any land not sold to the adjoining property owners.

The land from the road shown E-1 on the plan below is to be sold subject to the right, power or interest held by Yarra Valley Water in connection with any sewers, drains or pipes under the control of that authority in or near the road.

The land from the road shown E-2 on the plan below is to be sold subject to the right, power or interest held by Darebin City Council in connection with any drains or pipes under the control of that authority in or near the road.

The land from the road shown E-3 on the plan below is to be sold subject to the right, power or interest held by both Yarra Valley Water and Darebin City Council in connection with any sewers, drains or pipes under the control of those authorities in or near the road.



SUE WILKINSON
Chief Executive Officer

Figure 2 – Title Plan TP967921V (version 8) discontinued road adjoining 1 and 3 Merrilands Road and 4 Hughes Parade, Reservoir

TITLE PLAN		EDITION 1	TP967921V	
LOCATION OF LAND PARISH KEBUNODORA TOWNSHIP - SECTION - CROWN ALLOTMENT - CROWN PORTION 13 (PART) LAST PLAN REFERENCE L96681 DEPTH LIMITATION 90ES NOT APPLY TITLE REFERENCE VOL10145 FOL858 MGA CO-ORDINATES E 324 480 APPROX. CENTRE OF LAND BY PLAN N 5 828 000 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 LOT 5 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 ENCUMBERANCE A- APPURTENANT EASEMENT B- ENCUMBERING EASEMENT (ROAD)				
EASEMENT REFERENCE	PURPOSE	WIDTH (METRES)	ORIGIN	LAND BENEFITED/IN FAVOUR OF
E-1 & E-3	AS PROVIDED FOR IN SEC.287C LGA 1989	SEE DIAGRAM	SEC.287C LGA 1989	YARRA VALLEY WATER
E-2 & E-3	AS PROVIDED FOR IN SEC.287C LGA 1989	SEE DIAGRAM	SEC.287C LGA 1989	DAREBIN CITY COUNCIL
SEE SHEET 2 FOR DIAGRAM				
SHEET 1 OF 2 SHEETS ORIGINAL SHEET SIZE: A3		LICENSED SURVEYOR ANDREW CLUNTON SMITH		FILE NO : LGD
BARKER MONAHAN A DIVISION OF TERRAIN CONSULTING GROUP PTY LTD SURVEYORS, DEVELOPMENT AND LOCAL INFRASTRUCTURE CONSULTANTS 4/10 HUB STREET DEW 300 GPO BOX 3029 MELB 3001 TELEPHONE 9418 4332 FAX 9410 5389 E-MAIL: survey@barkermonahan.com.au		SIGNATURE DATE / /		DEALING CODE : LGA
		REF. 99362	VERSION 08	
		COMPUTER FILE: 99362PL04G	DATE: 01/07/2021	

Figure 3 - Title Plan TP967921V (version 6) discontinued road adjoining 1 and 3 Merrilands Road and 4 Hughes Parade, Reservoir.

TITLE PLAN		EDITION 1	TP967921V	
LOCATION OF LAND PARISH KELBUNDORA TOWNSHIP - SECTION - CROWN ALLOTMENT - CROWN PORTION 13 (PART) LAST PLAN REFERENCE LP86481 DEPTH LIMITATION DOES NOT APPLY TITLE REFERENCE VOL.4984 FDL723 MGA CO-ORDINATES E 324 480 (APPROX. CENTRE OF LAND IN PLAN) N 5 826 000 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 & E-3	AS PROVIDED FOR IN SEC.207C LGA 1989	SEE DIAGRAM	SEC.207C LGA 1989	YARRA VALLEY WATER
E-2 & E-3	AS PROVIDED FOR IN SEC.207C LGA 1989	SEE DIAGRAM	SEC.207C LGA 1989	DAREBIN CITY COUNCIL
SEE SHEET 2 FOR DIAGRAM				
SHEET 1 OF 2 SHEETS ORIGINAL SHEET SIZE: A3		LICENSED SURVEYOR ANDREW CLINTON SMITH SIGNATURE DATE / /		FILE NO : LGD DEALING CODE : LGA
BARKER MONAHAN A DIVISION OF TERRAIN CONSULTING GROUP PTY LTD SURVEYORS, DEVELOPMENT AND LOCAL GOVERNMENT CONSULTANTS 501 OLDFIELD ROAD, PRESTON 3072 P.O. BOX 1548 HEIGHAM WEST 3012 TELEPHONE 9518 9100 FAX 9476 2566 EMAIL:survey@barkermonahan.com.au		REF. 19362 COMPUTER FILE: 19362TP.06G	VERSION 06 DATE: 06/10/2020	

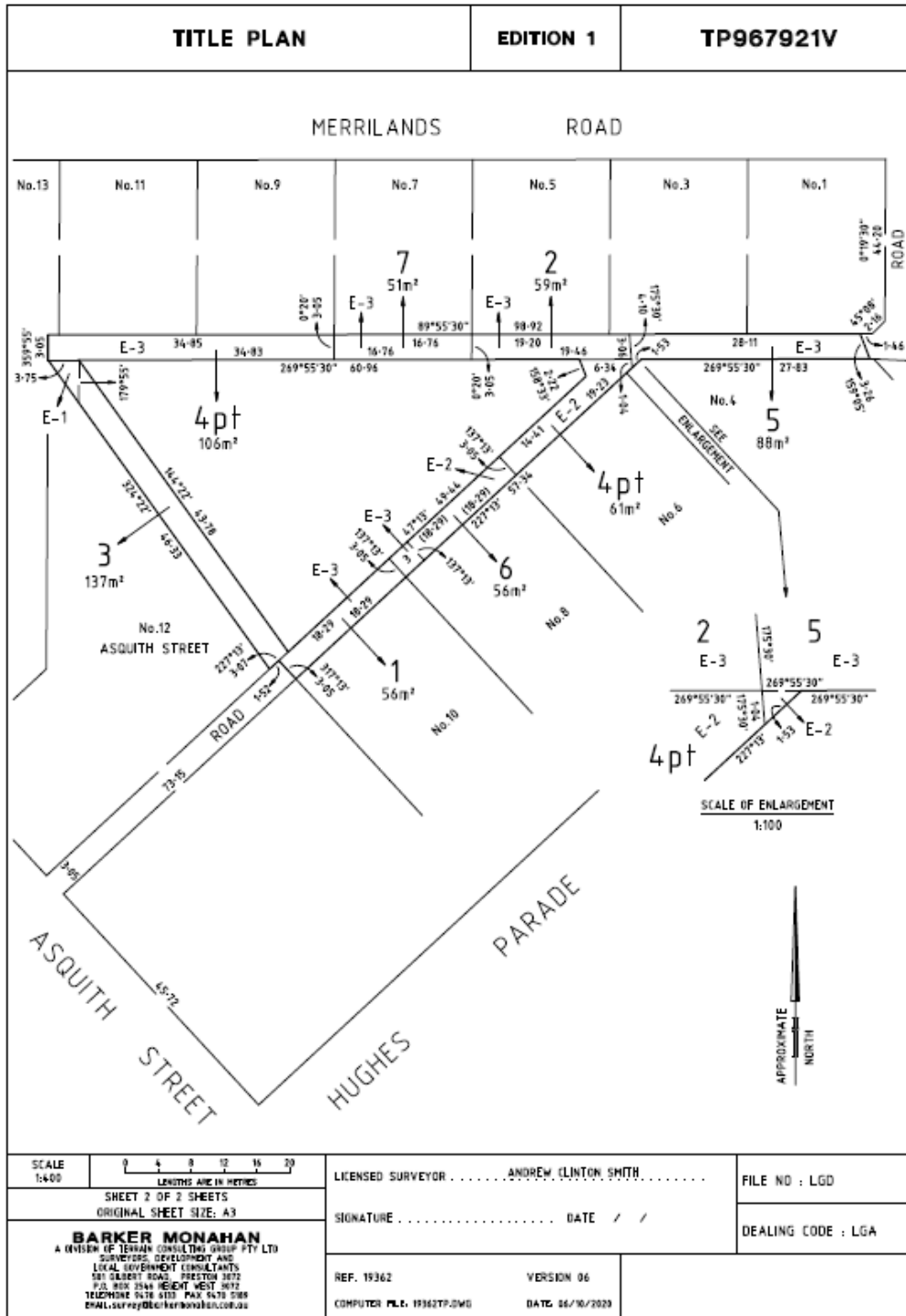


Figure 4 - Aerial View discontinued road adjoining 1 and 3 Merrilands Road and 4 Hughes Parade, Reservoir



Background Information discontinued road adjoining 1 and 3 Merrilands Road and 4 Hughes Parade, Reservoir

On 26 April 2021, Council resolved to discontinue the road adjoining the rear of 1 to 11 Merrilands Road, 4 to 10 Hughes Parade and 12 Asquith Street, Reservoir, and to sell the land by private treaty to the adjoining property owners in accordance with Council policy. The discontinuance was gazetted in the Victoria Government Gazette on 3 June 2021, shown in **Figure 1**.

In relation to the sale of part of the land adjoining the properties at 1 and 3 Merrilands Road and 4 Hughes Parade, Reservoir, Council directed that, after it had taken into consideration the submissions received from the owners of 1 and 3 Merrilands Road, the land at the rear of the properties be divided in a fair and equitable manner and sold by private treaty to the three adjoining owners of 1 and 3 Merrilands Road and 4 Hughes Parade, in accordance with Council policy.

In accordance with this decision, the land from the discontinued road at the rear of the properties was divided into three equal portions shown as Lots 8, 9 and 10 on Title Plan TP969921V (version 8) in **Figure 2**.

Letters of Offer to acquire the land from council were subsequently forwarded to the owners of 1 and 3 Merrilands Road and 4 Hughes Parade. In response, the owners of 1 and 3 Merrilands Road have expressed no interest in acquiring Lots 10 and 8, respectively.

The owners of 4 Hughes Parade have agreed to acquire Lot 9 on Title Plan TP969921V (version 8) and have also expressed an interest in acquiring the remaining lots if the owners of 1 and 3 Merrilands Road were not interested.

Given that the owners of 1 and 3 Merrilands Road no longer have an interest in the land, Council is in a position to sell all of the land to the owners of 4 Hughes Parade, Reservoir by private treaty, in accordance with its policy. This allocation would accord with the long-term occupation and use of the land by the owners of 4 Hughes Parade.

The owners of 4 Hughes Parade had previously signed a Letter of Offer to acquire all of the land from the road adjoining their property shown as Lot 5 on Title Plan TP969921V (version 6) in **Figure 3** at market value as well as meeting a share of the reasonable costs associated with Council discontinuing the road and it is proposed to revert to this Offer in moving forward with this proposal.

COMMUNICATIONS AND ENGAGEMENT

All immediate adjoining property owners were consulted as part of the formal procedures for the proposed discontinuance and sale of the road. As part of the formal process, the owners of both 1 and 3 Merrilands Road lodged written submissions with Council and addressed Councils Hearing of Submissions Committee at its meeting held on 29 March 2021 in support of their submissions.

Following the discontinuance of the road, the owners of 1 and 3 Merrilands Road and 4 Hughes Parade were once again consulted and provided with a Letter of Offer to confirm their interest or otherwise in purchasing part of the discontinued road from Council, in line with Council's decision of 26 April 2021.

The owners of 1 and 3 Merrilands Road have expressed no interest in acquiring the land allocated to them and have offered no objection to the land being sold to the owners of 4 Hughes Parade.

The owners of 4 Hughes Parade have confirmed their interest in acquiring the land shown as Lot 5 on Title Plan TP969921V (version 6) in **Figure 3** at market value as well as meeting a share of the reasonable costs associated with Council discontinuing the road

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 land would continue to remain vested in Council and with the adjoining property owners at 4 Hughes Parade continuing to occupy the land. Council may be perceived as knowingly encouraging and enabling property owners to continue to occupy other parcels of land 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 recommence the statutory process for the sale of the land.

Option 2 – Proceed with the Sale of the land (Recommended)

Council could resolve to proceed with the sale of the land. This would be consistent with the statutory procedures which have been completed and in accordance with the wishes of the 3 abutting property owners. Benefits of finalizing the sale will result in the receipt of revenue from the sale of the land which is no longer required for its original purpose.

IMPLEMENTATION STRATEGY

- Arrange for the land to be sold and transferred to the owners of 4 Hughes Parade, Reservoir, by private treaty in accordance with Council policy.
- Arrange for the land to be transferred to Council's ownership if not sold.

8.5 FINANCIAL REPORT FOR THE THREE MONTHS ENDED 30 SEPTEMBER 2021**Author:** Financial Accountant**Reviewed By:** General Manager, Governance and Engagement

EXECUTIVE SUMMARY

The Q1 financial review assessed the financial performance of Council's year-to-date to 30 September 2021.

The outcome of the review indicates that Council has achieved a year-to-date operating surplus of \$104.55 million, which is \$5.83 million ahead of the year to date budget. The Q1 capital works expenditure was \$6.61 million, which is \$0.6 million behind the budget.

The forecast result for the year ending 30 June 2022 is an operating surplus of \$5.49 million and capital works expenditure of \$64.22 million. The forecast underlying result for the year ending 30 June 2022 is a surplus of \$0.2 million.

Officer Recommendation

That Council:

- (1) Receives the Quarter One financial report ended 30 September 2021 as **Appendix A** to this report and notes the year to date financial results against budget.
-

BACKGROUND / KEY INFORMATION

Under the *Local Government Act 2020*, at least every three months the Chief Executive Officer must ensure that a statement comparing the budgeted revenue and expenditure for the financial year with the actual revenue and expenditure to date is presented to the Council at a Council meeting which is open to the public.

ALIGNMENT TO 2041 DAREBIN COMMUNITY VISION

Strategic Direction 1: Vibrant, Respectful and Connected

ALIGNMENT TO 2021-25 COUNCIL PLAN

Strategic Direction 4 Responsible, Transparent and Responsive

ALIGNMENT TO COUNCIL PLAN STRATEGIC OBJECTIVES

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

This report provides an overview of Council's financial result and financial position for the 3 months ended 30 September 2021. It includes some commentary on significant year-to-date variances

DISCUSSION

The Q1 financial review assessed the financial performance of Council's year-to-date to 30 September 2021.

The outcome of the review indicates that Council has achieved a year-to-date operating surplus of \$104.55 million, which is \$5.83 million ahead of the year to date budget. The first quarter capital works expenditure was \$6.61 million, which is \$0.6 million behind the budget.

The forecast result for the year ending 30 June 2022 is an operating surplus of \$5.49 million and capital works expenditure of \$64.22 million. The forecast underlying result for the year ending 30 June 2022 is a surplus of \$0.2 million.

CONSIDERATION OF LOCAL GOVERNMENT ACT (2020) PRINCIPLES

Financial Management

BACKGROUND / KEY INFORMATION

In accordance with the *Local Government Act 2020* (s97), as soon as practicable after the end of each quarter of the financial year, the Chief Executive Officer must ensure that a quarterly budget quarterly budget report is presented to the Council at a Council meeting that is open to the public. The quarterly budget report must include a comparison of the actual and budgeted results to date; an explanation of any material variations and any other matters prescribed by the regulations.

Operating Performance

For the three months ended 30 September 2021, Council has recorded an operating surplus of \$104.55 million, which is \$5.83 million ahead of the year-to-date budget. After eliminating capital and other items, the adjusted underlying surplus is \$103.79 million, which is \$5.07 million more than the full-year budget. An underlying surplus is the net surplus for the year adjusted for non-recurrent capital grants and contributions. It is an accepted measure of financial sustainability as it is not impacted by non-recurring or once-off items of revenue and expenses that can often mask the operating results.

Total revenue year-to-date is favourable by \$1.83 million and total expenditure year-to-date is favourable by \$4.0 million. The main items contributing to this favourable variance are greater income than budgeted from operating and capital grants, monetary contributions less expenditure for employee costs and materials and services.

At this point in time, there are no significant variances forecast compared to the adopted budget. As part of the 2022-23 annual budget process, a more thorough review will be undertaken for the mid-year report.

Revenue in Statutory fees and fines are unfavourable due to traffic enforcement income tracking slower than budget \$0.80 million. This is primarily due to the State Government Covid-19 restrictions.

Contributions received from developers for public open space and other capital works are \$0.23 million greater than budget.

Capital Performance

For the three months ended 30 September 2021, Council has expended \$6.61 million on the capital works program, which is \$0.59 million behind of the year-to-date budget. The variance

is due mainly to delays in infrastructure works offset by advance works undertaken at the new Narrandjeri Stadium \$2.8 million.

The adopted budget has increased from \$61.65 million to an annual forecast of \$64.22 million. This is due to additional carry forward works unbudgeted for infrastructure \$1.52 million, building renewals \$0.72 million, and \$0.28 million allocated towards IT infrastructure upgrades.

Financial Position

The financial position as at 30 September 2021 shows a cash and investment balance of \$63.24 million, which is \$7.67 million ahead of budget. The variance is due mainly to timing differences in receipt of rates, government receipts, payments to employees and suppliers and a higher opening cash and investment position compared with budget. The cash and investment balance of \$63.24 million was sufficient to meet restricted cash and intended allocation obligations of \$40.63 million at the end of September. Restricted cash is the amount of cash holdings Council requires to meet external restrictions such as trust funds, statutory reserves and cash for intended allocations, such as cash held to fund future capital works.

The net current asset position is \$140.05 million, which is \$2.46 million more than budget. Due mainly to the prior year revaluation decrement of infrastructure assets, the net asset position of \$1.59 billion is \$37.02 million less than budget.

Other Principles for consideration

Overarching Governance Principles and Supporting Principles

(g) the ongoing financial viability of the Council is to be ensured;

Public Transparency Principles

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

Strategic Planning Principles

(a) an integrated approach to planning, monitoring and performance reporting is to be adopted;

Service Performance Principles

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

COUNCIL POLICY CONSIDERATIONS

Environmental Sustainability Considerations (including Climate Emergency)

The Council Plan 2021-25 strategic direction three addresses Council's commitment to environmental sustainability and has specific year one actions allocated to environmental sustainability consideration. The progress of these actions is included in the 2021-22 Quarter One Council Plan Action Plan Progress Report.

Equity, Inclusion, Wellbeing and Human Rights Considerations:

The Municipal Health & Wellbeing Plan is embedded into the Council Plan 2021-25 and the actions in the 2021-22 Annual Budget.

Economic Development and Cultural Considerations

The 2021-22 Annual Budget addresses economic development and cultural considerations. The progress of these actions is included in the 2021-22 Quarter One Council Plan Action Plan Progress Report.

Legal and Risk Implications

Undertaking this first quarter financial report allows the identification of known and potential issues that may impact the delivery of the Annual Budget 2021-22 and allows those issues to be addressed to minimise the impact on the community and Council.

IMPLEMENTATION ACTIONS

Once formally noted by Council, the first quarter financial report will be accessible to the community via the Darebin website.

RELATED DOCUMENTS

- Council Plan Action Plan 2021–22
- Annual Budget 2021–22
- Local Government Act 2020

Attachments

- Financial Report for the 3 Months Ended 30 September 2021 (**Appendix A**) [↓](#)

DISCLOSURE OF INTEREST

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

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

FINANCIAL REPORT

Three months ended
30 September 2021



Financial Report 3 months ended 30 September 2021

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Financial Report

3 months ended 30 September 2021

1 EXECUTIVE SUMMARY

1.2 Operating performance

	YTD Budget \$'000	YTD Actual \$'000	YTD Var \$'000	Adopted Budget \$'000
Operating				
Revenue	145,108	146,941	1,833	187,477
Expenditure	(46,392)	(42,396)	3,996	(181,990)
Surplus (deficit)	98,716	104,545	5,829	5,487
Capital & other				
Revenue / grants	0	(757)	(757)	(5,315)
Adjusted underlying surplus/(deficit)	98,716	103,788	5,072	172

For the three months ended 30 September 2021, Council has recorded an operating surplus of \$104.55 million, which is \$5.83 million ahead of the year-to-date budget. After eliminating capital and other items, the adjusted underlying surplus is \$103.79 million, which is \$5.07 million more than the full-year budget. An underlying surplus is the net surplus for the year adjusted for non-recurrent capital grants and contributions. It is an accepted measure of financial sustainability as it is not impacted by non-recurring or once-off items of revenue and expenses that can often mask the operating results.

Total revenue year-to-date is favourable by \$1.83 million and total expenditure year-to-date is favourable by \$4.0 million. The main items contributing to this favourable variance are greater income than budgeted from operating and capital grants, monetary contributions less expenditure for employee costs and materials and services.

At this point in time, there are no significant variances forecast compared to the adopted budget. As part of the 2022-23 annual budget process, a more thorough review will be undertaken for the mid-year report.

Revenue in Statutory fees and fines are unfavourable due to traffic enforcement income tracking slower than budget \$0.80 million. This is primarily due to the State Government Covid-19 restrictions.

Contributions received from developers for public open space and other capital works are \$0.23 million greater than budget.

1.2 Capital performance

	YTD Budget \$'000	YTD Actual \$'000	YTD Var \$'000	Adopted Budget \$'000	Forecast Budget \$'000
Property	4,305	5,077	(772)	39,023	39,794
Plant & equipment	938	653	285	6,258	6,538
Infrastructure	1,959	882	1,077	16,372	17,891
Total capital works	7,202	6,612	590	61,653	64,223

For the three months ended 30 September 2021, Council has expended \$6.61 million on the capital works program, which is \$0.59 million behind of the year-to-date budget. The variance is due mainly to delays in infrastructure works offset by advance works undertaken at the new Narrandjeri Stadium \$2.8 million.

The adopted budget has increased from \$61.65 million to an annual forecast of \$64.22 million. This is due to additional carry forward works unbudgeted for infrastructure \$1.52 million, building renewals \$0.72 million, and \$0.28 million allocated towards IT infrastructure upgrades.

Financial Report

3 months ended 30 September 2021

1.3 Financial position

	YTD Budget \$'000	YTD Actual \$'000	YTD Var \$'000	Adopted Budget \$'000	Audited 2021 \$'000
Cash and investments	55,574	63,242	7,668	34,544	64,579
Net current assets	137,593	140,050	2,457	15,544	36,315
Net assets and total equity	1,630,747	1,593,725	(37,022)	1,537,519	1,489,183

The financial position as at 30 September 2021 shows a cash and investment balance of \$63.24 million, which is \$7.67 million ahead of budget. The variance is due mainly to timing differences in receipt of rates, government receipts, payments to employees and suppliers and a higher opening cash and investment position compared with budget. The cash and investment balance of \$63.24 million was sufficient to meet restricted cash and intended allocation obligations of \$40.63 million at the end of September. Restricted cash is the amount of cash holdings Council requires to meet external restrictions such as trust funds, statutory reserves and cash for intended allocations, such as cash held to fund future capital works.

The net current asset position is \$140.05 million, which is \$2.46 million more than budget. Due mainly to the prior year revaluation decrement of infrastructure assets, the net asset position of \$1.59 billion is \$37.02 million less than budget.

2. FINANCIAL ANALYSIS

2.1 Operating performance

The information in the table below shows income and operating expenditure for the period ended 30 September 2021. The five columns of data provide information on the following:

- Full-year budget to 30 September 2021 (i.e. estimated timing of income and expenditure)
- Full-year actual results to 30 September 2021
- YTD variance of actuals compared to budget
- Original budget as adopted by Council

The report provides a year-to-date summary of Council's financial position and is a guide on the timing of receipts and payments. Timing differences can occur during the financial year and year to date variances do not imply that the annual budget will be affected.

The majority of YTD timing and permanent differences against budget are due to the on-going COVID impact on Council operations and services.

Financial Report

3 months ended 30 September 2021

DAREBIN CITY COUNCIL

Comprehensive Income Statement

For the 3 months ended 30 September 2021

	YTD Budget \$'000	YTD Actual \$'000	YTD Variance \$'000	Annual Budget \$'000
Income				
Rates and charges	135,690	135,773	83	139,759
Statutory fees and fines	1,769	1,381	(388)	8,753
User fees	1,948	1,601	(347)	7,931
Grants - operating	3,708	5,297	1,589	17,075
Grants - capital	0	757	757	5,315
Contributions - monetary	1,364	1,598	234	5,456
Net gain (loss) on disposal of property, infrastructure, plant and equipment	(75)	230	305	631
Other income	704	304	(400)	2,557
Total income	145,108	146,941	1,833	187,477
Expenses				
Employee costs	22,226	21,016	1,210	93,897
Materials and services	15,433	13,626	1,807	52,632
Depreciation	6,087	5,705	382	24,767
Amortisation - intangible assets	111	127	(16)	29
Amortisation - right of use assets	0	0	0	66
Bad and doubtful debts	357	48	309	1,706
Borrowing costs	0	0	0	18
Other expenses	2,178	1,874	304	8,875
Total expenses	46,392	42,396	3,996	181,990
Surplus for the year	98,716	104,545	5,829	5,487
Less				
Grants - capital (non-recurrent)	0	(757)	(757)	(5,315)
Adjusted underlying surplus/ (deficit)	98,716	103,788	5,072	172

Financial Report

3 months ended 30 September 2021

Operating Revenue – notes

1. **Grants operating:** Major variances include:
 - Civic compliance is \$629K greater than budget. School crossing supervision received in advance. (T)
 - Library management and operations \$1,055K greater than budget. State Government funding received in advance. (T)
 - Working for Victoria \$409K. Final installment of the State Government funding received. (P)
 - Victorian Grants Commission (Financial Assistance Grants) for 2022-21 were 50% prepaid in 2020/21 and accordingly the grants received are \$521K less than budget. (T)
2. **Grants capital:** Major variances include:
 - Funding for Blackspot projects is \$410K greater than budget. Funding received in advance. (T)
 - Funding for Edwardes Lake dog off lead project is \$137K greater than budget. Project was not budgeted in 2021/22. (P)
3. **Contributions - monetary:** Major variances include:
 - Public open space contributions are \$119K greater than budget at the end of September. The State Government Covid-19 restrictions have had limited impact on property development undertaken within the municipality. (T)
4. **Other income:** Major variances include:
 - Lower deposit interest rates have resulted in the Interest received to be \$77K less than budget at the end of September. (P)

Operating Expenses – notes

5. **Employee costs:** Major variances are:
 - City development is \$192K less than budget at the end of September. (T)
 - City works is \$304K less than budget at the end of September. Operations, contracts and compliance salary adjustment. (T)
 - Climate emergency and sustainable transport is \$114K less than budget at the end of September. Potential savings in water and waste education programs. (P)
 - Creative culture and events is \$125K less than budget at the end of September. The State Government Covid-19 restrictions has forced the temporary closure of many Council facilities and the postponement of programs. (P)
 - Parks and open space is \$267K less than budget at the end of September. (T)
 - Recreation and libraries is \$277K less than budget at the end of September. The State Government Covid-19 restrictions has forced the temporary closure of many Council facilities and the postponement of programs. (P)
 - Assets and capital delivery is \$154K more than budget at the end of September. Project management costs for Q1 are yet to be allocated to specific capital works projects. (T)

Note: (T) Timing, (P) Permanent

Operating Expenses – notes

Financial Report

3 months ended 30 September 2021

6. **Materials and services:** Major variances are:

- Environment and sustainable transport is \$489K less than budget. Due to Covid-19 restrictions there have been delays in delivering environmental programs. (T)
- Communications and engagement is \$133k less than budget. Communications advertising costs lower than anticipated. (T)
- Creative culture and events is \$125K less than budget at the end of September. The State Government Covid-19 restrictions has forced the temporary closure of many Council facilities and the postponement of programs. (P)
- Equity and wellbeing is \$466K less than budget. Due to Covid-19 restrictions there have been delays in delivering various programs. (T)
- Parks and open space is \$204K less than budget at the end of September. DISC maintenance, the State Government Covid-19 restrictions has forced the temporary closure of many Council facilities and sports grounds. (P)
- Recreation and libraries is \$327K less than budget at the end of September. The State Government Covid-19 restrictions has forced the temporary closure of many Council facilities and the postponement of programs. (P)
- Supported and connected living is \$146K less than budget. Contract meals production, timing of invoice processing. (T)
- Assets and capital delivery is \$1,187K more than budget. Project management costs for Q1 are yet to be allocated to specific capital works projects. (T)

7. **Bad and doubtful debts:** Major variance is:

- Traffic enforcement bad and doubtful debts is \$286K less than budget. Over the first 3 months of the year there have been less infringements sent to Fines Victoria for processing. (P)

8. **Other expenses:** Major variances are:

- Community wellbeing community grant contributions are \$702K more than budget. Community grants funding expenditure paid in advance to assist with Covid-19 business recovery. (T)
- Legal fees attributable to rates and property valuation objections are \$132K less than budget. (T)

Note: (T) Timing, (P) Permanent

2.2 Capital performance

Financial Report

3 months ended 30 September 2021

The information in the table below shows capital expenditure for the period ended 30 September 2021. The six columns of data provide information on the following:

- Full-year budget to 30 September 2021
- Full-year actual results to 30 September 2021
- YTD variance of actuals compared to budget
- Original budget as adopted by Council

DAREBIN CITY COUNCIL

Statement of Capital Works

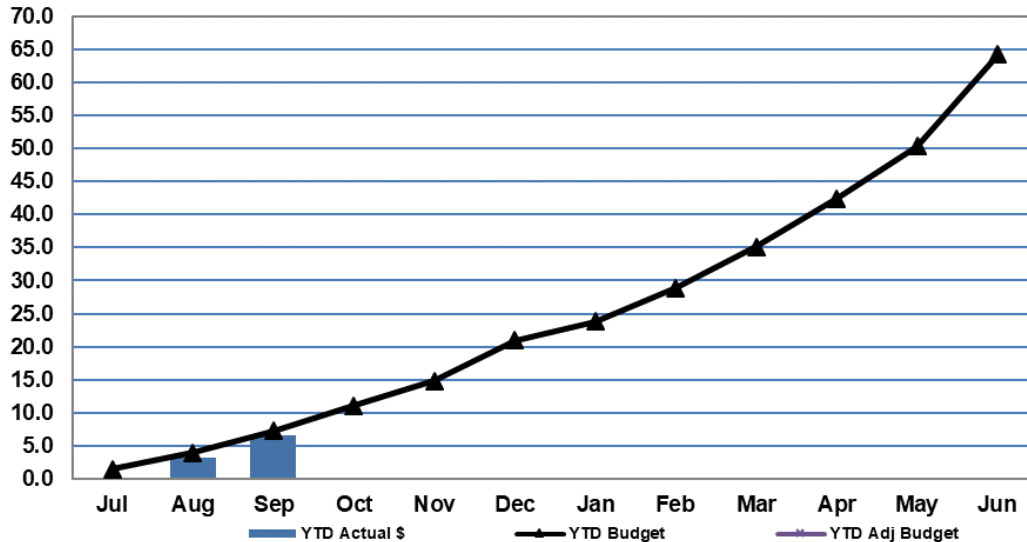
For the 3 months ended 30 September 2021

	YTD Budget \$'000	YTD Actual \$'000	YTD Variance \$'000	Annual Budget \$'000	Budget & CFWDs \$'000
Capital works					
Property					
Land	108	0	108	1,000	1,000
Buildings	4,197	5,077	(880)	38,023	38,794
Total property	4,305	5,077	(772)	39,023	39,794
Plant & equipment					
Plant, machinery & equipment	335	179	156	3,094	3,094
Computers & telecommunications	286	380	(94)	2,364	2,644
Library books	317	94	223	800	800
Total plant & equipment	938	653	285	6,258	6,538
Infrastructure					
Roads	526	222	304	4,556	4,859
Bridges	4	1	3	40	40
Footpaths & cycleways	197	105	92	1,732	1,820
Drainage	106	69	37	800	800
Land Improvements	344	0	344	2,673	3,173
Recreation, leisure & community facilities	177	25	152	1,568	1,636
Parks, open space & streetscapes	605	460	145	5,003	5,563
Total infrastructure	1,959	882	1,077	16,372	17,891
Total capital works	7,202	6,612	590	61,653	64,223
Represented by:					
Asset renewal	2,935	2,695	240	25,123	27,495
New assets	2,308	2,119	189	19,762	19,762
Asset expansion	1,063	976	87	9,099	9,099
Asset upgrade	896	822	74	7,669	7,867
Total capital works	7,202	6,612	590	61,653	64,223

Financial Report

3 months ended 30 September 2021

Cumulative capital works actual expenditure



Capital Expenditure – notes

1. **Land:** Major variances include:
 - Land acquisition project is \$108K less than budget at the end of September. (T)
2. **Buildings:** Major variances include:
 - Narrandjeri Stadium is \$2.82 million greater than budget at the end of September. The Narrandjeri Stadium project is a multi-year project. Progress on the stadium is in advance of the project plan. (T)
 - Northcote library and customer service centre facade upgrade is \$220K greater than budget at the end of September. Progress on the works is in advance of the project plan. (T)
 - BT Connor Reserve pavilion upgrade is \$233K less than budget. Progress on works is behind of the project plan. (T)
 - Northcote Aquatic and Recreation Centre redevelopment is \$1,468K less than budget. Progress on works is behind of the project plan. (T)
3. **Plant, machinery & equipment:** Major variances include:
 - Vehicular plant replacement program is \$239K less than budget. (T)
4. **Library books:** Major variances include:
 - Library product purchase is \$223K less than budget at the end of September. (T)
5. **Roads:** Major variances include:
 - Road Rehabilitation – future design works is \$182K less than budget. (T)
 - Kerbs and channel renewal program is \$102K greater than budget. (T)
6. **Land improvements:** Major variances include:
 - Dole Reserve wetland project is \$208K less than budget. (T)

Note: (T) Timing, (P) Permanent

Financial Report

3 months ended 30 September 2021

Capital Expenditure – notes

7. **Recreation, leisure & community facilities:** Major variances include:

- No individual significant item.

8. **Parks, opens space & streetscapes:** Major variances include:

- Streetscape improvement is \$204K less than budget. (T)
- Open Space rapid works for 2021-22 is \$307K greater than budget. Project is in advance of proposed project plan. (T)



Note: (T) Timing, (P) Permanent

Financial Report

3 months ended 30 September 2021

2.3 Financial position

	YTD Budget \$'000	YTD Actual \$'000	YTD Var \$'000	Adopted Budget \$'000
Cash and investments	55,574	63,242	7,668	34,544
Net current assets	137,593	140,050	2,457	15,544
Net assets and total equity	1,630,747	1,593,725	(37,022)	1,537,519

Cash balance

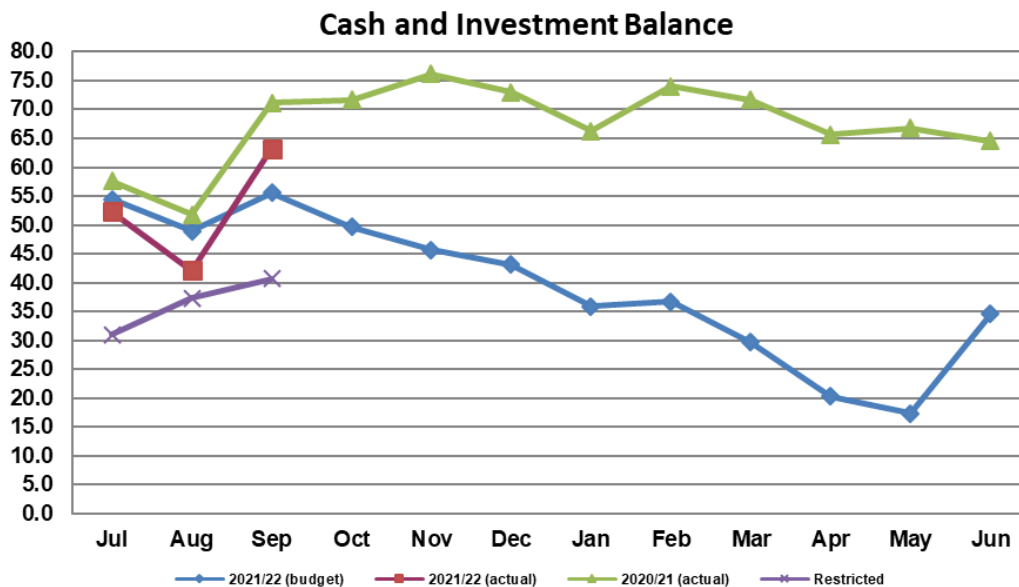
The chart below shows projections of how Council’s cash balance is expected to perform over the course of the 2021/22 financial year. The chart portrays:

- Budgeted 2021/22 cash balance
- Actual 2021/22 cash balance
- Actual 2020/21 cash balance
- Restricted Cash

Restricted cash includes:

- Developer contribution scheme
- Drainage development reserve
- Recreational lands contributions held on behalf of developers
- Carried forward capital works
- Trust funds and deposits.

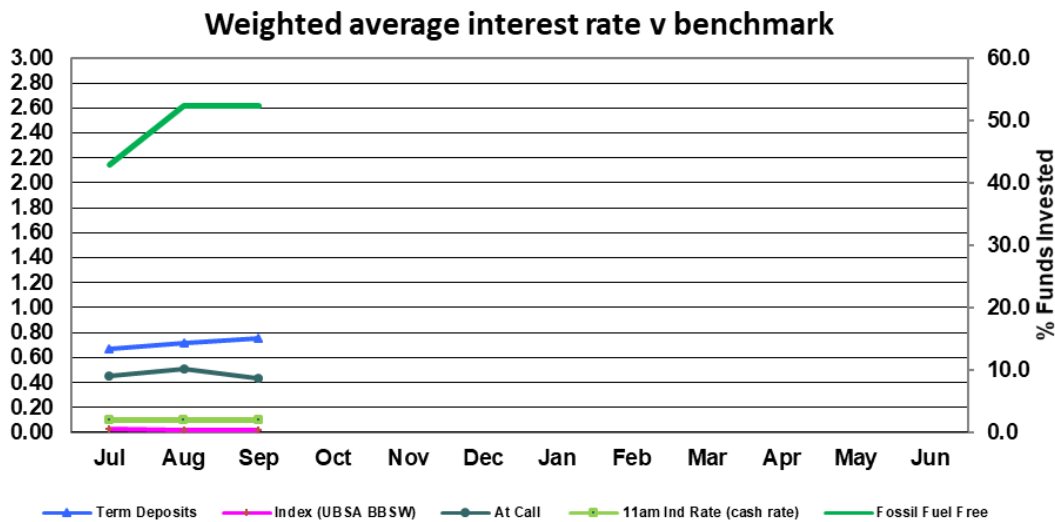
The graph below shows Council’s cash balance is within expectations. Every opportunity is taken to invest surplus cash to maximise investment returns.



Note: Cash and investments include term deposits with a maturity date exceeding 90 days which are classified as other financial assets in the Balance Sheet (\$24.81M).

Financial Report 3 months ended 30 September 2021

The graph below shows Council’s interest performance against the market as well as showing the percentage of investments that were placed with financial institutions and authorised deposit-taking institutions which do not have a record of funding fossil fuels. As at 30 September 2021, 52% of all invested funds were placed with financial institutions and ADIs which do not have a record of funding fossil fuels (30 September 2020 51%).

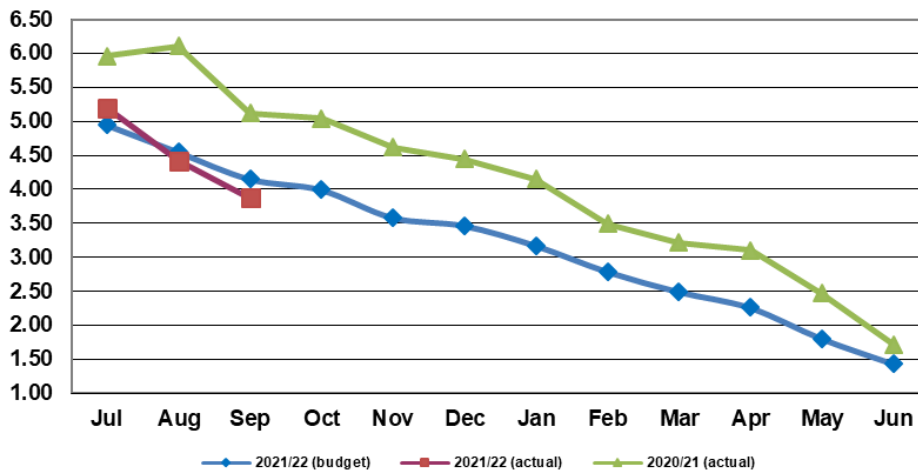


Working capital

The chart below shows projections of the movement in Council’s working capital over the course of the 2020/21 financial year. The chart portrays:

- Budgeted 2021/22 working capital
- Actual 2021/22 working capital
- Actual 2020/21 working capital

Working capital (current assets/current liabilities)



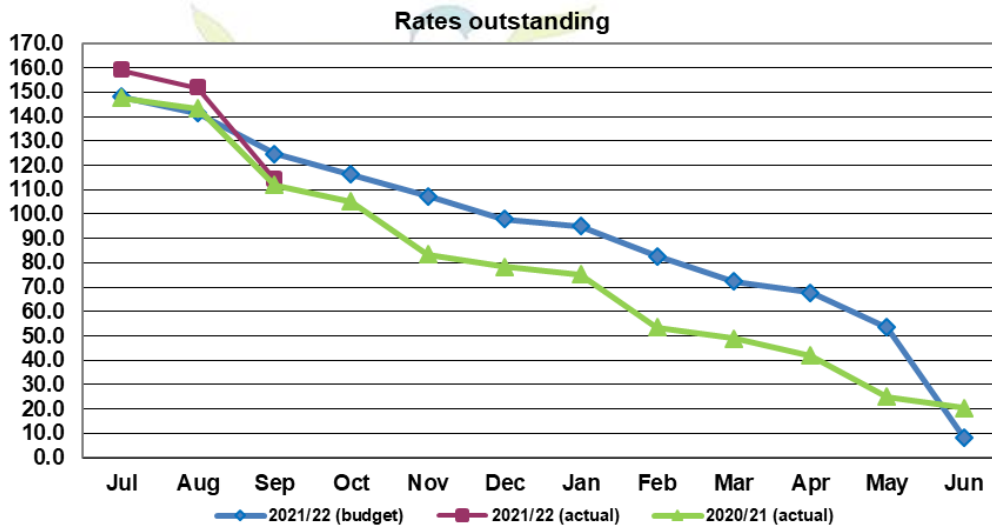
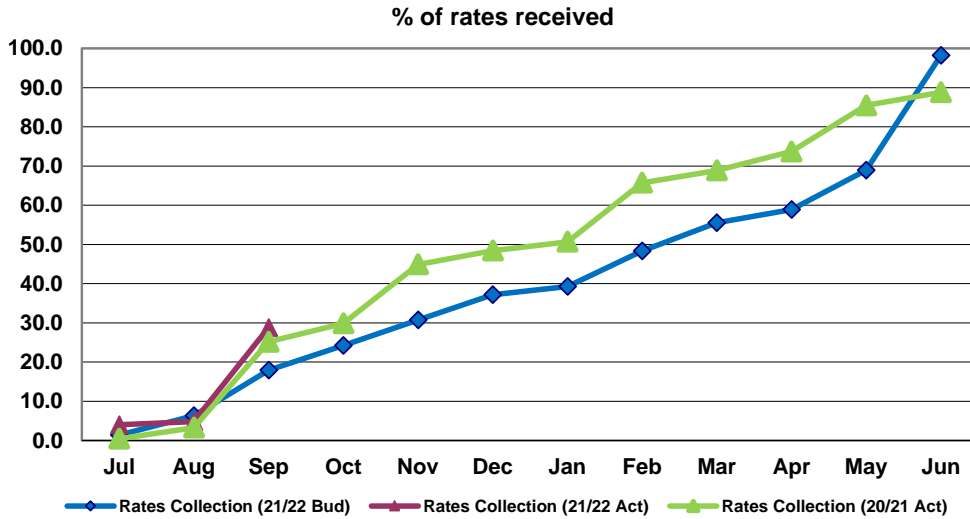
As at 30 September 2021, \$135.99 million was raised in general rates and charges including supplementary valuations generated by changes to council’s property base. At 30 September 2021, 28.8% of the rates raised have been collected compared to the same period of the 2020-21 financial year of 25.2%.

Financial Report

3 months ended 30 September 2021

Rates debtors

The following graphs show that current collection trends are closely following the 2020-21 collection trend and the budgeted collection trend:



Financial Report
3 months ended 30 September 2021

APPENDIX A

Comprehensive Income Statement
Balance Sheet
Statement of Cash Flows
Statement of Capital Works



Financial Report

3 months ended 30 September 2021

DAREBIN CITY COUNCIL

Comprehensive Income Statement

For the 3 months ended 30 September 2021

	YTD Budget \$'000	YTD Actual \$'000	YTD Variance \$'000	Annual Budget \$'000
Income				
Rates and charges	135,690	135,773	83	139,759
Statutory fees and fines	1,769	1,381	(388)	8,753
User fees	1,948	1,601	(347)	7,931
Grants - operating	3,708	5,297	1,589	17,075
Grants - capital	0	757	757	5,315
Contributions - monetary	1,364	1,598	234	5,456
Net gain (loss) on disposal of property, infrastructure, plant and equipment	(75)	230	305	631
Other income	704	304	(400)	2,557
Total income	145,108	146,941	1,833	187,477
Expenses				
Employee costs	22,226	21,016	1,210	93,897
Materials and services	15,433	13,626	1,807	52,632
Depreciation	6,087	5,705	382	24,767
Amortisation - intangible assets	111	127	(16)	29
Amortisation - right of use assets	0	0	0	66
Bad and doubtful debts	357	48	309	1,706
Borrowing costs	0	0	0	18
Other expenses	2,178	1,874	304	8,875
Total expenses	46,392	42,396	3,996	181,990
Surplus for the year	98,716	104,545	5,829	5,487
Less				
Grants - capital (non-recurrent)	0	(757)	(757)	(5,315)
Adjusted underlying surplus/ (deficit)	98,716	103,788	5,072	172

Financial Report

3 months ended 30 September 2021

DAREBIN CITY COUNCIL

Balance Sheet

As at 30 September 2021

	YTD Budget \$'000	YTD Actual \$'000	YTD Variance \$'000	Annual Budget \$'000	Audited 2021 \$'000
Current assets					
Cash and cash equivalents	55,574	38,429	(17,145)	34,544	47,727
Trade and other receivables	121,902	123,560	1,658	14,425	19,938
Other financial assets	0	24,813	24,813	0	16,852
Inventories	60	58	(2)	60	58
Other assets	3,430	1,879	(1,551)	2,525	2,212
Total current assets	180,966	188,739	7,773	51,554	86,787
Non-current assets					
Trade and other receivables	8,921	3,978	(4,943)	9,095	3,995
Other financial assets	0	6	6	0	6
Property, infrastructure, plant & equipment	1,482,745	1,448,002	(34,743)	1,518,590	1,447,095
Right-of-use assets	263	154	(109)	197	154
Investment property	2,790	2,714	(76)	2,790	2,714
Intangible assets	467	841	374	549	969
Total non-current assets	1,495,186	1,455,695	(39,491)	1,531,221	1,454,933
Total assets	1,676,152	1,644,434	(31,718)	1,582,775	1,541,720
Current liabilities					
Trade and other payables	13,542	9,097	4,445	8,792	15,004
Trust funds and deposits	7,501	9,135	(1,634)	4,527	5,123
Unearned Income	0	8,091	(8,091)	0	8,044
Provisions	22,218	22,352	(134)	21,918	22,227
Interest bearing loans and borrowings	0	0	0	706	0
Lease liability	112	14	98	67	74
Total current liabilities	43,373	48,689	(5,316)	36,010	50,472
Provisions	1,876	1,876	0	1,876	1,981
Interest bearing loans and borrowings	0	0	0	7,236	0
Lease liability	156	144	12	134	84
Total non-current liabilities	2,032	2,020	12	9,246	2,065
Total liabilities	45,405	50,709	(5,304)	45,256	52,537
Net assets	1,630,747	1,593,725	(37,022)	1,537,519	1,489,183
Equity					
Accumulated surplus	666,569	669,179	2,610	573,791	564,636
Asset revaluation reserve	936,646	898,504	(38,142)	936,646	898,505
Other reserves	27,532	26,042	(1,490)	27,082	26,042
Total equity	1,630,747	1,593,725	(37,022)	1,537,519	1,489,183

Financial Report

3 months ended 30 September 2021

DAREBIN CITY COUNCIL

Statement of Cash Flow

For the 3 months ended 30 September 2021

	YTD Budget \$'000	YTD Actual \$'000	YTD Variance \$'000	Annual Budget \$'000
Cash flows from operating activities				
Rates	25,096	33,892	8,796	138,425
Statutory fees and fines	1,769	1,130	(639)	9,577
User fees & charges (inclusive of GST)	2,749	(346)	(3,095)	8,677
Government receipts	5,224	778	(4,446)	22,174
Contributions - Monetary	1,365	1,598	233	5,456
Other income	1,006	191	(815)	2,627
Employee costs	(23,179)	(21,418)	1,761	(96,009)
Materials and services (inclusive of GST)	(20,082)	(16,431)	3,650	(70,702)
Net FSPL refund / payment	2,940	3,801	861	0
	(3,112)	3,194	6,306	20,225
Interest	(302)	(18)	285	593
Trust funds and deposits	0	216	216	0
Net GST refund / payment	2,224	2,792	569	8,915
Net cash provided by operating activities	(1,190)	6,185	7,375	29,733
Cash flows from investing activities				
Proceeds from sale of property, plant & equipment	(9)	735	743	694
Payment for property, infrastr, plant & equipment	(7,204)	(8,257)	(1,052)	(67,718)
Net cash used in investing activities	(7,213)	(7,522)	(309)	(67,024)
Cash flows from financing activities				
Finance costs	0	0	0	(18)
Proceeds of interest bearing loans and borrowings	0	0	0	8,000
Repayment of borrowings	0	0	0	(58)
Repayment of lease liabilities	0	0	0	(67)
Net cash used in financing activities	0	(0)	(0)	7,857
Net increase / (decrease) in cash & cash equivalents	(8,404)	(1,337)	7,067	(29,434)
Cash & cash equivalents at the beginning of the year	63,978	64,579	601	63,978
Cash & cash equivalents at the end of the period	55,574	63,242	7,668	34,544

Note: Cash and cash equivalents at the beginning of the year includes term deposits with a maturity date exceeding 90 days which are classified as other financial assets in the Balance Sheet (\$16.85M).

Financial Report

3 months ended 30 September 2021

DAREBIN CITY COUNCIL

Statement of Cash Flow

For the 3 months ended 30 September 2021

Reconciliation of cash flows from operating activities to surplus

	YTD Budget \$'000	YTD Actual \$'000	YTD Variance \$'000	Annual Budget \$'000
Surplus for the year	98,716	104,545	5,829	5,487
Items not involving cash or non operating in nature				
Depreciation and amortisation	6,198	5,832	(366)	24,767
Interest expense	0	0	0	0
Bad & doubtful debts	357	48	(309)	1,706
Net (gain) / loss on sale of assets	75	(230)	(305)	(631)
Other	0	0	0	0
	<u>105,346</u>	<u>110,195</u>	<u>4,849</u>	<u>31,329</u>
Change in operating assets and liabilities				
Decrease / (Increase) in rate debtors	(109,140)	(101,949)	7,191	(3,986)
Decrease / (Increase) in other operating assets	1,058	(7,148)	(8,205)	7,546
(Decrease) / Increase in Trade creditors	(406)	841	1,247	(3,968)
(Decrease) / Increase in other operating liabilities	1,652	4,225	2,573	(1,188)
(Decrease) / Increase in provisions	300	20	(280)	0
	<u>(106,536)</u>	<u>(104,009)</u>	<u>2,527</u>	<u>(1,596)</u>
Net cash provided by operating activities	<u>(1,190)</u>	<u>6,185</u>	<u>7,375</u>	<u>29,733</u>



Financial Report

3 months ended 30 September 2021

DAREBIN CITY COUNCIL

Statement of Capital Works

For the 3 months ended 30 September 2021

	YTD Budget \$'000	YTD Actual \$'000	YTD Variance \$'000	Annual Budget \$'000	Budget & CFWDs \$'000
Capital works					
Property					
Land	108	0	108	1,000	1,000
Buildings	4,197	5,077	(880)	38,023	38,794
Total property	4,305	5,077	(772)	39,023	39,794
Plant & equipment					
Plant, machinery & equipment	335	179	156	3,094	3,094
Computers & telecommunications	286	380	(94)	2,364	2,644
Library books	317	94	223	800	800
Total plant & equipment	938	653	285	6,258	6,538
Infrastructure					
Roads	526	222	304	4,556	4,859
Bridges	4	1	3	40	40
Footpaths & cycleways	197	105	92	1,732	1,820
Drainage	106	69	37	800	800
Land Improvements	344	0	344	2,673	3,173
Recreation, leisure & community facilities	177	25	152	1,568	1,636
Parks, open space & streetscapes	605	460	145	5,003	5,563
Total infrastructure	1,959	882	1,077	16,372	17,891
Total capital works	7,202	6,612	590	61,653	64,223
Represented by:					
Asset renewal	2,935	2,695	240	25,123	27,495
New assets	2,308	2,119	189	19,762	19,762
Asset expansion	1,063	976	87	9,099	9,099
Asset upgrade	896	822	74	7,669	7,867
Total capital works	7,202	6,612	590	61,653	64,223

8.6 EDWARDES LAKE TASKFORCE**Author:** Coordinator Open Space Revegetation**Reviewed By:** General Manager Operations and Capital

EXECUTIVE SUMMARY

Edwardes Lake is one of Melbourne's largest lakes, attracting over 300,000 visitors per year. The lake has a large catchment of more than 100 square kilometres and is part of the urban stormwater system which results in poor water quality. It is unsuitable for water-based recreation and algae blooms are becoming more frequent.

The Council Plan Action Plan has a series of actions which will seek to improve the water quality at Edwardes Lake but particularly, action 3-13 is to establish and adequately resource the Edwardes Lake Taskforce in an attempt to significantly improve the water quality and amenity of Edwardes Lake in Reservoir.

To establish this new task force water agencies, land managers and community groups participated in a workshop to explore how the partners and stakeholders will work together as a group. The objective is to establish strong collaborative partnerships amongst the stakeholders from the outset. By sharing knowledge, defining the dilemma, exploring the limitations and opportunities, the task force will be founded on a common understanding to make better decisions with lasting outcomes.

This report recommends the membership of the taskforce which includes a mix of community and government agencies.

Officer Recommendation

That Council:

1. Endorses the appointment of the community members and members from representative organisations to the Edwardes Lake Taskforce as listed in the **Confidential Appendix B** for an initial period of 2 years with a further appointment process being undertaken in October 2023 (aligning with other advisory committee appointments)
 2. Records the names of the members appointed to the Edwardes Lake Taskforce in the public minutes of this meeting.
-

BACKGROUND / KEY INFORMATION

Edwardes Lake located in Reservoir has a highly urbanised catchment of more than 100 square kilometres and is part of the urban stormwater system. Only 20% of the catchment is within the City of Darebin, the rest is in Whittlesea. Edgars Creek upstream and downstream of the lake is managed by Melbourne Water. The human made lake and surrounding parkland is managed by Darebin City Council.

Historically, Edwardes Lake has been used for recreation activities including swimming, boating and fishing however this stopped in the 1970s as water quality deteriorated. The Edwardes Lake Water Quality report (2019) generally describes the water quality of the lake

as poor. Poor water quality is likely to be from typical urban sources such as roads, roofs, gardens, leaf litter, pet faeces and construction sites as well as sewage, industrial waste and a range of other external influences. Algal blooms and low oxygen events are occurring more frequently.

Improvements in water quality at the lake will require an integrated water management approach. This involves establishing strong collaborative partnerships between water agencies, land managers and active community groups. Action 3-15 of the Council Plan 2021-2025 is to establish and adequately resource the Edwardes Lake Taskforce to significantly improve the water quality and amenity of Edwardes Lake in Reservoir.

Previous Council Resolution

At its meeting held on 22 March 2021 Council resolved to:

1. Note the Edwardes Lake Taskforce draft Terms of Reference (TOR) and request the following points be considered for inclusion by potential stakeholder members in finalising the TOR
 - a. Objectives should include “significantly improved standards or measures” rather than “agreed standards”.
 - b. Roles and Responsibilities: Include reference to
 - Reviewing previous work and assessing current practises at Edwardes Lake to better understand existing conditions and functioning of the lake.
 - Advising on short- and long-term improvements.
 - Overseeing regular water monitoring reports.
 - c. Taskforce Membership: Should allow for:
 - More equal mix between community members and others
 - Replacement of members be undertaken in consultation with existing task force members
 - d. Meetings: Should be 6 per year in the first year to help build momentum and reviewed after 12 months and possibility revert back to 4 meeting per year.
2. Authorises the ongoing negotiation with key stakeholders and proposed members of the Taskforce to finalise and seek agreement on the Terms of Reference.
3. Receives a further report on recommended Taskforce membership and finalised Terms of Reference.

ALIGNMENT TO 2041 DAREBIN COMMUNITY VISION

Strategic Direction 3: Climate, Green and Sustainable

ALIGNMENT TO 2021-25 COUNCIL PLAN

Strategic Direction 3: Climate, Green and Sustainable

ALIGNMENT TO COUNCIL PLAN STRATEGIC OBJECTIVES

3.3 We will drive significant improvements in water quality and biodiversity across Darebin, designating Edwardes Lake as a flagship project to demonstrate water recreation (in the long term)

DISCUSSION

A proposed list of key stakeholders has been identified based on an obvious connection to the lake and water quality improvements. There is a balance of community and industry representation with all stakeholders having an active interest in improving water quality within the catchment. Discussions with Wurundjeri Wo-wurrung will occur again in early 2022 in order to determine if it wishes to be represented on the taskforce and to encourage it to nominate a suitable candidate.

Agency membership was discussed and agreed by Council at its meeting in March 2021. Officers have now identified individuals with an interest in being on the taskforce and they are recommended in confidential **Appendix B**.

Membership has representatives from the following agencies:

Councillor Representatives
Community
Friends of Edwardes Lake
Friends of Merri Creek
Merri Creek Management Committee
Wurundjeri Woi Wurrung representative
Reservoir Frogs Waterwatch
Friends of Edgars Creek
Agency
Yarra Valley Water
Melbourne Water
Environment Protection Authority
Whittlesea City Council
Darebin City Council

The draft terms of reference (TOR) is based on the model TOR agreed by Council in October 2021 (**Appendix A**). Before these can be adopted, members of the taskforce will require an opportunity to discuss and understand them (and possibly make minor adjustments).

In-depth consultation is planned for early 2022 to work together to:

- Identify common ground and aspirations.
- Jointly understand the challenges
- Identify success factors and priority areas for action.

- Clarify roles and responsibilities, resourcing and how the task force will continue to work together.
- Identify and prioritise projects to be recommended.

CONSIDERATION OF LOCAL GOVERNMENT ACT (2020) PRINCIPLES

Financial Management

The proposed water quality improvement measures borne out of the 2019 Water Quality Report will require varying degrees of financial resourcing.

- There will be opportunities to apply for grant funding through DELWP and Melbourne Water to partially fund new capital projects.
- Additional capital including green infrastructure such as riparian plantings will require on going funding from Council to provide adequate maintenance for whole of life.
- The taskforce will require dedicated officer hours which will be covered by existing operational budgets

Community Engagement

Once the taskforce is established the community will be notified via Council approved channels including the corporate website, social media, Sustainable Darebin Newsletter. Additional engagement will occur via the community representatives on the taskforce reporting back to their relevant membership bases and contact groups. Any new initiatives that arise from the taskforce will follow Council's Community Engagement Policy and protocols.

Overarching Governance Principles and Supporting Principles

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

Public Transparency Principles

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

Strategic Planning Principles

- (c) Strategic planning must take into account the resources needed for effective implementation;

Service Performance Principles

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

COUNCIL POLICY CONSIDERATIONS

Environmental Sustainability Considerations (including Climate Emergency)

Poor water quality within Edwardes Lake has impacts on environmental sustainability within the catchment. Current and future water management activities need to consider impacts on the local environment and the sustainability of the existing aquatic ecosystem.

Climate Emergency

Improving the health of our waterways and waterbodies supports flora and fauna resilience in the face of climate change. Any future work to improve water quality would contribute to

growing resilience. Climate change will affect the magnitude and frequency of flooding and water quality issues.

Equity, Inclusion, Wellbeing and Human Rights Considerations:

Access to high quality open spaces and amenity have positive impacts on both physical and mental wellbeing.

Economic Development and Cultural Considerations

Any work that arises from the work of the taskforce will prioritise local businesses as per Council's Social and Sustainable Procurement Policy. Any future work to identify upstream pollution sources that may impact industry and local businesses and would require collaboration with the economic development team.

Operational Impacts

Operational impacts have been considered and accounted for in the resourcing of the taskforce. Officers will include:

- Parks and Open Space Manager
- Manager Climate Emergency and Sustainable Transport
- Coordinator- Environment
- Coordinator – Integrated Water Management
- Environment Officer
- Sustainability Officer
- Senior Biodiversity Officer
- Special Projects Officer
- Principal Environmental Strategist

Legal and Risk Implications

Edgars Creek upstream and downstream of Edwardes Lake is managed by Melbourne Water. Council is responsible for the management of the lake because it is a human made lake on Council land. Further potential implications will be examined as part of the taskforce delivery.

IMPLEMENTATION ACTIONS

The first meeting of the taskforce will be scheduled for early 2022 with a total of 6 meetings to be held next year.

RELATED DOCUMENTS

NIL

Attachments

- Edwardes Lake Taskforce - Model Terms of Reference (**Appendix A**) Confidential - enclosed under separate cover
- Recommended Membership ELTF (**Appendix B**) Confidential - enclosed under separate cover

DISCLOSURE OF INTEREST

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

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

8.7 EDWARDES LAKE PARK DOG OFF LEAD COMMUNITY ENGAGEMENT OUTCOME**Author:** Community and Environment Special Projects Officer**Reviewed By:** General Manager Operations and Capital

EXECUTIVE SUMMARY

This report details the community consultation outcomes for the Edwardes Lake Park dog off-lead area and includes an updated draft concept design for Council's consideration and endorsement.

The draft concept design was developed and released for public consultation between the 23 September and 17 October 2021. The site is currently used as an informal dog off-lead area.

This project seeks to improve the amenity of this site, activate the area and provide dog owners an opportunity to exercise and socialise their dogs in an enriching off-lead environment. The design also seeks to address improvements for the site which were identified in the existing Edwardes Lake Masterplan which was reviewed with community feedback between 2016 and 2017.

The draft concept design includes sniff and explore sections, an enclosed shy dog area, significant rewilding, seats, dog bag dispensers and waste bins to support all park users.

Officer Recommendation

That Council:

- (1) Notes the amendments to the concept design based on community feedback and endorses the attached design for the Edwardes Lake Park dog off-lead area **(Appendix C)**.
 - (2) Updates and thanks community members who participated in the consultation via the Your Say page and direct correspondence to all registered users.
-

BACKGROUND / KEY INFORMATION

In 2016 and 2017, Council sought input from the community to review the existing Edwardes Lake Park Masterplan. This review resulted in a new play space being designed for the park. Through the masterplan review and the subsequent engagement for the play space, the community asked for a dedicated dog off-lead area to be established at this location.

Darebin currently has 40 designated dog off-lead areas, a mixture of open lawn areas (e.g. A.G. Davis Park), partially fenced (e.g. Hayes Park) and one fully fenced (e.g. Bundoora Park).

Darebin is rapidly becoming denser, more urban and more populated, placing further pressure on access to public open spaces. In alignment with Council's Breathing Space

Strategy, this project seeks to activate an underused and underdeveloped area within Edwardes Lake Park, encouraging increased community use and improved amenity while enhancing biodiversity in the area through significant regeneration and replanting at the perimeter.

In early 2020, Council applied for a State Government grant via the Local Parks Program and was successful in securing \$275,000 (excluding GST) to construct a new dog off-lead area at Edwardes Lake Park in Reservoir West. A draft concept design (**Appendix A**) was developed and was released to the community for consultation in accordance with the approved Community Engagement plan for this project.

Some amendments are proposed following community consultation including:

- Additional perimeter fencing
- Additional natural shade cover – increasing the canopy cover in the park
- The removal of white sand areas.

The proposed final design including amendments is provided as **Appendix C**.

ALIGNMENT TO 2041 DAREBIN COMMUNITY VISION

Strategic Direction 2: Prosperous, Liveable and Flourishing

ALIGNMENT TO 2021-25 COUNCIL PLAN

Strategic Direction 2: Prosperous, Liveable and Flourishing

ALIGNMENT TO COUNCIL PLAN STRATEGIC OBJECTIVES

2.1 We will deliver equitable and accessible infrastructure to provide opportunities for our community to live well

2.2 We will design and create public spaces where our people feel safe, welcome, and respected, including improving lighting and safety for people walking, wheeling, cycling and driving

4.4 We will ensure major changes in our city achieve significant improvements in our City

DISCUSSION

Engagement activities for the Edwardes Lake Park dog off-lead area were all conducted online and by mail, with opportunities to provide feedback by completing a survey (hard copy or online), by phone, or by email. Due to the Covid-19 restrictions, face-to-face engagement activities could not be conducted, however corflutes and posters were distributed in the local area to encourage participation by visitors to the site.

The draft concept design for the Edwardes Lake Park Dog Off-Lead Area (**Appendix A**) included the following elements:

- A separated area for small or shy dogs.
- Drinking fountains for humans and dogs.
- Open grassed area as well as features for dogs to sniff and explore.

- Nature play for dogs and a variety of surfaces for dogs – e.g. logs, boulders, gravel and grass
- Seating for humans.
- A circular pathway around the perimeter of the open area

Engagement on the concept plan found strong support overall and the above elements have been incorporated into the proposed final design. Whilst the majority of the feedback received supported the creation of a dedicated dog-off lead area, two additional matters were raised;

1. A desire for fencing to be extended around the perimeter of the site

The draft concept design included partial fencing around the shy/small dog area only. Community feedback identified an enclosed shy dog area as one of the most important features to be included in the final design. However, many respondents also requested additional fencing around the entire perimeter of the site. Comments calling for the site to be fully fenced referenced concerns that some dog owners would be unable to effectively protect/prevent their dogs from running onto adjacent roads.

Recommendation:

To alleviate concerns and respond to community calls for a fully fenced area, officers have included additional fencing around the perimeter of the dog off-lead area. The updated concept design now features two fully fenced areas for both shy and energetic dogs.

2. A desire for a greyhound off-lead area

A total of 37% respondents called for a dedicated off-lead area for greyhounds. Officers are aware that during the community consultation period, there was a campaign to encourage greyhound owners from across metropolitan Melbourne to provide this feedback.

Officer response: Victorian laws prohibit greyhounds being off-lead in open space, including in Council designated off-lead areas, except for designated off-lead spaces for greyhounds-only. Noting that these areas must be fully enclosed and are unable to be accessed by other dog breeds.

Of the 12,801 dogs registered in Darebin, 3% are greyhounds. One of the key challenges in Darebin is around quantity of open spaces across the municipality. This deficiency is projected to grow as the population increases. Therefore, Council's main priority in future development of passive and active open space is to create spaces that can be enjoyed by the broader community.

Recommendation: Officers do not recommend this dog-off lead area be constructed for exclusive use of greyhounds. Council will continue to monitor the number of registered greyhound owners in Darebin and investigate ways in which future project may support greyhound friendly spaces.

Officers recognise that regular exercise and social interaction is important for all animals including greyhounds. Council supports greyhounds accessing these areas to socialise with other dogs *on-lead*. As a greyhound friendly area, greyhounds will be able to benefit from socialisation with other breeds in this area in a controlled way.

Additional Comment:**White sand**

Officer response: The draft concept design included white sand to be installed in both the small/shy dog area and large/energetic dog area. Concern about bacterial transmission and the likely attraction of cats and other wildlife to these areas has resulted in this element being removed from the final design.

OPTIONS FOR CONSIDERATION**Option 1 (recommended):**

That Council endorses the final detailed design for the Edwardes Lake Park Dog Off Lead Area (**Appendix C**).

Option 2 (not recommended)

Council could undertake further consultation. This is not considered necessary given the strong engagement from the community on the draft concept plans.

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

In early 2020, Council applied for a State Government grant via the Local Parks Program and was successful in securing \$275,000 to construct a new dog off-lead area at Edwardes Lake Park, along Seaver Grove in Reservoir West. The grant will deliver all design elements shown in the final design.

Community Engagement

The key engagement activities undertaken as part of the community engagement on the concept design were:

- A letter box drop and local advertising to promote the engagement survey within 1km of Edwardes Lake Park
- A dedicated Your Say page which includes a community survey to test the draft concept designs and invite feedback
- A social media campaign on multiple Darebin Facebook groups, Instagram, Council newsletters
- Posters were strategically placed in the local area and were distributed to pet stores, vet clinics, and signage in the park.
- Posters in multiple languages were available on the Your Say page and distributed to community leaders in the area.
- A direct stakeholder engagement email was sent to various entities who had demonstrated interest in Council's open spaces.

The Community Engagement Summary Report and detailed demographic data is available in **Appendix B** of this report.

Overarching Governance Principles and Supporting Principles

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

Public Transparency Principles

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

Strategic Planning Principles

- (b) strategic planning must address the Community Vision;

Service Performance Principles

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

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

Included in the budget and final design is a significant regeneration and rewilding effort at the perimeter of the site. This feature will serve as a natural barrier from the road as well as a sniff and explore area for dogs. This rewilding effort will positively contribute to increased biodiversity to address the global biodiversity crisis as well as increased canopy cover to address the urban heat island effect.

Equity, Inclusion, Wellbeing and Human Rights Considerations:

An equity impact assessment has been undertaken for this work. Equity, inclusion and wellbeing considerations are an essential consideration for all open space projects. Council aims for equitable access to open space in alignment with the principles of the Breathing Space Strategy, the EIA assisted project planners by strengthening the communication strategy to ensure effective reach of the consultation information to diverse target audiences.

Operational Impacts

Ongoing maintenance and servicing would be provided for in Council's annual operating budgets.

Legal and Risk Implications

The draft concept design and any revised drafts adhere to all State Government regulations attached to the grant. The concept design also adheres to Council's commitments to sound design with accessibility features.

IMPLEMENTATION ACTIONS

Should Council endorse the proposed concept design and construction of the dog-off lead area at Edwardes Lake Park, construction will take place in 2022. Officers will notify consultation participants on the outcome of the consultation via a Community Engagement Outcome Report on the Your Say page, and those who registered to receive updates will be contacted with the outcome via email

RELATED DOCUMENTS

- Breathing Space: the Darebin Open Space Strategy
- Enhancing Open Space and Implementing Breathing Space
- Responsible Pet Greyhound Ownership Responsibilities and Guidelines – Agriculture Victoria

Attachments

- Edwardes Lake Park Original Draft Concept Design (**Appendix A**) [↓](#)
- Edwardes Lake Park Community Engagement Summary Report (**Appendix B**) [↓](#)
- Updated Concept Design - Edwardes Lake Dog Off Lead Area (**Appendix C**) [↓](#)

DISCLOSURE OF INTEREST

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

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

EDWARDES LAKE PARK DOG OFF - LEAD AREA DRAFT CONCEPT

SEAVER GR



10m from road

LEGEND

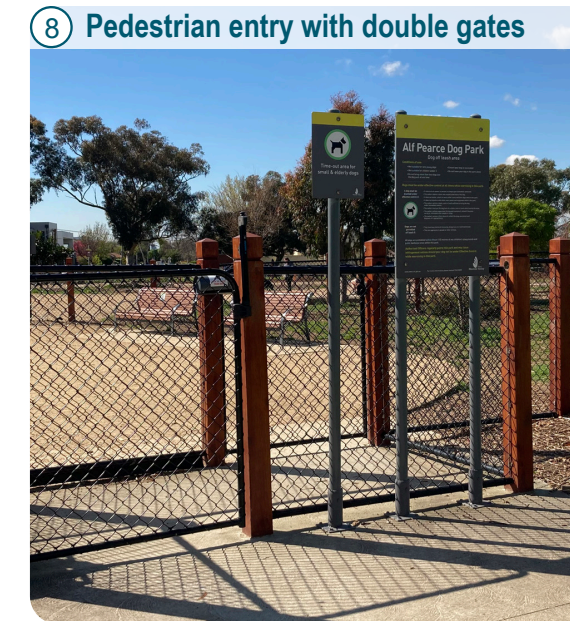
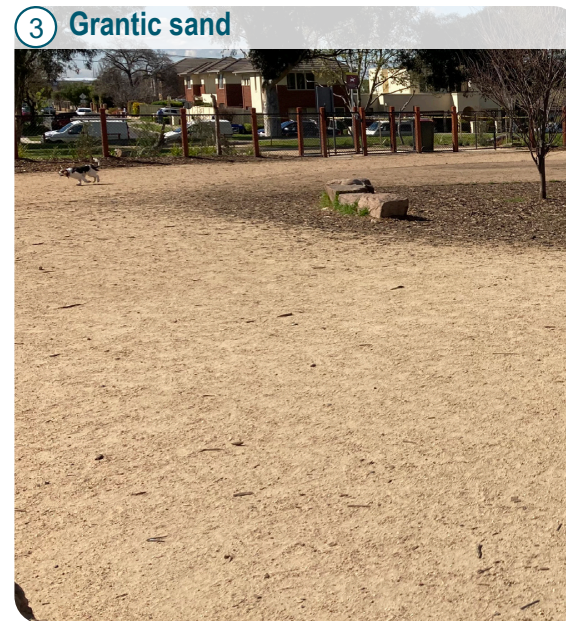
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|--|---|--------------------------------------|
| ① New tree planting | ⑦ Dry creek area | ⓑ Bin with dog waste bag + dispenser |
| ② Existing tree planting | ⑧ Concrete pedestrian entry with double gates | ⓓ Drinking fountain with dog bowl |
| ③ Granitic sand | ⑨ 1.5m high post + wire fence | Ⓟ Park seat with arm rest |
| ④ Timber logs + rock boulders | ⑩ Mass planting | Ⓢ Entry signage |
| ⑤ Seating along path with drinking fountain + dog bowl | ⑪ Open grassed area | |
| ⑥ Sand pit for digging | ⑫ Mulched area | |

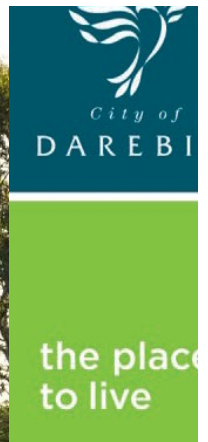


the place to live

LEGEND

-  Concrete pedestrian entry
-  Dry creek area
-  Open grassed area
-  Grantic sand
-  Sand pit for digging
-  Mulched area
-  Timber logs
-  Rock boulders
-  Seating along path with bubbler + dog bowl
-  Mass planting
-  Pedestrian entry with double gates
-  New tree planting
-  Existing tree planting





Edwardes Lake Park Dog Off Lead Area

Community Engagement Summary Report

November 2021

Summary Report

03 July 2013 - 09 November 2021

Your Say Darebin

PROJECTS SELECTED: 1

Edwardes Lake Park Dog Off-Lead Area

FULL LIST AT THE END OF THE REPORT



Visitors Summary



Highlights

TOTAL VISITS	2.5 k	MAX VISITORS PER DAY	487
NEW REGISTRATIONS	6	ENGAGED VISITORS	90
		INFORMED VISITORS	852
		AWARE VISITORS	2.1 k

COVID-19 Restrictions and Impact

Throughout the course of the consultation period, regions in metropolitan Melbourne faced stage four COVID-19 restrictions. These requirements saw all community centres, libraries and customer service centres, closed to the public and prevented Council from engaging in traditional face to face consultation practices. During the development and planning phase of this project, Officers explored different strategies to maximise community reach in a COVID-safe way and incorporated a range of different community engagement methodologies including;

Engagement Method	Target Audience	Delivery Method	Number of participants/ people engaged
Social Media Campaign, Instagram and Facebook	Darebin Community members.	Digital Delivery	<p>Darebin corporate page: 128 Comments on the post, 19 Shares, 111 Reactions (84 likes 27 love) This post reached 7,449 people and had 476 engagements overall (clicks, likes, reactions, comments) 91 people clicked through the link.</p> <p>Lost dogs in Darebin Post: This post reached 2408 people with 15 reactions (14 like and 1 love.) 82 people clicked through to the consultation link.</p> <p>Darebin Libraries post: This post reached 1,161 people and engaged 46 people who clicked through to the consultation link.</p>
Flyers distributed to 2000 homes in Reservoir West	Local community residents.	Face to Face	2000 within 1km of the site.
Stakeholder engagement emails.	Engaged residents, local community groups, CALD	Digital Delivery	40 participants.

	community members, older residents, Friends of Edwardes Lake Park, Darebin Nature Trust, Local Vets and groomers.		
Promotional posters distributed in Reservoir.	Local residents.	Face to Face	Difficult to quantify, noting 35 posters were strategically placed in high traffic areas in Edwardes Lake Park, Crispe Park, along Broadway and in Darebin Libraries windows for residents using the click and collect service.
8 promotional corflutes strategically placed at Edwardes Lake Park and Crispe Park.	Edwardes Lake Park visitors and local residents.	Face to Face	Difficult to quantify, noting that the corflutes have been strategically positioned in high traffic areas including at various entrances of Edwardes Lake Park, athletics track, gyms.
Darebin Newsletter in the community news, sustainable Darebin newsletter, Family Services newsletter.	Darebin Residents	Combination of online and hardcopy paper	<ul style="list-style-type: none"> • 1581 families are subscribed to the What’s on for Families newsletter and received an invitation to participate in the consultation process. • The number of people subscribed to the Sustainable Darebin newsletter is 3,279. The October edition which featured the consultation information was opened by 1,187 readers. • The number of people subscribed to the Darebin Community Newsletter is 1035. Subscribers received an invitation to participate in this consultation.

Priority Group	Inclusion in the engagement process
People - Aboriginal and Torres Strait Islander	<p>Traditional Owners /First Nations People were advised of consultation process and invited to provide feedback through strategic stakeholder emails to relevant groups in the area.</p> <p>1.7% of all respondents identified as Aboriginal and/or Torres Strait Islander Peoples.</p>
People – CALD Communities	<p>Promotional material for this project was translated into the 5 most commonly spoken languages in this area of Darebin, including;</p> <ul style="list-style-type: none"> - Greek - Italian - Arabic - Cantonese - Hindi <p>Key community leaders were advised of this process through a stakeholder email and encouraged to pass on this information through their networks.</p> <p>In response to mid-consultation review, additional measures were undertaken to enhance CALD engagement. This included additional outreach to community leaders, the Darebin Ethnic Community Council, additional translated material placed on location.</p> <p>8% of all respondents indicated that they were from a CALD community.</p>
People - Age	<p>In response to mid-consultation review, additional measures were undertaken to enhance engagement with older residents. This included additional outreach through key Council contacts working with older community cohorts.</p> <p>Of the total number of respondents 2.8% indicated they were over 65 years of age.</p>
People - Disability	<p>6.3% of respondents have identified they have a disability.</p>

Community members were invited to have their say about the proposed design via letter drops to residents within 1km radius of the park, corflutes and advertising material on site as well as to local vets and the RSPCA. The engagement process allowed officers to reach a large and diverse group of residents to have their say and help shape the design of the proposed off-lead area.

The breakdown of the consultation participants are as follows;

- Over 8,797 people visited the Your Say page during the engagement period.
- 622 responses were recorded for the survey.
- 77.7% of respondents live in Darebin.
- 22.3% of respondents were visitors to Darebin.
- 40% percent of respondents live in Reservoir.

A total of 28% percent of responses received agreed with the draft concept design as presented. Comments in support of the draft design had similar themes including;

1. "Love that there is a separate area for shy dogs."
2. "It's a great and much needed idea!"
3. "Love it! Well worth the wait. Looks amazing and practical. Can't wait."
4. "The proposal looks really fantastic, I'm really looking forward to bringing my little Pomeranians here!"
5. "This is really fantastic, I'm so glad you are putting this here and the design is amazing. Clearly alot of thought has been put into this."

A total of 69.5% percent of responses sought changes and/or additions to the draft concept design with responses summarised into the following themes:

1. Calls for a greyhound specific area approximately 37%.
2. Requests for extended fencing around the entire perimeter of the site 18%.
3. Calls for a shelter for hot/rainy days 3.5%
4. Requests for agility equipment approximately 2.4%
5. Requests for a water feature to be included 0.48%
6. Calls for a long open grass area 1.4%

Only 0.2% of responses indicated they did not support the project and preferred that this project not proceed.

As part of the consultation, respondents were asked to rank the most important design features to be included in the final design. The highest-ranking features (and which have been incorporated into the design) include:

5. What do you think are the most important features of a dog off-lead area? Please rank the following from 1 to 5 with 1 being the most important. Rank at least one of the features. Please note that bins and dog waste bag dispensers will be incorporated in the final design so they are not on the list.

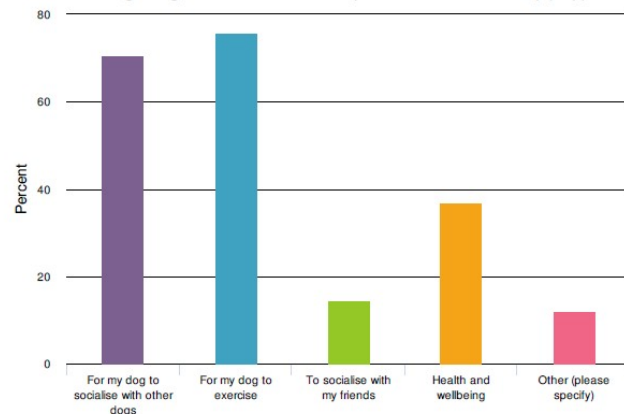
Item	Overall Rank	Rank Distribution	Score	No. of Rankings
A separated area for small or shy dogs	1		1,528	418
Drinking fountains for humans and dogs	2		1,486	433
Open grassed areas	3		1,261	383
Features for dogs to sniff and explore	4		1,100	361
Nature play for dogs	5		740	275
A variety of surfaces for dogs - mulch, gravel, grass, etc.	6		716	260
Seating for humans	7		537	203
A pathway around the perimeter	8		481	181
Pathways through the area	9		346	143

Lowest Rank Highest Rank

Question 3: What is your main reason/s for visiting dog off-lead areas?

The majority of responses for this question were that people visited dog parks to exercise and socialise their dogs. This is aligned with the presented draft concept designs that utilises the space for dog-centred activity, rather than human-centred comfort or design.

6. What is your main reason/s for visiting dog off-lead areas? (choose all that apply)



Value	Percent	Responses
For my dog to socialise with other dogs	70.6%	416
For my dog to exercise	75.9%	447
To socialise with my friends	14.6%	86
Health and wellbeing	36.7%	216
Other (please specify)	12.1%	71

Question 4: How are you most likely to travel to and from the area?

The majority of responses to this question were 'in a motor vehicle'. There is ample parking adjacent and nearby to the site of the dog off-lead area. If it becomes apparent over time that people are riding more, Council can investigate the installation of bike parking.

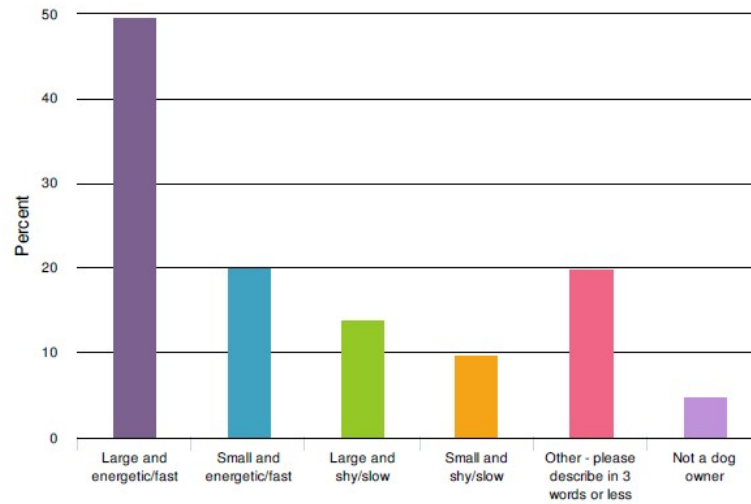
Question 6: To help us understand what types of dogs will visit the new off-lead dog area, please choose the best description for your dog/s

There was a mix of responses to this question. 49.6% of respondents described their dogs as large and energetic compared to 20% small and energetic. Of respondents whose dogs were described as shy/slow dogs (both large and slow) there was a total of 23.6%.

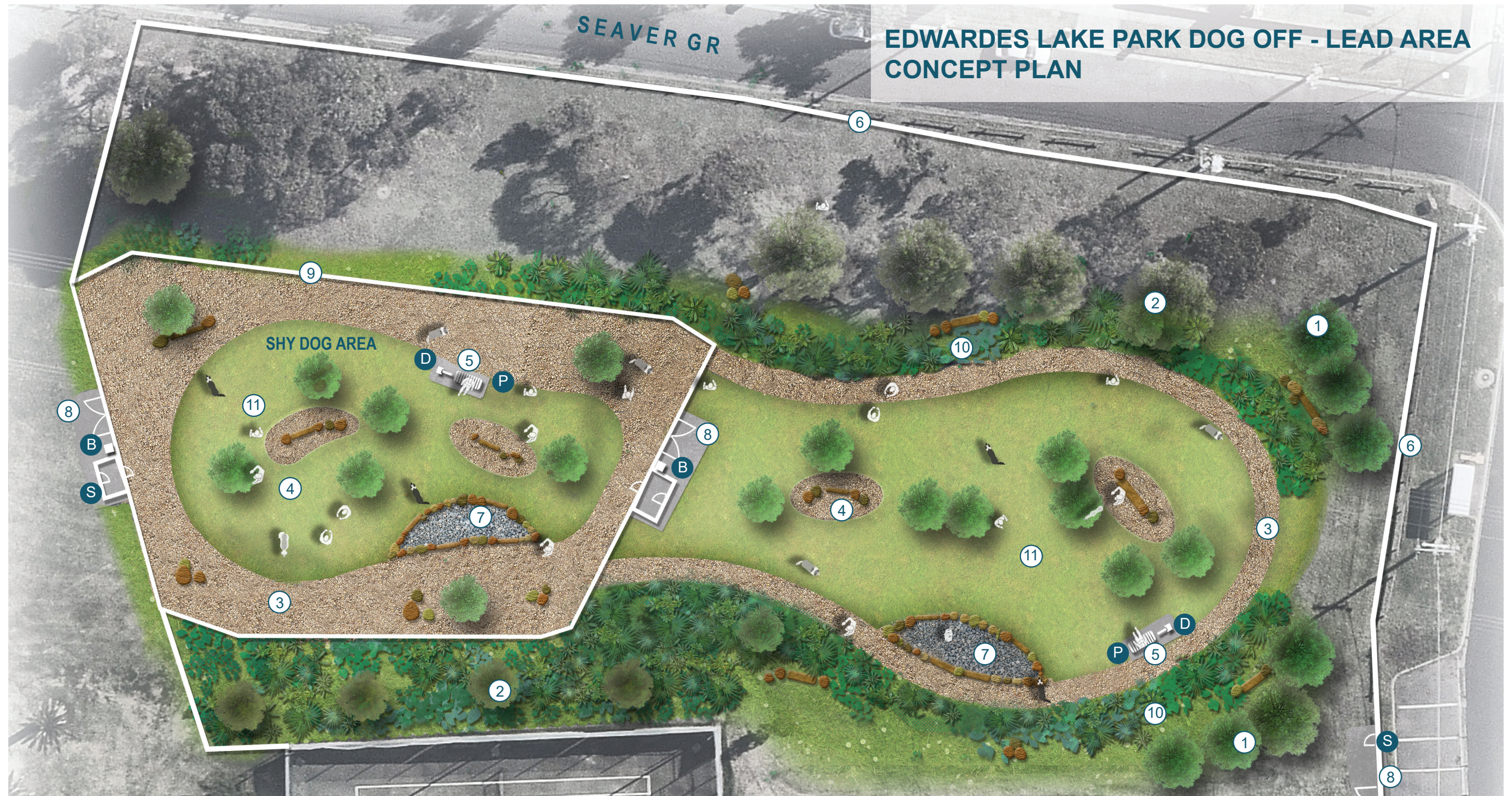
As demonstrated in the detailed response to question 2 (provided above), support for separated spaces for dogs with different temperaments was listed overall as the most important feature in the draft concept design. This feature has been included in the recommendation for the final design.

A detailed summary of responses to this question is provided in the table on the following page;

8. To help us understand what types of dogs will visit the new off-lead dog area, please choose the best description for your dog/s



Value	Percent	Responses
Large and energetic/fast	49.6%	292
Small and energetic/fast	20.0%	118
Large and shy/slow	13.9%	82
Small and shy/slow	9.7%	57
Other - please describe in 3 words or less	19.9%	117
Not a dog owner	4.8%	28



**EDWARDES LAKE PARK DOG OFF - LEAD AREA
CONCEPT PLAN**

SEAVER GR

SHY DOG AREA

- LEGEND**
- ① New tree planting
 - ② Existing tree planting
 - ③ Granitic sand path (2m wide at northern end)
 - ④ Timber logs + rock boulders
 - ⑤ Seating along path with drinking fountain + dog bowl
 - ⑥ 1.3m high chain mesh perimeter fence to match existing fence at tennis courts
 - ⑦ Dry creek area
 - ⑧ Concrete pedestrian entry with double gates
 - ⑨ 1.3m high chain mesh fence
 - ⑩ Mass planting
 - ⑪ Open grassed area
 - ⓑ Bin with dog waste bag + dispenser
 - ⓓ Drinking fountain with dog bowl
 - Ⓟ Park seat with arm rest
 - Ⓢ Entry signage



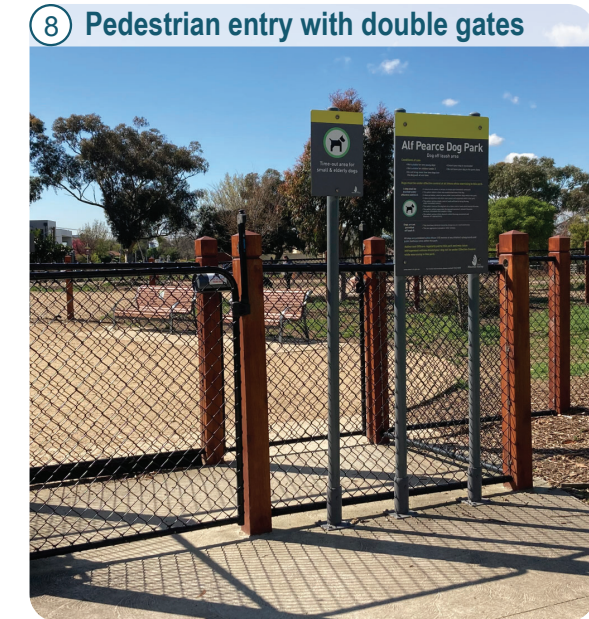
LEGEND

-  Concrete pedestrian entry
 -  Dry creek area
 -  Open grassed area
 -  Grantic sand
 -  Timber logs
 -  Rock boulders
 -  Seating along path with bubbler + dog bowl
 -  Mass planting
 -  Pedestrian entry with double gates
 -  New tree planting
 -  Existing tree planting
- 

City of
DAREBIN



the place
to live



9. NOTICES OF MOTION

9.1 NOTICE OF AMENDMENT

Councillor: Emily DIMITRIADIS

NoM No.: 21/21

Take notice that at the Council Meeting to be held on 15 December 2021, it is my intention to move:

That Council:

- (1) *Amends the previous resolution of Item 8.2 - SEPARATION OF WASTE COLLECTION SERVICE FEES FROM GENERAL RATES AND INTRODUCTION OF UNIVERSAL FOOD ORGANIC AND GARDEN ORGANIC WASTE COLLECTION, decided at the Council meeting 22 November 2021 at 9:38pm by rescinding points (2), (4), (5), (6), (7) and (8).*

Rationale:

The resolution needs to be amended because this item has not been subject to broad community consultation of which we have an obligation to do, especially because the resolution impact across all of the municipality, instead, the resolution has caught residents unaware of the implications to them as a result of the decision that has been made to endorse the separation of waste collection fees from general rates.

Notice Received: 22 November 2021

Notice Given to Councillors 22 November 2021

Date of Meeting: 15 December 2021

Attachments

Nil

9.2 CLEMENTS RESERVE**Councillor: Tim LAURENCE****NoM No.: 22/21**

Take notice that at the Council Meeting to be held on 15 December 2021, it is my intention to move:

***That** Council resolves to publicly release the detailed site investigation report which details the presence asbestos and lead hotspots in Clements Reserve in the interests of community safety and in accordance with our Council's commitment to being an environmentally conscious and open and transparent elected body.*

Rationale

The presence of asbestos and lead at Clements Reserve appears to date back many years with past residents speaking of the area being used for a rifle club and a history of dumping building and other materials in this parkland alongside Darebin Creek. The sandy mound where many lead hotspots were found has been a favourite play spot for children for many decades. The risk for potential exposure for children is a serious concern as being adjacent to play equipment the exposed sandy soil has been a magnet for children and toddlers over many decades. Over the years this sandy mound has been worn away by weather and community use and many cubic metres of contaminated soil has spread further in the park. The local community has a right to know the levels, extent and location of contamination hotspots in the Reserve. Council now has a chance to restore community trust and fulfil our duty of care on this matter with both current and past park users and current and past employees and contractors who have worked on this reserve.

Notice Received: 30 November 2021**Notice Given to Councillors 30 November 2021****Date of Meeting: 15 December 2021****Attachments**

Nil

9.3 IMPLEMENTATION REPORT ON LOVE LOCAL CARD**Councillor: Gaetano GRECO****NoM No.: 23/21**

Take notice that at the Council Meeting to be held on 15 December 2021, it is my intention to move:

That Council:

Receives an report at the March 2022 Council meeting regarding the Love Local Card. The report should include (but not be limited to) information and an analysis on the following:

- a) General uptake by residents of the \$30 Love Local Card.*
- b) Number of pensioners, concession card holders and other eligible residents that have taken up the \$50 Love Local Card.*
- c) Postcode and SEIFA location analysis of all recipients.*
- d) Feedback and complaints registered by residents and participating businesses.*
- e) Improvements to make the Love Local Card more equitably accessible.*

Rationale

Community members have raised issues regarding The Love Local Card initiative. While letters were sent out by Council advising residents of the opportunity to redeem their \$30 or \$50 cards concerns exist about the equitable uptake by residents especially vulnerable groups and residents who have communication issues with Council. This motion calls for a report to examine challenges associated with the full implementation of the initiative.

Notice Received: 1 December 2021**Notice Given to Councillors 1 December 2021****Date of Meeting: 15 December 2021****Attachments**

Nil

9.4 EXTENDING PENSIONER RATE REBATE TO OFFSET INTRODUCTION OF WASTE CHARGES**Councillor:** Gaetano GRECO**NoM No.:** 24/21

Take notice that at the Council Meeting to be held on 15 December 2021, it is my intention to move:

That Council:

Receives a report at the February 2022 Council meeting on financial modelling to extend the pensioner rate rebate that equates to no net increase as a result of the separation of charges.

Rationale

The introduction of the separation of waste charges from general rates which will result in the net increase in rates and charges of \$100 to \$168 for most pensioners will virtually wipe out the existing Council Pensioner Rate Rebate of \$150. This motion seeks to obtain more information on how the rebate could be extended to achieve a no net increase for pensioners as a result of the introduction of the separate waste charge.

Notice Received: 1 December 2021**Notice Given to Councillors** 1 December 2021**Date of Meeting:** 15 December 2021**Attachments**

Nil

9.5 UNNAMED LANEWAY**Councillor: Emily DIMITRIADIS****NoM No.: 25/21**

Take notice that at the Council Meeting to be held on 15 December 2021, it is my intention to move:

That Council:

1. *Notes that the laneway between 2 Gooch Street and 1 Raleigh Street in Thornbury, 3071 remains unnamed.*
2. *Notes that the Road and Place Naming Policy states under Section 8, that a name to a road or place “should have some sense of connection or relevance to the local areas having regard to the historical and cultural significance of the area.”*
3. *Notes that the Road and Place Naming Policy states under Section 9, that “in respect to the naming or renaming of roads, places and localities, consideration shall be given to... the Cultural and ethnic diversity of Darebin i.e. its migration history and multicultural groups”.*
4. *Notes that the multicultural group, Papaflessas, has written to Council and provided submissions on numerous occasions suggesting to Council that the laneway be named “Kalamata Place” due to its cultural and historical significance when thousands of Greek migrants settled in Thornbury from the 1950’s from towns in Kalamata where there was a street named ‘Papaflessas’ after their local hero.*
5. *Notes that this laneway is adjacent to the Papaflessas’ Club local heritage home at 2 Gooch Street Thornbury.*
6. *Receives a report on the request by the multicultural group, Papaflessas to name the laneway Kalamata Place, following the consultation guidelines of the Road and Place Naming Policy, at the February 2022 Council meeting.*

Rationale

I have received numerous requests about the naming of the laneway between 2 Gooch Street and 1 Raleigh Street in Thornbury 3071. Since our Road and Place Naming Policy states that the naming of laneways “should have some sense of connection or relevance to the local areas having regard to the historical and cultural significance of the area”, processes should be undertaken to consult on naming the unnamed laneway to Kalamata Place as requested by the Papaflessas Club, with the outcome to be determined after due consultation.

Notice Received: 1 December 2021**Notice Given to Councillors 1 December 2021****Date of Meeting: 15 December 2021****Attachments**

Nil

9.6 PRESTON MARKET**Councillor: Gaetano GRECO****NoM No.: 26/21**

Take notice that at the Council Meeting to be held on 15 December 2021, it is my intention to move:

That Council:

1. *Notes that in September 2021, it called for a report by February 2022 “to provide an update on the progress of the VPA’s Preston Market project, the findings of the Standing Advisory Committee and to consider any new advice or issues that may arise in the months that follow” and calls for this report to include:*
 - a) *The response by the Minister for Planning to Council’s Preston Market petition which strongly demonstrates the strength of the community’s response to protect the existing market.*
 - b) *The response by the VPA to council’s request that the Standing Advisory Committee panel must include expertise on heritage, markets, and members with an understanding of the cultural significance of this market now and in the past for Melbourne’s multicultural and migrant communities.*
 - c) *A review and analysis of the 386 submissions made to the VPA*
 - d) *The outcome of the Mayor’s meetings to date with various state parliamentary representatives*
 - e) *Council’s response to the Save the Preston Market Action Group’s request for information and consideration regarding public acquisition of the Preston Market as a way of safe guarding the Market into the future against demolition and over development*
 - f) *What further advocacy actions and activities Council can take to raise community awareness to protect the existing Preston Market.*
2. *Writes to the VPA requesting that it consider broader issues in its review of community submissions and detailed in Council’s own submission that go beyond “building structure and building form”*

Rationale

The future of Preston Market is very important to residents of Darebin and the broader northern community as demonstrated by the response to Council’s submission and broader community efforts to save the existing Market. The community has not received a full update of Council’s advocacy effort in a council report. Also, should consider further advocacy actions and formally respond to a request was made by the Save the Preston Market Action Group regarding Compulsory Acquisition. Lastly Council should consider making further representations to the VPA in light of its review of community submissions.

Notice Received: 1 December 2021
Notice Given to Councillors 1 December 2021
Date of Meeting: 15 December 2021

Attachments

Nil

9.7 EXTENDING CONCESSIONS TO ALL RESIDENTIAL PROPERTY OWNERS**Councillor: Gaetano GRECO****NoM No.: 27/21**

Take notice that at the Council Meeting to be held on 15 December 2021, it is my intention to move:

***That** Council receives a report at the February 2022 Council meeting on a further concession to owner-occupiers in residential properties valued over \$500,000 by the Valuer General that equates to no net increase as a result of the separation of waste charges.*

Rationale

In the November resolution and accompanying report that was passed by Council no consideration or analysis was provided on a concession to owner-occupiers in residential properties over \$500,000. This information is vital for Council in ensuring equity and fairness considerations are modelled and appropriately costed.

Notice Received:	1 December 2021
Notice Given to Councillors	1 December 2021
Date of Meeting:	15 December 2021

Attachments

Nil

9.8 EXPLORING OPTIONS TO RESPOND TO THE STATE WIDE RECYCLING VICTORIA REFORMS**Councillor: Gaetano GRECO****NoM No.: 28/21**

Take notice that at the Council Meeting to be held on 15 December 2021, it is my intention to move:

***That** Council receives a preliminary report at the February 2022 Council meeting on possible rating options (apart from separating waste service cost recovery from general rates) accompanied with summary financial information to respond to the State wide Recycling Victoria Reforms*

Rationale

Over the past few weeks community members have requested more attention be given by Council in comprehensively considering how to equitably share the burden of the way in which council collects waste future waste costs. In order to achieve this in an informed and transparent manner Council should consider all possible options in meeting this challenge. So far Council has focussed on only one option by considering the separation of waste service cost from general rates without considering a more complete set of financial models. This notice of motion will enable for this work to be done and presented to Council and residents

Notice Received: 1 December 2021**Notice Given to Councillors 1 December 2021****Date of Meeting: 15 December 2021****Attachments**

Nil

9.9 SEPARATE WASTE CHARGE**Councillor: Julie WILLIAMS****NoM No.: 29/21**

Take notice that at the Council Meeting to be held on 15 December 2021, it is my intention to move:

***That** Council provides a report on:*

- a) *The feasibility of not charging pension card holders;*
- b) *The total number of all concession cardholders who are home owners in Darebin;*
- c) *The adequacy of the current eligibility criteria for Councils Hardship Policy, in view of the introduction of the new waste charge and its impact on the most disadvantaged in our community*

Rationale

It is part of our policy and council plan to ensure council goes to community consultation. The intent of motion is to see how the current hardship criteria policy will help the most disadvantage effected by the introduction of the new waste charge.

Notice Received: 1 December 2021**Notice Given to Councillors 1 December 2021****Date of Meeting: 15 December 2021****Attachments**

Nil

10. URGENT BUSINESS

11. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL


12. CLOSE OF MEETING

**CITY OF
DAREBIN**

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