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AGENDA

Ordinary Council Meeting to be held
on Monday 29 June 2020 at 6.00 pm.

This Council Meeting will be held virtually

This measure is in accordance with the *COVID-19 Omnibus (Emergency Measures) Bill 2020*, passed by the Victorian Government to allow Council meetings to be held by electronic means.

The meeting will be available for the public to watch through livestreaming via Councils website www.darebin.vic.gov.au

The Council Chambers at 350 High Street, Preston will remain closed during this time.

Persons wishing to submit a 'Public Question' or a 'Submission' to an item on the agenda may do so online by 12.00 noon on the day of the meeting via the Question and Submissions form or by email Q&S@darebin.vic.gov.au




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

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

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

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

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



English

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

Arabic

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

Chinese

这是市议会会议议程。如需协助了解任何议项，请致电8470 8888。

Greek

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

Hindi

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

Italian

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

Macedonian

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

Nepali

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

Punjabi

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

Somali

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

Spanish

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

Urdu

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

Vietnamese

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

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Agenda

1. MEMBERSHIP

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

2. APOLOGIES

3. DISCLOSURES OF CONFLICTS OF INTEREST

4. CONFIRMATION OF THE MINUTES OF COUNCIL MEETINGS

Recommendation

That the Minutes of the Ordinary Meeting of Council held on 9 June 2020 be confirmed as a correct record of business transacted.

5. QUESTION AND SUBMISSION TIME

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

Persons wishing to submit a 'Public Question' or a 'Submission' to an item on the agenda may do so online by 12.00 noon on the day of the meeting via the Question and Submissions form or by email Q&S@darebin.vic.gov.au

QUESTIONS

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

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

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

In accordance with the Council Meeting Governance Rules (Meeting Procedure & Common Seal Local Law) 2020, the Chairperson may disallow a question if it:

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

SUBMISSIONS OR COMMENTS

Members of the public may submit a 2 minute submission on a matter listed on the Agenda which will be read out by the Mayor prior to the item being debated.

Persons wishing to submit a 'Submission' to an item on the agenda may do so online by 12.00 noon on the day of the meeting via the Question and Submissions form or by email Q&S@darebin.vic.gov.au

HOW TO SUBMIT YOUR QUESTION OR MAKE A COMMENT OR SUBMISSION

Members of the public who wish to ask a question, or make a comment or submission to an agenda item, at an Ordinary Council Meeting may register their question or submission before 12.00 noon on the day of the meeting in one of the following ways:

- (a) online at darebin.vic.gov.au/questionsandsubmissions; or
- (b) by email to Q&S@darebin.vic.gov.au; or
- (c) by mail to PO Box 91, Preston 3072.

This Council Meeting will be held virtually.

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

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

6. PETITIONS

7. CONSIDERATION OF REPORTS

7.1 CAT CURFEW

Author: Manager City Safety & Compliance

Reviewed By: General Manager City Sustainability and Strategy

EXECUTIVE SUMMARY

This report recommends that Council consults the community on a proposal to introduce a dusk till dawn cat curfew (7pm to 7am). The curfew is proposed to address cases of cats trespassing and nuisance and to also limit the impact of cats on the environment and local wildlife. Cat curfews are commonly used for this purpose.

Recommendation

That Council:

- (1) Endorses a draft proposal for a dusk till dawn cat curfew for consultation with the community.
 - (2) Receives a further report summarising the outcome of community consultation and providing a recommendation for Council adoption.
-

BACKGROUND / KEY INFORMATION

Under the provisions of the *Domestic Animals Act 1994* all Councils in Victoria are required to develop a Domestic Animal Management Plan which requires renewal every 4 years. This plan outlines the services, programs and policies the Council has established to address the administration of the Act and the management of dog and cat issues in their community.

Council's current Domestic Animal Management Plan 2017-2021 includes the following strategy: "*Evaluate current information and consider the introduction of a cat curfew to prevent cats preying on native wildlife.*"

Previous Council Resolution

At its meeting held on 16 October 2017, Council resolved to adopt the Domestic Animal Management Plan 2017-2021.

COMMUNICATIONS AND ENGAGEMENT

Consultation

In the development of Council's 2017-2021 Domestic Animal Management Plan community consultation was conducted in 2017. A survey question asked the effectiveness of "introducing a cat curfew to control cats from roaming at night". A total of 269 responses were received with 49.4% of respondents indicating that a curfew would be very effective. Respondents were requested to rate responses from 1 (not at all effective) through to 5 (very effective). The

average response was 3.8 which confirmed that respondents agreed that a curfew would be effective and generally indicated support for a curfew.

Informal consultation with stakeholders to date suggests there are strong views amongst some residents both for and against a curfew. A number of stakeholders have expressed a view that a curfew is important for protection of local wildlife. By contrast, Council's Domestic Animal Management Reference Group has expressed a view that a cat curfew may adversely affect the image of cats in the community, and some members of this Group don't support a curfew.

Communications

Should Council decide to proceed with consultation on the proposal to introduce a curfew, public communications will run to promote the consultation period and to seek feedback.

ANALYSIS

Alignment to Council Plan / Council policy

Goal 3 - A liveable city

Using a risk-based approach, respond appropriately, consistently and in a timely manner to matters affecting the safety and amenity of our community.

Environmental Sustainability Considerations

Cats are most active at night, particularly at dusk to dawn. This coincides with the activity periods of many species of native wildlife. If given the opportunity, cats will instinctively hunt and kill wildlife, even if they are not hungry. Keeping cats confined at night-time will help protect our Australian wildlife.

Darebin's Natural Environment

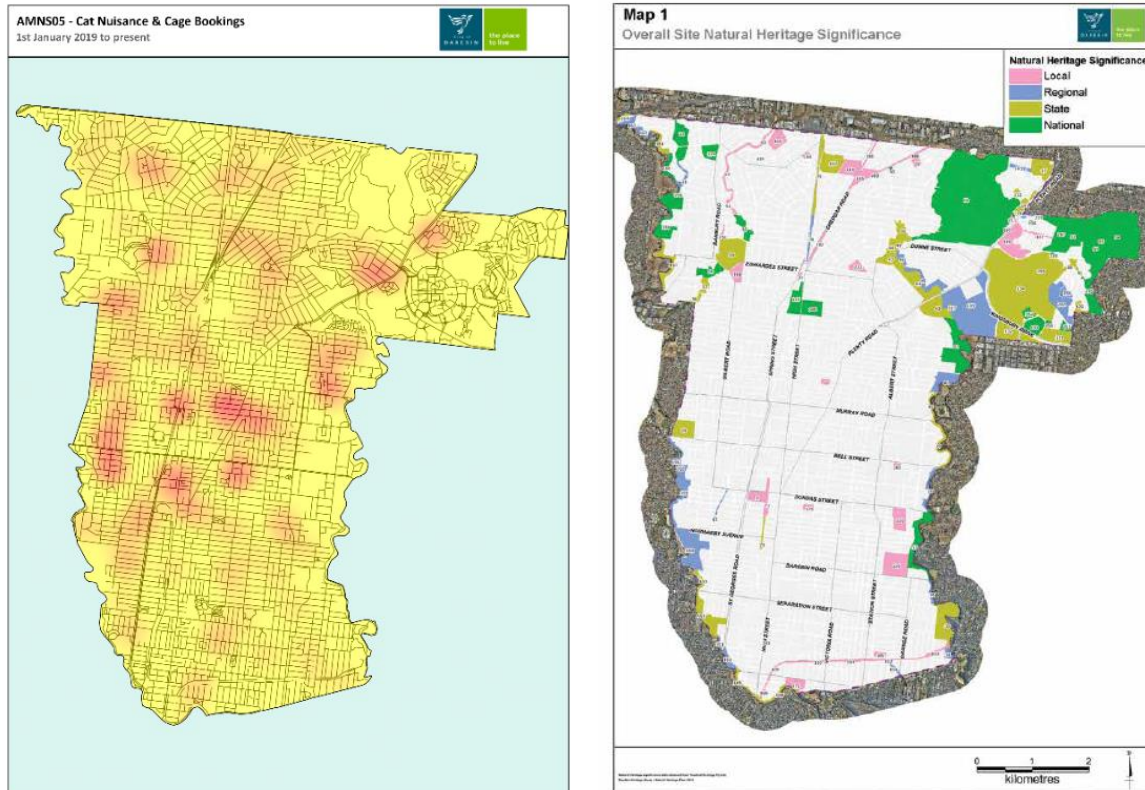
The City of Darebin is home to more than 179 species of significant plants and animals. Council works to protect and enhance remnant local native and indigenous vegetation. We have 39 conservation bushland sites within Darebin which is 24% of the total open space in the municipality.

Darebin has a wealth of natural heritage for a metropolitan Council including:

- 51 sites of local significance.
- 24 sites of regional significance.
- 2 sites of regional-state significance.
- 34 sites of state significance.
- 2 sites of regional-national significance; and
- 26 sites of national significance.

Council has a commitment to protect and enhance these areas through effective policies and practices by working with the community and other landowners. Wildlife predation is an important factor when considering the pros and cons of a cat curfew. The Department of Environment, Land, Water and Planning (DELWP) note that, *"Cats and dogs are wonderful companion animals. However, they are also very efficient predators of our native wildlife and kill and injure many wild animals every year. Even well fed and cared for cats and dogs instinctively hunt and chase"*.

From comparing maps of 2019 Cat Nuisance & Cage Booking service requests and Natural Heritage Significant locations, it is clear that some areas within the City of Darebin experience high numbers of reported cat nuisance issues are also located within close proximity to areas of natural heritage significance.



Equity, Inclusion and Wellbeing Considerations

The health and wellbeing aspects of responsible pet ownership are well documented. The consideration of a cat curfews seeks to manage the nuisance elements caused by cats straying on to neighbouring properties. This may lead to greater harmony between neighbours, improve amenity and decrease complaints. The adverse effects on environment and wildlife will also be better managed.

Cultural Considerations

Communication with diverse community groups will be addressed by:

- Providing material in community languages.
- Mailing out to representative community groups.

Economic Development Considerations

There are several options for confining a cat most of which are low or no cost.

- Simply keep the cat inside the household with the occupants.
- Confine the cat at night in a shed or garage.
- Build a cat enclosure outside.
- Purchase a cat enclosure (solid or net), or modular cat park for outside.
- Build a cat-proof boundary fence around the property.

Financial and Resource Implications

It is not proposed that Council's after-hours service would be extended to respond to this type of enquiry as this after-hours service is strictly limited to urgent public safety issues (such as dog attacks). As a result, this proposal is not anticipated to have a resource or financial impact.

Legal and Risk Implications

Under section 25 of the *Domestic Animals Act 1994*, Council may by resolution make an order prohibiting or regulating the presence of cats or dogs in "specified areas" during times specified in the order.

DISCUSSION**Benefits to cats and wildlife of curfews**

Cat curfews have benefits for the welfare of cats as well as to native wildlife.

Around half of councils in Melbourne currently have a cat curfew in operation. Many Councils recommend keeping cats indoors at all times. This provides the cat with the longest and happiest life possible, while protecting local wildlife. Cats make wonderful pets, but they are also expert hunters and kill an estimated 77.6 million birds in Australia every year.

With almost half of our threatened animals living in cities and towns, cats can devastate native wildlife if left outside.

As well as keeping our local wildlife safe, keeping cats indoors decreases their risk of getting sick or injured from a road accident, fight, poison or disease. Keeping cats inside increases their lifespan to up to three times as long as an outdoor cat's. Keeping a cat at home avoids the risk of disease, injury or death from:

- Being hit or run over by a car.
- Being attacked by a dog.
- Fighting with other neighbourhood cats.
- Acquiring a serious infection, such as feline immunodeficiency virus (fiv) or feline leukaemia virus (felv), which can be fatal or have life-long consequences.
- Eating poison baits intended for other animals such as rats or foxes or eating rats or mice that have ingested poison baits. Pet cats may also be victims of intentional poisoning by people that consider them to be pests.
- Being stolen or abused.
- Picking up ticks or fleas and acquiring related illnesses such as tick paralysis.
- Being bitten by a venomous snake.

Approximately 80% of accidents involving cats occur at night. Cats allowed to roam can be killed or injured through car accidents and fights with other animals. They may contract fatal diseases such as Feline AIDS or be more likely to require veterinary attention for fleas, ticks, worms, abscesses, cuts, diarrhoea and other illnesses. They may also get lost or join an unowned cat colony. For these reasons, cats kept inside generally live at least three times longer than cats which are not confined. The safety benefits are even greater for cats kept inside or in an enclosure both day and night.

Contrary to popular belief, cats do not have an innate need to roam; they simply require opportunities for exercise and play, as well as around 19 hours of sleep per day. Many city cats become better pets and enjoy long, healthy and contented lives inside a house or flat 24 hours a day.

A curfew would be expected to reduce the number of cat related complaints Council receives

By keeping cats confined, they will not be able to annoy neighbours by spraying and howling. Roaming cats also cause disputes and anxiety between neighbours by causing dogs to bark, by fighting with other cats, and by defecating in gardens. This should have a positive result on the amenity of our neighbourhoods and decrease the number of complaints resulting from nuisance cats.

Council received the following complaints relating to cats during the period November 2018 – November 2019):

- Cat Nuisance service requests: 279 (64%)
- Cat traps borrowed by Darebin residents: 158 (36%)

The main reasons for cat nuisance complaints were:

- Cats causing stress disruption to resident animals and people.
- Faeces and urine left by stray cats.
- Stray cats preying on wildlife.
- Breeding.
- Fighting with other animals.

Other types of curfew have been considered but are not recommended

A 24hour 7 day a week curfew is a much stricter form of restriction and would in practice result in many cat owners building cat runs on their properties. This is obviously at a significant cost to residents.

There are several 24/7 cat curfews in regional and urban fringe areas of Victoria including Baw Baw, Yarra Ranges and Mornington Peninsula. There has been strong community feedback in a number of these areas against a 24/7 curfew with concerns including that cat owners would effectively be “forced to spend hundreds of dollars on enclosures or surrender their animals altogether”. A 24/7 curfew would be expected to result in greater benefit to wildlife.

Officers advise that on balance a 24/7 curfew is not recommended at this time. Many community members are facing financial strain or uncertainty at this time, and a dusk to dawn curfew is expected to make a significant difference. The dawn to dusk cat curfew will apply to cats being restricted to their property and this will deal with the issue of keeping animals out of public places and will protect local wildlife.

A ban of animals on public land has also been considered, but this is not recommended because it is very difficult to enforce in practice and doesn't address nuisance. It is less effective than other options.

OPTIONS FOR CONSIDERATION**Option 1 (recommended)****Release a draft proposal for the implementation of a cat curfew (dusk to dawn) for community consultation**

The proposal that would be put to the community would be that a 7pm to 7am order to apply to all areas other than the owner's property.

This is the recommended approach to a curfew as it is seen to address the majority of issues associated with stray cats which tend to occur between dusk and dawn. There is significant experience with this approach in other parts of Melbourne that demonstrates benefit. There would still be some impact of cats out during the day in regard to wildlife. Based on feedback from stakeholders to date, officers expect that there will be strong views both for and against a cat curfew and therefore it is a significant decision of Council.

Should Council support releasing the proposal for community consultation at this time, the earliest that consideration of the outcomes of the engagement and a decision about whether to implement a curfew could occur would be at the Council meeting on 17 August 2020. This date is just prior to the pre-election period specified in Councils Election Period Policy.

Option 2 (not recommended)**Release a draft proposal for the implementation of a cat curfew (24-hour 7 day a week curfew) for community consultation**

In this option Council would consult on a 24-hour, 7 day a week order to apply in all areas other than the owner's property.

This approach would be highly resource intensive and officers recommend that it is too great a restriction as a first response to the issue. This option would be expected to have the most benefit to wildlife. While experts advise that cats don't need to be outdoors, many people feel like this is important for their pets and some residents would be likely to feel like the need to invest in things like cat runs, which would involve incurring cost.

Option 3 (not recommended)**Release a draft proposal for the implementation of a cat curfew to apply to public places only (24-hour 7 day a week curfew) for community consultation**

In this option Council would consult on a 24 Hour, 7 day a week order to apply to all public places.

This option would have similar drawbacks to option 2 and also does not address the issue of cats trespassing on to neighbouring properties. It would be limited to public places and therefore does not reinforce the requirements of the Domestic Animal Act.

Option 4 (not recommended)**Defer a decision on this matter**

Council could choose to defer a decision on this matter. If deferred, community engagement could be reconsidered in early 2021 or later. Depending on COVID-19 restrictions, an engagement process next year could include a mailout to pet owners as an insert in the registration renewals.

IMPLEMENTATION STRATEGY**Details**

If Council decides to proceed with consultation on a draft proposal for a cat curfew, community engagement would start for 28 days.

Communication

Should Council decide to proceed with consultation in 2020, officers would promote the consultation via social media and by seeking feedback from Council's advisory groups and contacting stakeholders with a known interest. Consultation materials would be supported with translation services.

Consultation wouldn't include print communications as the timing prior to the pre-election period doesn't align with promoting this through Darebin News, nor as part of animal registrations. In person consultation would be dependent on COVID-19 restrictions.

RELATED DOCUMENTS

- Domestic Animal Management Plan 2017-2021.

Attachments

Nil

DISCLOSURE OF INTEREST

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

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

7.2 OUTDOOR SPORTS INFRASTRUCTURE FRAMEWORK

Author: Recreation Planning and Participation Co-ordinator

Reviewed By: General Manager Community

EXECUTIVE SUMMARY

This paper provides an update on the final round of public consultation for the Outdoor Sports Infrastructure Framework (Framework).

The Framework will inform infrastructure investment, development and renewal of Council's outdoor sports facilities for the next 10 years. This Framework will replace the current Outdoor Sports Venues Infrastructure Policy 2012 and provides an evidence base to inform future decision making.

Infrastructure investment choices is one of several strategies that Council utilises to leverage outcomes to maximise social and environmental outcomes. Other strategies (that sit outside of the Framework) that are currently being implemented include: annual and seasonal occupancy (licence) agreements, community grants, sports club capacity building workshops, the Performance Subsidy Program and the COVID-19 Business and Community Resilience Package. Together the strategies form a platform for supporting community sport, encouraging physical activity, maximising participation and connecting and strengthening communities.

Recommendation

That Council adopt the Outdoor Sports Infrastructure Framework.

BACKGROUND / KEY INFORMATION

The draft Framework was launched on Your Say Darebin for the final round of consultation on 1 April 2020, closing 24 April 2020.

In summary, the feedback:

- Expressed support for the Framework to deliver a strategic and evidence-based scoring system to identify priority projects.
- Queried timelines in relation to specific projects.
- Requested clarification on infrastructure excluded from the Framework (e.g. ground works and fencing).

The scoring and methodology remain unchanged as a result of the consultation, while minor additions to the Framework have been made being: cycling statistics and an additional lighting project (for cycling) on the priority list.

Previous Council Resolution

At its meeting held on 16 March 2020, Council resolved:

'That Council endorse the draft Outdoor Sports Infrastructure Framework for the purpose of community consultation.'

COMMUNICATIONS AND ENGAGEMENT

Consultation

Council's draft Framework was launched on Your Say Darebin for the final round of consultation on 1 April 2020. Sixty-one sports clubs were emailed and encouraged to provide feedback with a reminder email being sent on 20 April inviting any final comment.

The consultation was promoted to the wider community through four social media posts linking to Your Say Darebin between 1-16 April.

Consultation closed on 24 April 2020 with 11 responses received from sports clubs.

A summary of the feedback received is noted above in the background/key information section of this report.

Specific feedback was also provided by the Preston Cycling Club (based at TW Andrews Reserve velodrome) which:

- Suggested that outdoor cycling statistics should be included (the document has now been updated to include these).
- Advocated for lighting at TW Andrews Reserve to be included in the Framework. This feedback was valuable as it identified gap in the Framework. Lighting for cycling at the TW Andrews outdoor velodrome was evaluated against the scoring matrix and has subsequently been identified as a priority and the Framework has been updated to reflect this.

See pages 7 and 12 of **Appendix A** for these amendments.

Communications

A detailed consultation and engagement plan, in line with Council's Community Engagement Strategy and Framework, was developed. Due to the COVID-19 disruptions, the COVID Incident Control Team Consultation Sub-Committee also considered and approved the consultation plan which detailed the method and key messages for the final round of consultation.

Over the course of this project, consultation and engagement has been open to the broader community while focussing on stakeholders (Darebin sport and recreation clubs/organisations, sporting associations and officers across a range of Departments within the organisation).

ANALYSIS

Alignment to Council Plan / Council policy

Goal 2 - Opportunities to live well

Goal 5 - Involving our diverse community

- Council Plan Action Plan 2018-2019 – Undertake a comprehensive investigation into the current asset condition of sporting facilities.
- Council Plan Action Plan 2019-2020 – Implement the Outdoor Sports Venues Infrastructure Plan to prioritise upgrades that ensure facilities are inclusive and accessible.
- Leisure Strategy 2010-2020

- Outdoor Sports Venues Infrastructure Policy 2012
- Outdoor Sports Venues Infrastructure Priority Plan 2013
- Leisure Strategy Action Plan 2015-2020
- Breathing Space: The Open Space Strategy 2019

Environmental Sustainability Considerations

The scoring matrix prioritises sustainable design requirements for any future development of sports infrastructure using the following criteria:

Environmental Benefit/Impact

- The project will reduce energy/resource consumption, providing cost benefits OR is consistent with Council's Environmental Sustainable Design (ESD) policy.

The criteria has a weighting of 10% within the assessment matrix.

Climate Emergency

Energy efficiency in buildings remains one of the most effective ways to reduce energy use and carbon emissions. Council will continue to adopt the established ESD guidelines in the development and renewal of sporting pavilions to help achieve Council's climate and other environmental strategies.

The Framework also calls for:

- The upgrade of sports field lighting to energy efficient LEDs.
- The introduction of solar panelling on all new builds.
- The investigation of opportunities to construct synthetic fields that are recyclable and require less maintenance and no irrigation.

Equity, Inclusion and Wellbeing Considerations

The scoring matrix incorporates equity, inclusion and wellbeing considerations for any future development of sports infrastructure through the following criteria areas:

Participation Outcomes

- The project maximises the use or multi-use of the facility and caters for a broader range of facility users including CALD communities, multicultural groups, people of all age groups, Aboriginal people and people from socio-economic disadvantage backgrounds.
- The project will increase participation rates in sport and/or recreation.
- The project will cater for both genders or a gender not currently catered for at the facility.
- The project will cater for all age groups or an age group not currently catered for at the facility.
- The project enhances access and inclusion and/or provides an accessible facility for people with a disability.

Need and Community Benefit

- Improves the self sufficiency and viability of the club/user groups.
- Provides access to healthy sport and recreation environments promoting community wellbeing.
- The project will enable increased usage of an underutilised sport or recreation facility for formal or informal activities.

Combined, these criteria have a weighting of 25% within the scoring matrix.

In addition, Disability Discrimination Act (DDA) requirements and male and female change rooms and toilets are considered within Category One of the scoring matrix under 'Fit for Purpose and Functionality' and 'SSA Facility Guidelines/Rules of Competition' criteria. This Category One component carries a criteria weighting of 50% (in addition to the 25% already established through 'Participation Outcomes' and 'Need and Community Benefit').

Cultural Considerations

The Framework prioritises cultural considerations for any future development of sports infrastructure. Considerations of the needs of people from CALD communities and multicultural groups are emphasised within the participation outcomes component of the matrix.

Participation outcomes carry a total weighting of 15% within the assessment matrix.

Economic Development Considerations

While there have been no economic development considerations identified in this program, wherever possible, local contractors will continue to be sought to deliver the prioritised list of projects over the next 10 years, in line with the Social and Sustainable Procurement Policy.

Financial and Resource Implications

This project creates a pipeline of projects that can be planned and budgeted for over a 10-year period. The 10-year capital works plan is informed by the findings of this work.

The outcome of the Framework is a list of priority projects; the timing of the delivery of these will be reviewed and determined annually in alignment with the Access and Equity Impact Assessment and accommodating disruptions such as COVID-19 and opportunities such as new funding streams as they arise.

Legal and Risk Implications

Risks associated with not supporting and developing sporting facilities include:

- Declining and/or stagnant rates in physical activity and sports participation.
- Limiting opportunities for community development and social interaction.
- Under-utilisation of facilities.

DISCUSSION

The Framework includes the following key components:

- A summary of the audit process undertaken at Darebin sporting facilities.
- High level findings on current and projected future participation for outdoor sports.
- Criteria for identifying investment priorities which includes:
 - Fit for purpose, condition and State Sporting Association guideline assessments.
 - Participation outcomes – including equity inclusion
 - Need and community benefit
- A list of prioritised projects pertaining to Pavilions, Sports Field Lighting and Cricket Nets/Batting Cages.

Council officers will work with tenant clubs whose facilities receive capital funding on the implementation requirements of each project. Strategies to maximise community participation and address access and equity issues continue to compliment facility investment decisions through programs such as community grants, sports club capacity building workshops, and the occupancy (licence) agreements with clubs. Access and equity outcomes are also incentivised through the performance subsidies program.

Public feedback on the draft Framework indicated support for the Framework to deliver a strategic and evidence-based scoring system to identify priority projects.

OPTIONS FOR CONSIDERATION

The following options are available to Council with respect to the draft Outdoor Sports Infrastructure Framework:

Option 1 – Adopt the draft Outdoor Sports Infrastructure Framework.
This is recommended.

Option 2 – Do not adopt the draft Outdoor Sports Infrastructure Framework. This option will jeopardise the accuracy in which future consideration is given to capital works budgets/projects moving forward.
This is not recommended.

IMPLEMENTATION STRATEGY

Details

The Framework will inform Council's decision making regarding the future capital investment in sports infrastructure, aligned to the 10-year capital works plan.

Communication

The Framework will be shared internally with relevant Council departments. Relevant user groups will also be notified upon budget adoption each financial year as to the redevelopment and renewal of their facilities based on input from the framework scoring matrix and an Equity Impact Assessment as detailed above.

RELATED DOCUMENTS

Attachments

- Draft Outdoor Sports Infrastructure Framework (**Appendix A**)

DISCLOSURE OF INTEREST

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

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

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7.3**STREETS FOR PEOPLE PRESTON ACTIVITY LINK (JAMES STREET)****Author:** Senior Transport Planner & Urban Designer**Reviewed By:** General Manager City Sustainability and Strategy

EXECUTIVE SUMMARY

Council recently consulted community in regards to a proposed concept design for the *Preston Activity Link (West) 'Streets for People'*. Feedback from community has been considered and a final concept design is proposed in this report for Council consideration.

This includes the section from Cramer Street to Elizabeth Street, and incorporates a trial pocket park / road closure at James Street. The trial pocket park / road closure is included in a package of *Preston Activity Link* priority street improvements proposed for 2020-21 and has been referred to the Council budget process for consideration. If Council endorses the concept designs proposed in this report and if funding is allocated, construction of the trial is expected to start in early 2021.

The final concept design presented incorporates significant community feedback that was gathered during the third round of engagement.

The concept designs will better manage traffic volume, enable convenient local trips for residents, and, support a better connection across Elizabeth Street.

It is proposed that the James Street pocket park / road closure be trialled for 12 months. This will allow further community feedback to be gathered about how well the new safety treatment is working. An evaluation will be completed to help determine whether the road closure / pocket park should be made permanent. The final design would then be completed if the trial is successful, and if budget is available.

Opportunities for external funding will be explored, with funding for further design stages and construction to be considered in future Council budgets.

Recommendation

That Council:

- (1) Endorses the '*Streets for People*' *Preston Activity Link* (James Street) concept designs, including a trial road closure and pocket park, attached as **Appendix A**.
- (2) Thanks community members for their feedback and participation throughout consultation.
- (3) Notes that the engagement summary for all three rounds of community engagement for '*Streets for People*' *Preston Activity Link (West)* will be made publicly available, attached as **Appendix D**.
- (4) Requests a further report on the effectiveness of the road closure / pocket park after the 12-month trial period is completed.

BACKGROUND / KEY INFORMATION

Feasibility Study

In 2018 Council developed a corridor framework plan for 8 cycling corridors across the municipality – the *Streets for People Feasibility Study* (Study). The Study used the State Government's *Movement and Place* approach which gives priority to active transport, maintains streets as destinations and increases greening.

The Study was endorsed by Council in October 2018, along with the Preston Activity Link and Northern Reservoir Corridor as the two Streets for People corridors to be consulted on and designed in 2018-19 and 2019-20.

Preston Activity Link Development

The first round of consultation focused on the western and eastern ends of the corridor, from Elizabeth Street to St Georges Road, and from Plenty Road to Darebin Creek (outlined in the 11 November 2019 Council briefing).

At the 2 December 2019 Council Meeting, Council endorsed releasing the draft plans for the Preston Activity Link (West) for a second round of community engagement (shown by the red circle in Figure 1, **Appendix A**). During the second round of engagement there was strong support for the proposed concept designs. However, concerns were raised about the road closure / pocket park on James Street reducing accessibility.

After considering community feedback a review was undertaken, and an alternative pocket park with road closure location was identified offering similar benefit with fewer drawbacks. The pocket park and road closure are proposed to be moved south of Cramer Street on James Street (between Hope Street and Cramer Street).

At the 27 April 2020 Council meeting, Council endorsed the concept designs for design and delivery of the Preston Activity Link (West) between St Georges Road and James Street, and endorsed the release of the modified location for the James Street road closure / pocket park for a third round of direct engagement.

Previous Council Resolution

At its meeting held on 27 April 2020, Council resolved:

'That Council endorses a third round of direct community engagement for the James Street closure / pocket park and Hope Street.'

COMMUNICATIONS AND ENGAGEMENT

Consultation

Consultation Results

A summary of the Round 1 consultation findings was presented to Council on 2 December 2019, and a summary of Round 2 engagement and findings was presented to Council on 27 April 2020.

A summary of the engagement findings from Round 3 is included in the discussion section of this report. An engagement summary report for all three rounds of community consultation is included as **Appendix D** to this report.

How we engaged the community

The third round of engagement with directly impacted residents was undertaken to receive feedback on the James Street road closure / pocket park, including:

- Letter box drop to approximately 700 households in the area occurring in early May, outlining the draft concept design and reason for changing the treatment location.
- Additional letter to owners of three households directly adjacent to the proposed pocket park, requesting feedback and the opportunity for further discussion about project. A knock on the door would have usually been used to gain direct householder feedback but was not deemed appropriate in the current environment regarding Covid-19 pandemic response and social distancing requirements.

Engagement participation

The *Your Say* web page received over 130 visits during this round of engagement (almost 20% of directly contacted households), with 34 households providing feedback by email. These represented households in James Street (27%), Grandview Road (21%), Cramer Street (12%), Booth Street (9%), Grange Street (6%), Knapp Street (3%) and Belmont Street (3%). 19% of people that responded did not provide location details with their feedback.

Reaching diverse communities

The consultation was designed to be accessible for our diverse community including people not proficient in English or with other communication barriers.

In this local area, approximately 90% of residents identify as proficient in English and the main non-English languages spoken are Arabic, Greek and Italian. Consultation sought to make information accessible and create opportunities for all directly contacted residents to take part. This was achieved this by:

- All mailouts including information in 12 languages about how to access translation services, as well as information about how to access the national relay service.
- Diagrams, which were an important part of project communications materials and designed to communicate universally.

Communications

A detailed communications and engagement approach was developed for the *Streets for People Preston Activity Link (West)* project. Councillors were advised of forthcoming engagement efforts at the Council Meeting on 27 April 2020. The ultimate vision and objectives for this project, described in external communication, are to:

- Prioritise walking and cycling activity in the local area for those moving between homes, train stations, local businesses and schools, by providing safe and attractive streets for all to enjoy.
- Maintain access for local residents to travel to local destinations (via Bruce Street and Bell Street).
- Create a safer walking, wheeling and cycling route to the community's preferred location for a pedestrian crossing on Elizabeth Street near Raymond and Goff Streets (connecting to the Merri Creek trail).

ANALYSIS

Alignment to Council Plan / Council policy

Goal 3 - A liveable city

The Streets for People program closely aligns with the expected outcomes of several Council policies/strategies, including the Darebin Transport Strategy, Walking Strategy, Safe Travel Strategy, Darebin Cycling Strategy, Breathing Space: The Darebin Open Space Strategy, and Climate Emergency Plan.

The Council Plan 2017-2021 sets the overarching vision for “a greener, bolder, more connected city.” The Streets for People program clearly aligns with this overarching vision, as well as Council Plan Goals 1, 2, 3 and 5, and many other endorsed Council Strategies.

- Goal 1 - A sustainable city
- Goal 2 - Opportunities to live well
- Goal 3 - A liveable city

Goal 5 - Involving our diverse community

Environmental Sustainability Considerations

The Streets for People program focuses on vulnerable road users and improving conditions in the street environment to increase active travel, while minimising the use and impact of vehicles. Where possible, passive irrigation and water sensitive urban design principles are applied to road safety treatments, along with landscaping. The Parks and Open Space team have been consulted regarding opportunities to enhance biodiversity.

Climate Emergency

This program has a clear alignment with Key direction 4 of the Climate Emergency Plan 2017-2022, in particular Objective 1 “Reduce the number of private vehicle kilometres travelled in Darebin by increasing the share of public transport use, walking and cycling” and Key direction 7 to reduce the heat island effect, by increasing tree cover.

Equity, Inclusion and Wellbeing Considerations

An Equity and Inclusion Assessment was completed for the Streets for People project, through which it was recognised that the project has key outcomes for Darebin’s diverse community including:

- Accessibility compliance through design (*Disability Discrimination Act 1992*)
- Designing facilities for all ages and abilities
- Outcomes that encourage more physical activity, general wellbeing & health through walking and cycling
- Streets becoming safer and less intimidating for local communities to use
- Providing spaces for people to gather and be socially connected to their neighbourhoods.

Cultural Considerations

During the second and third rounds of engagement we heard from the community that the HP Zwar Park was an opportunity for providing local art and greening that incorporates a response to the cultural aspects of the corridor. Although HP Zwar Park is out the scope of this project, future work in developing the designs for the James Street pocket park will consider themes and culture of the local area in line with this ambition.

Economic Development Considerations

There are increasing demands on our public space, and in particular roads and parking.

Improving the quality of cycling and walking routes makes it easier for residents and visitors to use any mode of transport to work, shop, and visit local centres. This supports thriving local economies by activating centres with increased pedestrians who are more likely to undertake multiple activities in the one visit. It also reduces road congestion and parking pressure which are expected to increase over time with Melbourne's population growth.

The Streets for People corridors are designed to provide high-quality connections between key destinations within the municipality, increasing their catchment potential by providing easy to use and safe transport solutions.

This project is being considered in the context of the *Future Preston* program and is expected to help contribute to overall improvements in the Preston area.

Financial and Resource Implications

The consultation and design work of priority locations is provided for within the current year budget.

The trial road closure / pocket park and safety treatment on James Street is included in a package of four Preston Activity Link (West) street improvements proposed for 2020-21 delivery in the draft budget that Council is currently consulting on. This package has been referred to the Council budget process for consideration.

If Council endorses the concept designs proposed in this report and if funding is allocated, construction of the trial is expected to start in early 2021.

Further design work will be planned in preparation for construction priorities along the corridor in future years, subject to available budget.

Legal and Risk Implications

This project is designed to reduce risk by improving both road safety and by making it easier, safer and more enjoyable for people to walk or cycle. It also reduces the amount of vehicle emissions contributing to the long-term risk associated with climate change. Making it easier for people to walk and cycle contributes to lower community health risks associated with inactivity, isolation and local air pollution.

DISCUSSION

The concept designs in **Appendix A** identify a range of measures to be implemented over time to improve safety, make the corridor more attractive for walking, wheeling and cycling.

These include:

- A road closure / pocket park on James Street between Cramer Street and Hope Street.
- A raised platform pinch point on James Street between Cramer Street and Eric Street.
- Road markings to highlight the Preston Activity Link as a local bike route.
- A pedestrian crossing on Elizabeth Street between Raymond Street and Goff Street to link the Preston Activity Link with the Merri Creek trail in Moreland.

Round 2 engagement found strong support overall

Feedback from Round 2 engagement was reported at the 27 April 2020 Council meeting and is attached to this report in **Appendix B**. In Round 2 engagement 81% of respondents supported a road closure / pocket park, however some issues were raised regarding the location around local accessibility as a result of existing traffic conditions.

Although a crossing at Elizabeth Street was supported, the location of the crossing at Eric Street was highlighted as 'not the ideal location' for access to destinations west of Elizabeth Street. In 2019 a petition was received by Council from local residents requesting a pedestrian crossing near Raymond Street. Consultation with officers from Moreland City Council confirmed this is also Moreland's preferred location.

This feedback informed the changes and proposed recommendations presented for feedback in Round 3 of engagement.

Round 3 engagement – Road closure and pocket park

Letters were delivered to approximately 700 households in West Preston inviting feedback on the changed location for the road closure / pocket park. Responses were recorded from 34 households in Round 3 of engagement. 27% of responses were from residents who lived on James Street, and a further 21% from residents on Grandview Road. The remainder were from Cramer Street, Booth Street, Grange Street, Knapp Street and Belmont Street. Six of the 34 responses provided no location details.

Attached (confidential) is a map showing visually how feedback relates to the location of a households (**Appendix C**). This appendix is confidential to avoid the potential for specific feedback to be identified, however it generally demonstrates desire for the project to progress from people that live nearest to the proposed location.

Feedback in support of the proposal

Fifteen of the responses were overwhelmingly positive, with most of the positive feedback coming from residents of James Street and Booth Street, including two properties in the immediate vicinity of the road closure location. The comments received related to improving safety, reducing vehicle speeds and providing more greening to the area.

Feedback objecting to the proposal

Of the 18 objections received, half were based on concerns that traffic would be displaced to surrounding streets, with associated concerns for safety at intersections with Cramer Street.

Four responses objected on the basis that there were already enough parks in the area, or other parks should be beautified instead.

Three responses expressed concern about increased travel time.

The remaining 2 objections were against money being spent on this project.

Officer response:

Displacement of traffic has been considered throughout the planning and design stages for the whole corridor, and the endorsed concept designs for the remainder of the Preston Activity Link (West) includes traffic calming measures such as pinch points and raised thresholds to deter non-local traffic and improve safety for all road users. The reduction in non-local traffic, combined with the displacement of remaining traffic across several streets, will likely result in very minimal additional traffic on surrounding streets. This will be monitored through traffic surveys before and during the 12-month trial.

Prior to the third round of engagement a traffic analysis was completed to determine the impact on local road users, which showed minimal additional journey times as a result of the road closure using the local road network.

This project also supports the Council Plan and Breathing Space – Darebin's Open Space Strategy', to help ensure that all residents live within a 500m walking distance of public open space. There is a lack of open space in this area of Preston. The Preston Activity Link is an opportunity to help achieve both the Open Space Strategy goals and Council's safety and active transport goals.

Proposed 12-month trial

A 12-month trial approach would allow for traffic surveys pre and post installation to monitor changes in travel behaviour and an extended community feedback opportunity, which will help inform whether the pocket park should be retained. If the trial is successful and budget is available, the permanent design will be developed to align with community needs and manage any adverse impacts.

The trial pocket park design is likely to include a way for riders to move through the area and temporary low cost 'bolt-down' kerbing and planter boxes, which will be developed in collaboration with the City Design team to ensure it is interesting and engaging as well as safe and functional from a vehicle management perspective.

If the 12-month trial is successful the final design may include landscaping, a way for bike riders to get through and natural play design elements, subject to future Council budgets. The temporary kerbing and planter boxes will be able to remain in place while design work is finalised. The community would be invited to contribute ideas to the design outcome before any decisions are made on the final features.

OPTIONS FOR CONSIDERATION

Option 1 (recommended):

That Council endorses the final concept designs for the Preston Activity Link – James Street to Elizabeth Street.

Option 2 (not recommended)

Council could seek further information to make a decision about how to progress with this project. This would delay works to improve safety for all road users in the corridor.

Option 3 (not recommended)

Council could resolve to leave the streetscape as it is.

IMPLEMENTATION STRATEGY**Details**

- July 2020 – June 2021 delivery (budget dependant)
 - Completion of functional designs, detailed design and construction of four priority projects for the Preston Activity Link, including the James Street road closure / pocket park trial.

Communication

Following Council consideration and endorsement of the final concept plans for the Streets for People Preston Activity Link (West) project, the Engagement Report and Final Concept Designs will be made available via the project page on 'Your Say' and shared with internal and external stakeholders. People that have contributed or expressed interest in the project will be notified.

Timeline

Please see Details and Communication Sections above.

RELATED DOCUMENTS

- Breathing Space – Darebin Open Space Strategy
- Darebin Council Plan 2017-2021
- Streets for People Feasibility Report 2018

Attachments

- Streets for People Preston Activity Link Concept Plan (James Street to Elizabeth Street) (**Appendix A**)
- Streets for People Preston Activity Link Round 2 Engagement Summary (**Appendix B**)
- Streets for People Preston Activity Link (James Street) Round 3 feedback by location and type (**Appendix C**) Enclosed under separate cover Confidential - enclosed under separate cover
- Streets for People Preston Activity Link (West) Final Report and Summary (**Appendix D**)

DISCLOSURE OF INTEREST

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

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

7.4 REIMAGINING RUTHVEN MASTER PLAN ADOPTION AND RELEASE OF DRAFT PLAYSPACE CONCEPT DESIGN FOR CONSULTATION

Author: Team Leader City Design

Reviewed By: General Manager City Sustainability and Strategy

EXECUTIVE SUMMARY

Creating a bushland sanctuary, a natural place of welcome, play and retreat in the heart of Reservoir West is the community vision for Darebin's newest park. The draft Reimagining Ruthven Master Plan (**Appendix A**) is a culmination of two years of site analysis, design and investigative work including community input, to inform the transformation of the former Ruthven Primary School to a three-hectare natural park.

The project has been developed in house by officers, with support from a Community Reference Group (CRG). This group officially came to an end in February 2020 in line with their terms of reference. However, their involvement in two keys pieces of work, the planting plan and naming of the park, will continue until November 2020.

The draft master plan was released to the wider community for feedback over a four-week period in late 2019. Over 81 pieces of feedback were collected during this time with strong support for the overall nature-based vision of the new Ruthven park. The creation of a new playspace was strongly supported by the local community, with over 25 comments and ideas submitted.

Community feedback has informed the draft playspace concept design (**Appendix E**) and it is proposed that council consult the community about this draft concept design in late July.

Recommendation

That Council:

- (1) Adopts the Reimagining Ruthven Master Plan (**Appendix A**).
- (2) Congratulates and thanks the members of the Ruthven Community Reference Group, community members and stakeholders for their effort, time, feedback and advice in developing the *Reimagining Ruthven* Master Plan.
- (3) Endorses the draft Ruthven playspace concept design for community consultation (**Appendix E**).

BACKGROUND / KEY INFORMATION

In 2010, the State Government merged the Ruthven Primary School with the Merrilands and Lakeside Colleges, declaring the subject site surplus for educational needs and commencing the process to dispose the site.

At its 5 September 2016 meeting, Council resolved to purchase the former Ruthven Primary School at 74-76 Glasgow Street Reservoir (figure 1) to fill a gap in Darebin's open space network and move towards achieving Council's goal of ensuring that all residents live within a 500m walking distance of public open space.

The Council Plan Action Plan recognises the importance of this site by nominating it as Big Action 6 seeking to 'create a new park, playground, oval and children's hub on the site of the old Ruthven primary school in Reservoir'

During the preliminary phase of engagement in October 2017, community feedback demonstrated that a significant proportion of the community did not want a large building, community hub or children's hub at the site. The community also showed little support for a dog-off lead area and skate park.

A Community Reference Group (CRG) was established in March 2018. They reinforced the wider community's sentiment and opposed any community building on the site.

At the 7 November 2018 meeting, Council resolved to create a three-hectare natural park at the Ruthven site in the long term, which did not include any large exclusive-use buildings on the site.

Planning for the function, role and level of infrastructure investment in this park has been determined by *Breathing Space: The Darebin Open Space Strategy*, which classifies Ruthven Park as:

- District Level Park - as it will draw visitors from/has significance to surrounding suburbs as well as people who live within walking distance of the park.
- Type B level of investment in equipment and maintenance. The park has been planned to include over time a playground, BBQ and picnic area, walking paths, canopy trees, public toilet, fitness station and multi-purpose play.



Figure 1 - Former Ruthven Primary School at 74-76 Glasgow Street Reservoir

Previous Council Resolution

At its meeting on 7 November 2018, Council resolved to:

1. *Confirms that its vision is that the entire former Ruthven Primary School (3.056 ha) is a local park of natural character that is open space for future generations.*
2. *(Formally resolves not to proceed with the initiative identified in the Darebin Council Plan 2017-21 to use the Ruthven school site as a place for a children's hub, and to report this decision in the next Council Plan progress report against any relevant actions or goals.*
3. *Confirm that Council's long term plans do not include any large exclusive-use buildings on the Ruthven site.*
4. *Will include the whole of the Ruthven site in the new Darebin Open Space Strategy.*
5. *Will commit to ensuring the zone and planning controls reflect the long term plans for the whole site as an open space.*
6. *Thanks the Community Reference Group for their advice and seeks their further advice to help complete development of a draft master plan for a local park of natural character and to prioritise some immediate upgrades to the site.*
7. *Formally responds to the Community Reference Group's submission as found in Appendix B.*
8. *Writes to the local community providing them with a project update."*

At its meeting held on 14 October 2019, Council resolved to:

1. *Endorse the release of the draft Reimagining Ruthven Master Plan for consultation with the broader community.*
2. *Thank the Ruthven Community Reference Group for coming together to provide invaluable community insights into the vision for the future use and character of the park, and for their time, energy and commitment in completing this task.*
3. *Redact references to local farmers market and the world class research and teaching facility.*

At its 6 November 2019 meeting, Council considered a report regarding the Community Engagement Strategy and resolved to:

- *Bring members of the Community Reference Group for the former Ruthven Primary School site together to seek their advice on two key pieces of work arising out of the Master Plan over the next year:*
 - *The draft Planting Plan.*
 - *Sharing the community vision of the masterplan with the Wurundjeri to inform the re-naming process for the park.*

COMMUNICATIONS AND ENGAGEMENT

Consultation

Phase 1 – Community feedback which has helped shape the draft Master Plan

Over the past two years, there has been a wide range of community consultation activities which has collected feedback to help shape and create the draft *Reimagining Ruthven* Master Plan. These have included:

- In October 2017, a Family Fun Day was held to celebrate the recent purchase of the former Ruthven Primary School site and kick start conversations about the local community vision for their new park. Over 375 people attended the event and shared their stories, aspirations and ideas for the park.
- A Community Reference Group (CRG) was established in February 2018 to help shape the vision, inform the design brief and be local champions for the project, for a two-year period.
- Meetings and presentations with key Darebin community advisory groups, including the Darebin Nature Trust, Darebin's Aboriginal Advisory Committee and the Active and Ageing Committee. Site 'walks and talks' with the Darebin Nature Trust, Wurundjeri Woiwurrong elders and Ruthven Community Reference Group. The Reimagining Ruthven Engagement Report – phase 1 (2017) can be found in **Appendix D**.

Phase 2 - Sharing the draft Reimagining Ruthven Master Plan with the broader community

The draft Reimagining Ruthven Master Plan was shared with the broader community for input from 28 October to 17 November 2019. This round of engagement sought to collect feedback on the proposed vision, design principles and actions outlined in the Master Plan from the wider community.

Key consultation tools and activities included:

- Distributing over 2000 postcards promoting the project and engagement activities to households and local business located 500m from Ruthven park. Large A1 posters were erected at the park promoting the key actions of the Master Plan and consultation events. Promotion on the City of Darebin website
- Dedicated 'Your Say page' with the draft Master Plan and translations available to view and download. Small displays promoting the project were provided at the Reservoir Library which included posters, postcards, translations and hard copies of the Master Plan.
- Emails to stakeholders, local schools, agencies and people who had registered interest in the project. Advertisements in the Local Leader
- Project key messages were translated into the top five language groups for Reservoir West (Merrilands) and made available at the libraries, drop in sessions, on the on-site posters and website.
- Two drop-in sessions were held providing an opportunity for the community to chat with Council officers about the draft master plan. An Italian translator was also present. Morning tea and indigenous plants were given away at the sessions held on Wednesday 30 October at the Reservoir Library, and from 10am -12pm Saturday 9 November at the former Ruthven Primary School site.

Reaching Reservoir's diverse communities

Phase 2 consultation was designed to be accessible for Reservoir's diverse community including people not proficient in English or with other communication barriers. Consultation sought to make information accessible and create opportunities for all residents to take part, this was done by:

- One-page Master Plan summaries were created in the top 5 languages for Reservoir and were made available at the Reservoir libraries, on the Have your Say webpage and at the drop-in sessions.

- The two large A1 onsite posters contained project summary translations in the top 5 languages
- An Italian translator was made available at both face to face engagement sessions. Diagrams and consultation materials were visual and designed to communicate universally. All information mailed out included information in 12 languages about how to access translation services as well as information about how to access the national relay service

The Reimagining Ruthven Master Plan Engagement findings can be found in **Appendix B**. Community feedback collected during this second phase of engagement has demonstrated strong support for the vision and design intent outlined in the draft Reimagining Ruthven Master Plan.

Over 60 people attended the drop-in sessions and 81 pieces of feedback were collected, which has been broken down below:

- 69 pieces of feedback were collected at the drop-in sessions
- 7 submission via the Have your Say page
- 6 submissions via email
- 5 comments from the postcards

Feedback demonstrated strong consensus for:

- Natural, bushland vision for the park
- Creating a playspace for kids
- Outdoor gym
- Creating a BBQ and picnic areas
- Walking paths
- Trees for shade and habitat

There were mixed community views about:

- Providing a dog-off lead park
- Play areas for young people
- Naming of the park

Some concerns were raised regarding:

- Lack of carparking and increase in traffic
- Timeframes for the delivery of the Master Plan
- Timeframes for the construction of the wetlands

Details of how the feedback above has been responded to can be found in the Discussion section of this report.

Ruthven Community Reference Group (CRG)

The Ruthven Community Reference Group (CRG) was established in February 2018 to help shape the vision, inform the design brief and for its members to be local champions for the project. As outlined in the Terms of Reference for the group, the CRG would be established for a two-year period, which formally ended in February 2020.

The group will be invited back together to provide advice on two parts of the implementation of the Master Plan: The Planting Plan and the renaming of the park.

Other Advisory Committees

- The Darebin Aboriginal Advisory Committee has helped strengthen recommendations for the site's cultural overlay, connection to country and provided guidance on renaming options
- The Darebin Nature Trust (DNT) has provided input to help shape the biodiversity recommendations in the Master Plan. No formal submission was lodged to the draft master plan during the consultation period. At its February 2020 meeting the DNT presented advice on the project, which can be found in **Appendix C**, along with officer feedback.

Council will continue to check in with these advisory committees on key projects, through the implementation of the Master Plan.

Communications

A detailed communications and engagement plan was prepared to inform the community engagement period held late last year.

ANALYSIS

Alignment to Council Plan / Council policy

Goal 1 - A sustainable city

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

Goal 2 - Opportunities to live well

Council Plan Goal 2.1 – 'Create a new park, playground, oval and children's hub* on the site of the old Ruthven primary school in Reservoir.

**noting Council's resolution from 7 November 2018, which supports the entire three hectares of the site being developed as a natural park.*

Environmental Sustainability Considerations

Building on the site's existing environmental qualities and biodiversity values underpins *Reimagining Ruthven*. Two key directions which will guide the environmental improvements for the park include Blueprint for Biodiversity and Sustainability, Resilience and Future and include actions:

- Create a detailed 'Biodiversity Planting Plan' to create an indigenous landscape
- Retain all indigenous trees and shrubs on the site and increase planting
- A plan to manage existing indigenous grasses and create re-establishment areas
- Over time, start to rehabilitate the Ruthven site and improve soil health

- Increasing canopy cover throughout the park, aiming for at least 25% coverage as per Council targets
- Use sustainable and renewable technologies where possible (i.e. solar panels)
- Increase the habitat area for the local flora and fauna
- Be a stepping-stone for local habitat along the Edgars Creek Corridor, strengthening the connectivity of parklands and habitat creation for fauna including birds in Reservoir West
- Futureproof the site to allow for a potential ephemeral wetland to harvest stormwater runoff in the long term

The site presents a unique opportunity to be a demonstration site for *Breathing Space: The Darebin Open Space Strategy* realising many of Council's biodiversity objectives.

Sustainable transport modes will be encouraged through proposed pedestrian and cycling improvements to the surrounding street network.

Climate Emergency

The challenges of a warmer and drier climate have been recognised and addressed in the master plan, supported by the Blueprint for Biodiversity and Sustainability, Resilience and Future design directions, as they aim to:

- increase the amount of permeable surface,
- increase vegetation canopy cover across the site
- reduce the amount of lawn area by increasing the amount of indigenous grasses and understorey planting.
- create an indigenous and native plant palette, able to withstand the local microclimate changing environmental conditions.

Equity, Inclusion and Wellbeing Considerations

Equity, inclusion and wellbeing considerations in Reimagining Ruthven are supported by the A Park for all and Access & Safety design directions and include actions:

- Create community spaces and seating areas which are inviting and foster community interactions
- Create a 'main walking and wheeling path', suitable for jogging, walking, wheelchair and pram access within and around the park
- Install new seats and/or benches along the main walking path, where possible every 500m, creating resting opportunities for park users
- Install an accessible parking space at key entrances to the park
- The equity and inclusion team have been consulted during the development of the Master Plan and are supportive of the actions
- Crime Prevention through Environmental Design (CPTED) principles has been applied to the design of the park, contributing to safe public spaces for all members of the community.

Cultural Considerations

The community of Reservoir West is a diverse community. The Master Plan recognises and celebrates this. A key design driver is to ensure that a 'welcoming and inclusive park, supporting a multi-age, multi-diverse community of Reservoir West' is created at Ruthven by:

- Creating seating and community spaces which will allow the diverse community to gather with others, feel a sense of home and make connections with their local neighbours and broader Darebin population.
- Recognise Reservoir's migration history and diversity through subtle design gestures in the park. This may include heritage interpretation, design features/pattern in paving or furniture design
- Rename the park in the Woi wurrong language, recognising the Wurundjeri, the Traditional Custodians of the land and waters
- Continue to engage with the Wurundjeri Woi wurrong Cultural Heritage Aboriginal Corporation and Darebin Aboriginal Advisory Committee on applying a cultural lens to the implementation of the master plan

Economic Development Considerations

Increasing amenity, usability and accessibility of public open space will have a positive impact on the community by creating places for communities to gather and make vital connections. High quality public spaces support the renewal efforts of local government to help attract and retain residential and business populations in Darebin.

Financial and Resource Implications

This financial year (2019/20) Council allocated \$142,000 to Ruthven. These funds have been used to kick start the transformation of the former school to a local park through the removal of concrete footings and foundations, removal of exotic trees and planting new indigenous trees. The State Government has committed \$150,000 to assist in the delivery of park improvements to Ruthven for 20/21.

The draft *Reimagining Ruthven* master plan is designed to set a vision and chart a course for the next 20 to 30 years. Other improvements to the park outlined in the Master Plan would be referred to future budget processes for consideration, noting Council's need to balance the needs of parks and open space across all of Darebin. Council and the community could also use the Master Plan as a basis to seek grant funding opportunities for some of the initiatives.

Legal and Risk Implications

There are no factors in this report which impact on Legal and Risk implications.

Operational Impacts

Since its formal acquisition of the site in 2016, Council's Parks and Open Space team have maintained the former school site. The Reimagining Ruthven Master Plan has been developed closely with the Parks and Open Space team, who will share ownership of its implementation and ongoing management of the park.

DISCUSSION

Response to Community Feedback

Overall there was strong support for the vision and design intent of the draft Master Plan.

Community feedback raised through consultation which **has not been** incorporated into draft master plan

A small number of suggestions were inconsistent with the broader community's shared vision and directions for the park.

- **Creating a 'Dog off lead park' or 'fenced dog park'**

There was mixed support for whether Ruthven should be classified as a dog-on lead park. Some members of the local community currently allow their dogs off lead and would like to continue to do this. Whilst some participants felt that it should remain dog-on lead due to safety fears and potential risks to the local fauna and biodiversity. Some community members suggested creating small fenced dog area, ensuring local fauna was protected, whilst ensuring the local community could continue to bring their dogs to the park.

Officer comment:

The vision for Ruthven, is to become a bushland and biodiversity sanctuary, allowing dogs off their lead, compromises this vision. This position is also reinforced in *Breathing Space: The Darebin Open Space Strategy*, which states: 'Some parks or areas within parks are not suitable for dogs to be off lead including: Where there is significant cultural, biodiversity or habitat value.'

A holistic approach to the provision of dog-off lead areas across the broader Darebin area needs to be undertaken to determine suitable locations for these park functions. This will be delivered through the implementation of *Breathing Space*.

- **Bringing forward the construction of the Wetlands**

Submissions from some members of the Darebin Nature Trust (DNT) recommend bringing forward the delivery of the wetlands, as it would be more cost effective and cause less disturbance to the park and landscape.

Officer comment:

Darebin has prioritised its stormwater management projects based on evidence outlined in *Darebin's Integrated Water Strategy (2017)* and the *Priority Stormwater Projects for Water Sensitive Design (2017)*.

The *Priority Stormwater Projects for Water Sensitive Design* assessed over 68 sites across Darebin to prioritise the top 10 stormwater projects. They have been prioritised based on their capacity to deliver increased stormwater reuse and potable water savings and improve water way health (i.e. through runoff and pollutant load reductions).

Ruthven Park has not been flagged as a priority strategic site in the strategic work. Council is currently focussing efforts on delivering a new wetland at Dole Reserve, which will store and reuse stormwater run-off, irrigating the ovals at both Donath and Doles Reserves in Reservoir.

Due to the natural slope of the land, Ruthven park can accommodate a small ephemeral wetland, as advised by DNT on a site visit in 2019 and confirmed by Council's Drainage Engineer. The wetland will strengthen the biodiversity values of the park. The draft Master Plan recognises this and futureproofs its location, as illustrated in Figure 2.

In the short term, the open lawn area will operate as a kick-to-kick informal oval, allowing it to be transformed to an ephemeral wetland in 20+ years.



Figure 2 – Future proofing a wetland at Ruthven.

The Master Plan recognises that a significant amount of work needs to be undertaken to understand the feasibility of this project, including Geotechnical assessments and MUSIC modelling. This is outlined in Key Direction 6: Sustainability, Resilience and Future.

After further consultation with our Parks and Biodiversity officer about the community feedback and concerns from DNT, a 10m buffer will be applied to the future wetlands area, ensuring that no significant trees or capital work projects are planned for this area, as indicated figure 3. This will be reflected in Councils internal GIS system.

It is also important to note that the wetlands were not identified as a top priority for park upgrades by the wider community.



Figure 3 – The master plan will include a diagram highlighting a 10m buffer future proofing the wetlands. No significant tree planting or major works will be planned for this area during the implementation of the master plan.

- **Dual naming of the park to reference William Ruthven**

Some community members, who had a strong connection with the school, suggested that the 'Ruthven' name needs to be referenced in the formal naming of the park, as William Ruthven was an important figure to the community. Dual naming of the park was also suggested.

Officer comment:

Council's *Breathing Space: The Darebin Open Space Strategy* commits to renaming 50% of new parks and places in Woi wurrong language. Darebin's newest park presents a great opportunity to realise this initiative. Community engagement with the Woi wurrong elders and Darebin Aboriginal advisory committee have strongly supported this proposal.

Renaming this park after Ruthven may also lead to confusion. A reserve in Darebin is already named after William Ruthven; Ruthven Reserve, located on Albert Street in Preston. Ensuring that the school's legacy and links to William Ruthven will be strengthened in the Master Plan. Key Direction 4 has been amended to ensure that William Ruthven and the historical educational role of the site is referenced through heritage interpretation in the detailed design of the spaces in the park (ie playspace, seating area).

- **Redesigning the park to provide a car park**

Some residents had felt that the new park would attract visitors from beyond Reservoir West, therefore on-site carparking needed to be provided. Some feedback also suggested a potential increase in traffic as a result of the creation of the park.

Officer comment:

This park will service a local catchment, where walking and cycling to the park will be made easier, through traffic management and placemaking projects like Streets for People. There is enough on-street parking in the local network to support additional vehicles. Council will continue to monitor parking and transport management throughout the implementation of the Master Plan.

- **Basketball area, skate park or play area for young people**

A small number of community members do not support any active recreational uses, including basketball, netball or a skate park. Some concerns were raised for the potential noise issues these activities may have, suggesting that it should only be a park of contemplation.

Officer comment:

This suggestion does not align with the vision of the park or key direction 2 'A park for all'. The draft Master Plan proposes to create a multi-purpose intergenerational space, which may include a half basketball court, seating area, hit up wall etc, in response to the preliminary feedback collected from local kids in the 'design your park' exercise, during the preliminary phase of consultation.

This suggestion does not align with Council's Playspace Strategy which seeks to 'plan for an increased range of recreational and social opportunities for young people in public parks, and Councils Youth Strategy which, seeks to 'advocate' for the rights of young people to use open space'. This intergenerational space will be subject to additional detailed design, where the community will be able to contribute to the project. It is recommended that this intergenerational space is co-designed with local young people.

Consideration will be given during the detailed design phase to measures that can be taken to mitigate noise or any other potential issues that could impact on the broader enjoyment of the park as a place of contemplation, through the design of the space.

Community feedback and ideas which **has been** incorporated in the draft master plan:

Community idea	Proposed change in the draft master plan
Understanding the next steps of the Master Plan	One submitter requested clarity about the next planning and designs steps to follow once the master plan was adopted. A diagram illustrating the detailed design phase has been included on page 4.
Retention of steel green seats near Glasgow Ave	These seats will be retained. This recommendation has been strengthened in the Master Plan.
Use of mounds as landscape features	Page 20 amended to include the following recommendation 'Use mounds as a landscape feature. Locations to be determined through the detailed design process.
Using less concrete for the walking paths throughout the park.	<p>One submitter raised concerns about the use of concrete for the walking paths in Ruthven. This submitter provided an example of a new accessible path type - a granitic gravel, all abilities walking path constructed in a nature reserve in Ocean Grove.</p> <p>A key driver of the master plan it to ensure that the main walking path is suitable for all mobility levels (walkers, pram, wheelchairs). Officers will explore this submitter's example in detail.</p> <p>An image of the Ocean Grove example has been included in the 'Precedents' section on pages 36-38.</p>
Reference to William Ruthven in the new park.	The Master Plan will be amended to ensure that William Ruthven and the historical educational role of the site is referenced through heritage interpretation in the detailed design of the park spaces.
Ephemeral wetlands	Page 29 of the Master Plan will include a diagram highlighting a 10m buffer future proofing the wetlands. No significant tree planting or major works will be planned for this area during the implementation of the master plan.
Path network	Minor tweaks to the path alignment have been made following advice from Council's Biodiversity Officer and Arborist, to ensure that the roots of major trees are protected.
Precedent images	Include some examples shared by the community.
Bringing forward biodiversity planting in the south-west corner	Fast track the creation a habitat connection with Edgars Creek.

Draft Playspace Concept Design

Key direction 3 of the draft Reimagining Ruthven Master Plan nominates opportunities to create play at Ruthven Park, including:

- *Creating a new playspace, which includes a slide, adventure play elements and a swing. Ensure that adequate seating areas are incorporated in its design, allowing for the local community to socialise.*

- *Creating a nature-based play area, allowing kids to play, explore and connect to nature. Nature play and sensory elements could include logs, sand, dry creek bed, timber equipment.*
- *Creating an intergenerational, multi-purpose play area for all ages to use and enjoy. This may include a half basketball court, netball court, tennis hit up wall, soccer net, bouldering wall, bocce pitch. Include seating areas. Ensure that this space is designed to sensitively respond to the natural environment of the park. Use sound attenuation technology.*

The creation of a new playspace resonated strongly with the local community. Over 25 comments and ideas were shared with Council during the second phase of consultation. Officers have used this feedback, in addition to the ideas collected at the Family Fun day in 2017 (**Appendix D**) to inform the draft playspace design as found in **Appendix E**, which:

- Has a bushland theme, aligning with the vision of the Master Plan.
- Ensures that the play equipment has an emphasis on natural materials and colours, ensuring that it visually isn't dominant is a bush type landscape.
- Has a focus on indigenous plantings and robust native species, providing interest and tactile elements to engage kids in the environment
- Includes seating areas for the local community to meet and socialise.
- Considers how that three key play areas and BBQ/Picnic area will be integrated through design features, path layout and landscaping.

Community consultation for the playspace is proposed to commence in late July and include:

- Sharing the draft concept plan to residents who live 500m from Ruthven Park
- Ensuring that large onsite posters are erected on site
- Update Councils Have Your Say page to include copies of the draft concept plan.
- Promoting the consultation period on Darebin's social media page.
- Ensuring that local schools and childcare facilities received copies of the plans
- Exploring opportunities to hold an onsite engagement session (subject to Covid-19 restrictions).

A staged construction of the playspace is scheduled to commence in the second half of 20/21.

Delivering park improvements

This financial year (19/20) Council allocated \$142,000 to Ruthven. These funds have been used to kick start the transformation of the former school to a local park through the removal of concrete footings and foundations, reseeding of lawn and removal of exotic trees, which were completed in April 2020.

A planting list for Ruthven is being finalised with input from the Community Reference Group and Darebin Nature Trust, to inform new tree species to be planted along the northern and south-eastern sections of the park. This will be delivered throughout July and August.

The development of the concept design of the new playspace has also commenced. Construction of the playspace would be staged over time and is currently proposed to commence in the second half of 20/21.

OPTIONS FOR CONSIDERATION

Option One: Adopt the Reimagining Ruthven Master Plan following community feedback. (Recommended)

Option Two: Not endorse the Reimagining Ruthven Master Plan and request additional information to be brought back to Council prior to considering it for adoption.

IMPLEMENTATION STRATEGY

Details

- Publicly release the adopted *Reimagining Ruthven* Master Plan
- Finalise the Planting Plan with support from the Ruthven CRG and DNT
- Continue to deliver stage 1 implementation works, including new tree planting
- Consult on the playspace concept design and after incorporating community feedback seek Council support to proceed to construction.
- Formally commence the renaming process, with support from the Ruthven CRG.

Communication

Following the adoption of the Master Plan, updates will be provided to the community and stakeholders which will include:

- A letter from the Mayor thanking the CRG for their contribution to the Master Plan
- Emails to all external stakeholders inviting people to view the adopted Master Plan
- Updates to the YourSay page
- Promotion on Council's social media posts
- Holding a community planting day to celebrate the adoption of the Master Plan in July/August (subject to Covid-19 restrictions).

Timeline

- Officers continue to work through the Stage 1 implementation work, including detailed design and consultation of the Master Plan
- Officers to finalise Planting Plan with Ruthven CRG and DNT (June – July)
- Tree Planting (July - August)
- Community Consultation of Playspace (July - August)
- Ruthven CRG to meet with the Wurundjeri Woi wurrong Cultural Heritage Aboriginal Corporation to discuss remaining of the park (November).
- A future report will be presented to commence the statutory process of renaming the park.

RELATED DOCUMENTS

- Reimagining Ruthven Master Plan (2019)
- Breathing Space (2019)

Attachments

- Reimagining Ruthven Masterplan - Adoption (**Appendix A**)
- Community feedback to draft Ruthven Master Plan (**Appendix B**)
- DNT Recommendations and Officer Feedback - Ruthven Master Plan (**Appendix C**)
- Ruthven Community Engagement Report - November 2017 (**Appendix D**)
- Ruthven Playspace Draft Concept June 2020 (**Appendix E**)

DISCLOSURE OF INTEREST

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

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

7.5 NEW MUNICIPAL DEVELOPMENT CONTRIBUTIONS PLAN – CONSIDER SEEKING AUTHORISATION TO PREPARE A PLANNING SCHEME AMENDMENT

Author: Senior Strategic Planner

Reviewed By: General Manager City Sustainability and Strategy

EXECUTIVE SUMMARY

A new *Draft Darebin Development Contributions Plan 2019* (new DCP) has been prepared to introduce a levy on new development to help fund physical and social infrastructure required to meet the needs of the growing Darebin population over the next 20 years.

The new DCP will be implemented into the Darebin Planning Scheme through proposed Amendment C170dare. Officers seek Council's endorsement to formally request the Minister's authorisation to commence the planning scheme amendment process for Amendment C170dare.

The new municipal-wide development contributions levy applies to residential and non-residential development that proposes to increase dwellings or floor space. The new DCP has been prepared in accordance with the relevant legislation, directions and guidelines which form the DCP system in Victoria and has been peer reviewed.

Projects to be part funded by the new DCP have been selected based on Council's long-term capital works program. Many of the projects selected for the new DCP have undergone consultation processes or have a basis in Council plans and strategies that have undergone their own community consultation process. Project selection has also been subject to the criteria set out in the Victorian Government guidelines and the need for projects to be well-defined and have robust cost estimates.

The new DCP through Amendment C170dare will be exhibited publicly, during which time the community and stakeholders will be invited to make written submissions.

It is acknowledged that the development industry is likely to be adversely affected by economic effects of the coronavirus pandemic and may not welcome a development levy during this time. However these development contribution rates reflect the need to equitably share the cost of providing the infrastructure required by the community in the long term, over the next 20 years, and where there is a direct nexus with increased population as a result of new development. Further, these particular contribution rates are considered modest and aren't anticipated to unduly impact on development. The DCP will support delivery of key capital works projects, and opportunity to provide important stimulus for the local economy from the impacts of COVID-19.

There are some state exemptions from the levy, such as development of public housing, schools and hospitals. Further local development exclusions are proposed in this DCP to include Council delivered projects, social housing delivered for or by registered housing associations, and common-sense exemptions normally in DCPs such as replacement of a dwelling, alterations or additions to an existing dwelling, outbuildings and fences normal to a dwelling and utilities.

Darebin's existing DCP is no longer collecting contributions but remains in the Darebin Planning Scheme to allow levies previously collected to be expended on the development of the Darebin Multi-Sport Stadium (MSS).

Recommendation

That Council:

- (1) Requests the Minister for Planning authorise the preparation and exhibition of Amendment C170dare to the Darebin Planning Scheme, pursuant to section 8A of the *Planning and Environment Act 1987* (**Appendix A and B**)
- (2) When authorised by the Minister for Planning, exhibit Amendment C170dare to the Darebin Planning Scheme in accordance with notice requirements under section 19 of the *Planning and Environment Act 1987*
- (3) Seeks community and stakeholder feedback as part of the exhibition period, on the proposed changes to the planning scheme to implement the *Darebin Development Contributions Plan 2019, June 2020* (**Appendix A**)
- (4) Authorise the Manager City Futures to make minor alterations and corrections, where necessary, to the Amendment C170dare material as attached at **Appendix A and B** prior to the lodgement of the authorisation request with the Minister for Planning and/or exhibition period

BACKGROUND / KEY INFORMATION

A Development Contributions Plan (DCP) is a mechanism to levy new development to contribute a share of the cost of providing infrastructure needed by the future community.

Darebin's existing DCP (*Darebin Development Contributions Plan 2004, Revised 2015*) has been in place since 2004 but ceased collecting levies in 2014. Amendment C148 to the Darebin Planning Scheme extended the DCP timeframe to June 30, 2020 to allow unspent funds collected prior to 2014 to be expended on the Multi Sports Stadium (MSS) project. Amendment C190 has just been approved by the Minister and further extends the DCP timeframe to allow expenditure of unspent levies on the delivery of the MSS project.

Officers have worked with the assistance of external consultants to prepare a new draft municipal DCP, the *Draft Darebin Development Contributions Plan 2019* (new DCP), which will allow Council to again collect development contributions to help fund required infrastructure. The new DCP has been prepared according to the Victorian Government's established system which is defined by legislation, directions and guidelines.

This report provides an overview of the new DCP and seeks Council's endorsement to formally request the Minister's authorisation to commence the planning scheme amendment process for Amendment C170dare, which will implement the new DCP in the Darebin Planning Scheme. As part of the amendment process there will be a formal public notification and exhibition period, and the community will have an opportunity to make submissions.

Amendment documents for C170dare have been prepared for Council's consideration and endorsement.

The new DCP will apply to all land in the City of Darebin, with a levy to apply to residential development that creates a net increase in dwellings and non-residential development that creates net increase in floorspace. The following state-wide exemptions apply and cannot be changed:

- Commonwealth land, public schools and hospitals
- Land developed for a non-government school, as defined in Ministerial Direction on the Preparation and Content of Development Contributions Plans of 11 October 2016.
- Land developed for housing by or for the Department of Health and Human Services, as defined in Ministerial Direction on the Preparation and Content of Development Contributions Plans dated 11 October 2016.

Local exemptions will also be proposed to be included in the Amendment C170dare as outlined in the discussion section of this report.

Previous Council Resolution

The new DCP and Amendment C170dare is not the subject of a previous Council resolution.

COMMUNICATIONS AND ENGAGEMENT

Consultation

While the community has not been specifically consulted on the preparation of the DCP, many of the projects selected for the new DCP have undergone consultation processes or have a basis in Council plans and strategies that have been through community consultation. Others are identified through Council's asset management programs, such as the road rehabilitation projects. For example, during April and May 2020, community feedback was sought on the proposed concept plans for NARC.

There is a statutory framework and well-established guidelines for the preparation of a DCP. Nevertheless it is important that affected stakeholders are given the opportunity to examine the application of the methodology and the outcome. The planning scheme amendment process includes a formal statutory consultation process whereby the community can make submissions to be considered by Council as the Planning Authority.

Internal Consultation

The following internal Council departments have been consulted in the preparation of the new DCP:

- City Futures
- Governance and Performance
- Climate Emergency and Sustainable Transport
- Recreation and Libraries
- Assets and Capital Delivery
- Aged and Disability
- Equity and Wellbeing
- Families, Youth and Children

The Statutory Planning team has also been consulted on implementation aspects of the new DCP.

Communications

A communications and engagement plan has been prepared in consultation with the Community Engagement and Demographics team, Communications team and the Equity and Diversity team.

Key messages:

- There is no current development contributions levy in Darebin
- The new DCP will re-establish a levy which is needed to help fund planned infrastructure projects to meet the needs of the growing Darebin community
- Darebin's population is forecast to grow from 155,000 in 2016 to more than 230,000 in 2041 creating a large increase in demand for infrastructure such as roads, paths and community facilities
- A DCP is an equitable and transparent mechanism that requires developers to contribute to the cost of providing infrastructure needed by the future community.
- Introducing a new DCP is one of the Big Actions identified in the Council Plan 2017-2021
- The DCP will apply to all land within the City of Darebin. A levy will be payable for all residential development that creates additional dwellings (not reinstatements or renovations of existing residences) as well as commercial and industrial developments where new floor space is being added.
- Darebin City Council is inviting the community to provide feedback on Council's Development Contributions Plan (DCP) by making a submission as part of the statutory consultation process for the proposed planning scheme amendment.

Consultation and Planning Scheme Amendment Exhibition

The proposed planning scheme amendment to introduce the DCP will undergo a formal public consultation and exhibition process which will meet the requirements of the *Planning and Environment Act (1987)**. This is expected to occur later in 2020, subject to timing for authorisation of the amendment from DELWP and will be for one month.

Community members will have the opportunity to review the amendment documents and make submissions on the proposed changes to the Darebin Planning Scheme.

There is uncertainty about the level of COVID-19 restrictions that will be in place during the exhibition period. Officers will continue to monitor Victorian Government directions and guidelines and, should these permit, explore the feasibility of face-to-face drop in sessions in line with social distancing requirements. In the event that face-to-face consultation is unable to be conducted safely, efforts will be made to promote contact with officers via phone and email.

The public notification process will include:

- Formal notices in local newspapers and State Government Gazette
- Announcements through council's website and social media platforms
- Drop in sessions with Council officers if COVID-19 related restrictions allow
- Hard copies of documents will be available at all public libraries in Darebin and Council offices, should these venues be open to the public again at the time of exhibition

- Amendment C170 dare documents and supporting information will be available online at yoursaydarebin.com.au and DEWLP websites.
- Council officers will be available to discuss the details of the Amendment via direct phone or email.
- Communications in multiple languages and access to translation services.

* Due to the unprecedented circumstances brought about by the COVID-19 pandemic, temporary changes have been made to requirements under *Planning and Environment Act (1987)*, including that planning documents associated with the exhibition of planning scheme amendments are no longer required to be made available in hard copy; online inspection is sufficient.

ANALYSIS

Alignment to Council Plan / Council policy

Goal 3 - A liveable city

The preparation of the DCP is a Big Action in the Council Plan (Goal 3.1) and aligns with the Darebin Planning Scheme Municipal Strategic Statement.

Environmental Sustainability Considerations

A number of the projects proposed for inclusion in DCP, such as sustainable transport projects, will contribute to sustainability outcomes. The Climate Emergency and Sustainable Transport Department has been consulted in the preparation of the DCP.

Darebin's ESD Building Policy 2018 facilitates integration of environmentally sustainable development into building projects identified in the DCP.

NARC is the largest project in the DCP and aims to be the first indoor aquatic facility in Australia to reach a 6 Star Green Star Rating, with a range of sustainable design initiatives incorporated into the project.

Climate Emergency

Projects identified for inclusion in the new DCP will be delivered within Council's environment and climate policy framework, including ESD Building Policy 2018 which sets out ESD standards for different types of building projects, and the Asset Management Policy 2018 which supports the implementation of environmentally sustainable asset management practices.

Cycling and walking projects are aimed at delivering the sustainable transport objectives outlined Council's transport planning strategy and policy framework.

Equity, Inclusion and Wellbeing Considerations

Project selection for DCP has been based on Council's long-term capital work program, which has been informed by service and infrastructure planning within departments across Council to meet the needs of the community. Projects which meet set criteria for inclusion in a DCP have been selected and the DCP itself must equitably apportion the share of the cost of new infrastructure.

Cultural Considerations

It is expected that cultural considerations are addressed on an individual basis with respect to projects included in the new DCP.

Economic Development Considerations

Identified infrastructure projects include upgrades that will support economic development in Darebin through increased accessibility, improved transport links and increased participation in sport and leisure opportunities.

In a broader sense, the DCP will support delivery of key capital works projects which can provide important stimulus for the local economy and contribute to its recovery from the impacts of COVID-19.

Council's Social and Sustainable Procurement Policy is in place to support local employment outcomes associated with the provision of community infrastructure.

Financial and Resource Implications

The implementation of a new municipal DCP will support Council's long-term financial sustainability and its ability to deliver infrastructure necessary to meet the needs of the Darebin community over the next 20 years.

The DCP includes 72 projects with a total estimated cost of \$121M. Through the DCP, future development is estimated to contribute \$29M, or nearly 25% of the total project costs.

A level of resourcing will be required to ensure the new DCP is effectively managed, monitored and reviewed once it is in place. Steps will need be taken to establish an accounting and management system to administer the DCP prior to the amendment being approved.

Legal and Risk Implications

Adopting a DCP creates an obligation for Council to proceed with the works identified. This risk has been managed through a prudent project selection process.

The DCP has been prepared with the assistance of expert consultants in accordance with the relevant legislation, directions and guidelines.

The exhibition process and potential subsequent convening of a Planning Panel provides opportunity for objections to be raised and arguments to be heard on the methodology used in the preparation of the DCP, and the outcome. It is possible that the Panel or state government may require changes. Ultimately the decision to approve implementation of the DCP, with or without changes, in the Darebin Planning Scheme lies with the Minister for Planning.

The timelines associated with exhibition, state government review and final decision making are somewhat unpredictable and subject to change.

DISCUSSION

Amendment C170dare proposes to implement the new DCP by incorporating the document within the Darebin Planning Scheme and inserting Schedule 2 to the Development Contributions Plan Overlay. An outline of all the proposed changes to planning scheme can be found in the Explanatory Report which forms part of the amendment documents (**Appendix B**)

How has the DCP been prepared?

The new DCP has been prepared with the assistance of expert consultants and guided by the framework established by legislation, directions and guidelines and has been confirmed as appropriate with a peer review.

Project selection

The list of projects included in the new DCP has been prepared based on Council's long-term capital works program which itself is guided by Council and community priorities, the directions and outcomes outlined in Council's adopted strategies and policies, and forecast resourcing and delivery capacity.

The types of projects that can be funded through a DCP is set out in the Victorian Government guidelines and described in the new DCP document. Projects must be 'capital works', defined as:

- A new item of infrastructure
- An upgrade to the standard of provision of an existing infrastructure asset or facility
- An extension to an existing asset or facility
- The replacement of an infrastructure item after it has reached the end of its economic life

The item of infrastructure must be used by a broad cross section of the community and serve a neighbourhood sized catchment area or larger. The types of infrastructure projects that may be included within a DCP must be either:

- Basic to the health, safety or well-being of the community, or
- Consistent with the community expectations of what is required to meet its health, safety or well-being.

Projects in a DCP need to be supported by robust costing and therefore be well-defined in scope. Selection of projects for the new DCP was made in consultation with Managers from relevant Council departments, based on which capital projects have the required level of certainty and robustness of information to fit the criteria for inclusion.

Cost apportionment

The cost of the projects has been apportioned across existing development (paid by Council) and new development (payable by the levy) using the state government's approved method. As a key input to the apportionment exercise, projections for new development have been generated out to 2041. The projections data and methodology are detailed in the new DCP document (**Appendix A**).

Local exemptions

In addition to the state prescribed exemptions to the DCP levy, a range of common-sense local exemptions are proposed to be included in the DCP, which generally align with best-practice recently prepared or approved DCPs in other municipalities.

These include development which is replacing or reinstating a dwelling, alterations or additions to an existing dwelling, outbuildings and fences normal to a dwelling, servicing infrastructure (utilities), Council delivered projects, social housing development delivered by or for registered housing associations, and land where an existing Section 173 agreement exempts the development from the DCP.

Why is the amendment needed?

Council has a significant forward program of capital works, which includes responding to the new demands generated by a growing resident and workforce population.

Residential dwellings in Darebin are forecast to increase from 70,991 in 2019 to 96,311 in 2041. Retail building stock, estimated to comprise 652,000 sqm in 2019 is anticipated to grow to 865,000 sqm in 2041, while commercial floorspace is forecast to expand from an estimated 881,000 sqm in 2019 to 1,160,000 sqm in 2041. The existing industrial building stock of approximately 1,400,000 sqm is forecast to grow to 1,542,000 sqm in 2041.

The DCP is a widely used financial management tool, and the income from Darebin's new DCP will support Council to deliver the infrastructure required to meet the needs of the Darebin community. The DCP is designed so that the cost of providing infrastructure that will be used by new development is shared between developers and the community on a fair and reasonable basis.

Impact of COVID-19

It is acknowledged that the coronavirus pandemic is having a profound effect on the economy and that the development industry will be impacted. The new Darebin DCP proposes a modest levy which is not anticipated to unduly affect new development. The levy reflects the need to equitably share the cost of providing the infrastructure required to enable the future community to fully participate in the economic and social life of Darebin. Preserving and enhancing the liveability of Darebin will ensure our municipality continues to be a place where people want to live, work and play.

The new DCP has a long-term strategic horizon of 20 years, over which period the economy would be expected to recover and the impact of the current situation be somewhat offset by more favourable future conditions.

Regular monitoring and review of the DCP will ensure that the document is reasonably consistent with estimates of future development, while accepting that future conditions will inevitably vary to some extent from future estimates generated for the new DCP.

OPTIONS FOR CONSIDERATION

Option 1 – Authorise officers to commence the planning scheme amendment process by formally seeking Authorisation from the Minister of Planning to prepare and exhibit Amendment C170dare in accordance with the requirements of the Planning and Environment Act 1987, with notification and consultation as outlined above. **(Recommended)**

Option 2 – Not proceed.

IMPLEMENTATION STRATEGY

Details

Officers will submit Amendment C170dare for authorisation to the Department, Land, Water and Planning (DELWP).

Communication

Following a resolution to request authorisation to prepare Amendment C170dare, the first phase of the DCP Community Engagement Plan will be implement, with a Yoursay page going live and FAQ's posted to provide information to the community. Following authorisation, notification will occur as outlined above.

Timeline

Timing for exhibition of the amendment and subsequent implementation of the DCP in the Darebin Planning Scheme is subject to the time it takes for DELWP to process Council's authorisation request, and the submissions we receive during the exhibition period. Next steps could be expected to occur as follows:

- 29 June 2020 – Council decision to request authorisation
- At earliest July 2020 (TBC) – Council receives authorisation from the State Government to commence the amendment process
- Public exhibition (for a minimum of one month) (timing subject to authorisation above)
- Council either adopts the amendment (with or without changes) and submits for Minister's approval, or refers unresolved submissions to a Planning Panel (timing subject to authorisation above)
- 2021 - Planning Panel (timing subject to authorisation above)
- 2021 – Council adopts amendment (with or without changes) and submits for Minister's approval (timing subject to authorisation above)

RELATED DOCUMENTS

- Development Contributions Guidelines 2007 (Victorian Government)
- Ministerial Direction on the Preparation and Content of Development Contributions Plans and Ministerial Reporting Requirements for Development Contributions Plans, Minister for Planning 11 October 2016
- Ministerial Direction – The Form and Content of Planning Schemes
- Ministerial Direction No. 9 – Metropolitan Planning Strategy
- Ministerial Direction No. 11 – Strategic Assessment of Amendments
- Ministerial Direction No. 15 – The planning scheme amendment process
- Plan Melbourne 2017-2050
- *Planning and Environment Act, 1987*
- *Building Act 1993*
- Guidelines for Preparing Planning Scheme Amendment Documentation – September 2014

Attachments

- List relevant documents (legislation, policies, reference papers, previous Council reports or Briefing papers) using the Infocouncil Attachments Screen. C170dare Draft Darebin Development Contributions Plan 2019 (**Appendix A**)
- C170dare Planning Scheme Amendment Documents (**Appendix B**)

DISCLOSURE OF INTEREST

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

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

7.6 INTENTION TO DECLARE A SPECIAL CHARGE - SOLAR SAVER RESIDENTIAL (BATCH 4)

Author: Residential Program Officer
Coordinator Solar Saver

Reviewed By: General Manager City Sustainability and Strategy

PURPOSE

To recommend that Council give notice of its intent to declare a Special Charge for the second batch of the residential Solar Saver program for the 2020-21 financial year (fourth batch for this round).

EXECUTIVE SUMMARY

The Solar Saver program is a key action of Council's Climate Emergency Plan.

The proposed Special Charge scheme relates to the 2020-21 program. The Declaration of this Special Charge will be considered by Council in August, after the public advertising period has closed.

The 13 households included in this batch have received and accepted quotes for their properties. The installations for this batch would add a total of **62.37kW** of solar capacity in Darebin. In line with Council's planned focus in 2020-21 (as included in the draft budget), these are all residential and low-income households.

The proposed Special Charge scheme totals **\$78,218.90 (Special Charge Amount)** - see also Appendices A and B) (The gross amount is \$115,334.89 which includes GST and the Pre Small-Scale Technology Certificate [STC] claim).

Council will pay upfront for installation and supply of the solar power systems as listed in **Appendix C**. Council will be repaid these costs, also detailed in Appendix C. Around 30% to 40% of this cost is returned to Council when works are invoiced and the STC credits generated by the solar systems are applied. The balance is repaid by beneficiaries of the Special Charge Scheme over 10 years.

All participants are expected to be eligible for state government rebates and this is expected to reduce the upfront cost to Council and Special Charges to be raised. Officers estimate that the total upfront cost will be reduced by approximately \$22,075.21 after rebates are confirmed.

No interest is charged to ratepayers on Special Charge repayments. Annual repayments are more than offset by participants' savings on their energy bills, and therefore the program provides financial and environmental benefits to participants from the outset.

Recommendation**That Council:**

- (1) Council hereby gives notice of its intention to declare a Special Charge in accordance with section 163 of the *Local Government Act 1989 (Act)* as follows:
 - (a) Council declares a Special Charge for the period commencing on the day on which Council issues a notice levying payment of the special rate and concluding on the tenth anniversary of that day.
 - (b) We declare this Special Charge for the purpose of defraying any expense incurred by Council in relation to the provision of solar energy systems on residential properties participating in the Solar Saver scheme, which:
 - i. Council considers is or will be a special benefit to those persons or organisations required to pay the Special Charge (and who are described in succeeding parts of this resolution); and
 - ii. Arises out of Council's functions of advocating and promoting proposals which are in the best interests of the community and ensuring the peace, order and good government of Council's municipal district.
 - (c) The total:
 - i. Cost of performing the function described in paragraph 1(b) of this resolution is \$78,218.90; and
 - ii. Amount for the Special Charge to be levied is \$78,218.90, or such other amount as is lawfully levied as a consequence of this resolution
 - (d) We declare the Special Charge in relation to all rateable land described in the table included as Appendix B to this report, in the amount specified in the table as applying to each piece of rateable land.
 - (e) Ownership of any land described in paragraph 1(d) of this resolution is the basis of the Special Charge.
 - (f) The Special Charge will be assessed and levied as follows:
 - i. Each Special Charge is calculated by reference to the size of the solar energy system being installed and the particular costs of installation at each property participating in the Solar Saver scheme, in respect of which an Owner Agreement has been executed, totalling \$78,218.90, being the total cost of the scheme to Council;
 - ii. The Special Charge will be levied each year for a period of 10 years.
 - (g) Having regard to the preceding paragraphs of this resolution and subject to section 166(1) of the Act, it is recorded that the owners of the land described in paragraph 1(d) of this resolution will, subject to a further resolution of Council, pay the Special Charge in the amount set out in paragraph 1(f) of this resolution in the following manner:
 - i. Payment annually by a lump sum on or before one month following the issue by Council of a notice levying payment under section 163(4) of the Act; or
 - ii. Payment annually by four instalments to be paid by the dates which are fixed by Council in a notice levying payment under section 163(4) of the Act.

- (2) Council considers that there will be a special benefit to the persons or organisations required to pay the Special Charge because there will be a benefit to those persons or organisations that is over and above, or greater than, the benefit that is available to persons or organisations who are not subject to the proposed Special Charge, as a result of the expenditure proposed by the Special Charge, in that the properties will have the benefit of a solar energy system being installed.
 - (3) For the purposes of having determined the total amount of the Special Charge to be levied:
 - (a) Council considers and formally records that only those rateable properties included in the Solar Saver scheme as proposed will derive a special benefit from the imposition of the Special Charge, and there are no community benefits to be paid by Council; and
 - (b) Formally determines for the purposes of section 163(2) (a), (2A) and (2B) of the Act that the estimated proportion of the total benefits of the Special Charge to which the performance of the function or the exercise of the power relates (including all special benefits and community benefits) that will accrue as special benefits to the persons who are liable to pay the Special Charge is 100%.
 - (4) Council will give public notice in The Age newspaper of Council's intention to declare, at its ordinary meeting to be held on 17 August 2020, the Special Charge in the form set out above.
 - (5) Council will send separate letters, enclosing a copy of: this resolution; Appendix B to this report; and the public notice referred to in Paragraph 4 of this resolution, to the owners of the properties included in the scheme, advising of Council's intention to levy the Special Charge, the amount for which the property owner will be liable, the basis of calculation of the Special Charge, and notification that submissions and/or objections in relation to the proposal will be considered by Council in accordance with sections 163A, 163B and 223 of the Act.
 - (6) Council will convene a meeting of the Hearing of Submissions Committee, at a date and time to be fixed, to hear any persons or organisations who, in their written submissions made under section 223 of the Act, advise that they wish to appear in person, or to be represented by a person specified in the submission, at a meeting in support of their submission.
 - (7) Council authorises the Manager Climate Emergency and Sustainable Transport to carry out any and all other administrative procedures necessary to enable Council to carry out its functions under sections 163A, 163(1A), (1B) and (1C), 163B and 223 of the Act.
-

BACKGROUND / KEY INFORMATION

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

Key aspects of the Solar Saver Rates Program includes:

- The Solar Saver Rates program is currently offered to low income residential rate payers for solar systems up to 10kW.
- Council undertakes procurement of good value solar systems and installation with 10 year warranties.

- Solar saver rates program participants register interest, receive quotes and the property owner signs an Owner Agreement (see **Appendix D**)
- Council declares a Special Charge and pays the upfront cost of the solar system and installation for participants when the solar systems are installed.
- Solar Saver participants pay the Special Charge over a 10 year period to reimburse council's upfront payment – which is more than offset by their energy bill savings.
- As detailed below Council has resolved that interest is not charged to residential participants and that the program will be funded through Council's existing cash reserves.

Over 1,500 households have participated in previous Darebin Council Solar programs.

Launch of Solar Saver Bulk Buy stream

Council has recently launched its new Solar Saver Bulk Buy program to help residents and businesses that are not low income. Officers have started offering this to residents that have previously registered interest in the Solar Saver Program. Promotion will continue and broaden over the next few months

At time of writing this report, a relatively high proportion of households contacted have joined the Bulk Buy stream given the short amount of time elapsed (23 out of 102 within one week of notification).

Previous Council Resolution

At the **13 August 2018** meeting it was resolved that Council:

Offers the Darebin Solar Saver Program to all residential properties, with no interest charged as part of the special charge scheme for the contract period.

Authorises inclusion in the Darebin Solar Saver Program of non-residential properties up to 30kW in size, with no interest charged as part of the special charge scheme for the contract period.

Awards the appointment of Solargain, Enviro Group and Energy Matters as supply panel membership of contract number CT201842 for the supply and installation of Solar PV Systems for the Darebin Solar Saver Program for Supply Panel 1 - residential and small, non-residential installations: 1.5-10kW systems. The contract terms are to commence on 20 August 2018 and conclude on 30 June 2021 with a contract sum of \$16,134,030 GST inclusive.

Awards the appointment of Solargain, Enviro Group and Energy Matters as supply panel membership of contract number CT201842 for the supply and installation of Solar PV Systems for the Darebin Solar Saver Program for Supply Panel 2 - non-residential installations: 10-30kW systems. The contract terms are to commence on 20 August 2018 and conclude on 30 June 2021 with a total contract sum of \$1,980,000 GST inclusive.

Approves the award of Stage 1 of implementation for Supply Panel 1 – residential and small non-residential Solar PV Systems to Solargain to deliver the supply and installation of solar PV systems between 1 January 2019 and 30 June 2019 with a total contract sum of \$2,406,030 GST inclusive.

Authorises the Chief Executive to finalise and execute the supply panel membership contracts on behalf of Darebin Council, and Stage 1 of implementation for Supply Panel 1 - Residential and Small, non-residential Solar PV systems.

At the Council meeting on **16 December 2019** Council appointed EnviroGroup as the provider for this round of the residential program:

- 9) [Council] *Awards Contract CT2019140A for the supply and installation of solar PV Systems for the Darebin Solar Saver Residential Program (Second Installation Period) with a contract sum of \$5,830,000 including GST to The Environment Shop Pty Ltd as the trustee for Environment Futures Trust, trading as EnviroGroup for the period 1 January 2020 to 30 June 2021, with the possibility of extension to September 30 2021.*

COMMUNICATIONS AND ENGAGEMENT

Consultation

All participants have received a site assessment and quotation to participate in the program.

Communications

Households on Council's waiting list were contacted directly. No broad promotional activity was undertaken given that there were still many people on the waiting list. In the future the program may be advertised on the Council website, through Darebin News, newsletters and through networks, as required, to gain more participants.

COVID-19 safety measures are being communicated to households who are currently progressing through the installation process.

ANALYSIS

Alignment to Council Plan / Council policy

Goal 1 - A sustainable city

Climate Emergency Plan

Environmental Sustainability Considerations

Climate Emergency

This project is a key action in the *Darebin Climate Emergency Plan 2017*. The current Special Charge batch is expected to install 62.37kW across 13 installations, with an estimated equivalent annual greenhouse gas saving of 91.8 tCO₂-e.

Equity, Inclusion and Wellbeing Considerations

This batch is made up entirely of low-income households. All are expected to be eligible for the Solar Homes rebate from the Victorian Government.

Cultural Considerations

Households who need interpreters or other communication support are assisted to participate.

Economic Development Considerations

The program is designed so that participants will save more money on their energy bills than they will be paying back to Council, so that they are financially better off from the outset.

Financial and Resource Implications

Should the proposed Special Charge scheme proceed, Council would pay up to **\$115,334.89** (including GST and pre STC claim), for the supply and installation of the solar PV systems on the properties in **Appendix B**.

Council will pay upfront for installation and supply of the solar power systems as listed in Appendix C. Council will be repaid these costs, also as detailed in Appendix C. Around 30% to 40% of this cost is returned to Council when works are invoiced and the STC credits generated by the solar systems are applied. The balance is repaid by beneficiaries of the Special Charge Scheme over 10 years. All participants are also expected to be eligible for state government rebates and this is expected to reduce the upfront cost to Council and Special Charges to be raised. Officers estimate that the total upfront cost will be reduced by approximately \$22,075.21 after rebates are confirmed.

The rebate adjustments will be made after council's decision and when rebates for all participants are confirmed.

In accordance with their respective Owner Agreements Property owners will pay for the cost of the solar energy system (less any approved Solar Homes rebates), listed in confidential **Appendix C** (and subject to adjustments as above), by equal instalments apportioned over a 10-year period, commencing from January 2021.

Council is expected to receive approximately **\$5,600** in Special Charge repayments annually for this scheme over the 10-year period (after rebates have been deducted). Some participants may pay the total amount in the first year. The Special Charge scheme is effectively an interest free loan to these participants.

Payments to Council by property owners for works via Special Charge schemes are GST exempt. Should a property be sold during the 10-year period in which the Special Charge scheme applies, the amount outstanding on the Special Charge scheme at the time of sale will be paid in full.

The administrative, contract management, community engagement and communications and compliance costs associated with administration of the Solar Saver program is provided for within the draft 2020-2021 budget. The installation and supply of these solar systems is done under contract at the contract rates as adjusted for any applicable variations.

Legal and Risk Implications

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

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

A separate risk assessment has been completed in light of the recent COVID-19 outbreak, and adjustments have been made to work practices such that contact between the solar provider and households is avoided wherever possible and minimised where necessary, and in line with Victorian and Australian Government guidelines, as approved by the Darebin Council Incident Control Team for COVID-19. Council continues to monitor the outbreak and changing guidelines.

Operational Impacts

This project is provided for within current operational arrangements.

DISCUSSION

This batch would be part of the 2020-21 program

It is recommended that Council give notice of its intent to declare a Special Charge.

The proposed Special Charge scheme relates to the 2020-21 program. The Declaration of this Special Charge will be considered by Council in August, after the public advertising period has closed.

Beneficiaries have indicated support

The 13 households included in this batch have received and accepted quotes for their properties. The installations for this batch would add a total of **62.37kW** of solar capacity in Darebin. In line with Council's planned focus in 2020-21 (as included in the draft budget), these are all residential and low-income households.

See **Appendix A** for further details of the Special Charge declaration.

COVID-19 outbreak and impacts on the Solar Saver program

A separate risk assessment has been completed in light of the recent COVID-19 outbreak, and adjustments have been made to work practices (see risk section above).

Solar Saver households and businesses who have chosen to proceed at this time are well-informed, understanding, and cooperative in assisting Council and the solar providers to manage risks carefully while conducting site assessments and installations.

OPTIONS FOR CONSIDERATION

Officers recommend progressing to intention to declare this charge, even though Council has not yet finalised its 2020-21 budget because advertising its intention would enable Council to start consultation now, but the decision about whether to proceed would be taken after it has considered its budget. By starting consultation now, installation of solar system could occur sooner, should Council ultimately decide to proceed.

Council does not have to progress the proposed Special Charge Scheme. It could choose to defer or abandon the proposal at this stage.

IMPLEMENTATION STRATEGY

Details

The households included in this Special Charge batch are expected to have their solar systems installed from August to October 2020.

Communication

A communications plan has been prepared to guide the delivery of communications relating to the changes to the Solar Saver program and the opening of the Solar Saver Bulk Buy. Planned communications are expected to be largely complete by the beginning of the pre-election period, and any further public communications will then be paused until after the election.

Timeline

Subject to Council resolution:

- Council report – intention to declare Special Charge scheme – 29 June 2020
- Copies of the proposed declaration to property owners – from 7 July 2020
- Copy of proposed declaration available for public inspection – from 7 July 2020
- Public notice of proposed declaration – from 7 July 2020
- Receipt of written submissions – by 4 August 2020
- Hearing of submissions (if required) – TBA
- Council report – declaration of Special Charge scheme – 17 August 2020
- Subject to declaration of the Special Charge scheme, installation of solar will occur from 18 August onwards over a period of around 2-3 months.
- Council may consider the establishment of another Special Charge scheme in 2020-2021

RELATED DOCUMENTS

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

Attachments

- Solar Saver Intention to Declare a Special Charge (**Appendix A**)
- Solar Saver - Property Addresses and prices - 29 June 2020 (**Appendix B**)
- CONFIDENTIAL - Solar Saver - Property Addresses and prices - 29 June 2020 (**Appendix C**) Confidential - enclosed under separate cover
- Owner Agreement - Solar Saver Residential - Round 3.3 (**Appendix D**)

DISCLOSURE OF INTEREST

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

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

7.7 SUBURBAN RAIL LOOP**Author:** Senior Transport Planner**Reviewed By:** General Manager City Sustainability and Strategy

EXECUTIVE SUMMARY

The Suburban Rail Loop is a proposed new railway line connecting Werribee to Cheltenham without traversing the CBD. The North-East Section plans two new stations in Darebin at Reservoir and Bundoora.

Council does not yet have an adopted position on this project. Officers have assessed the project for benefits to local communities in Darebin and believe that it would represent a significant improvement on existing transport options.

This report recommends that Council adopt a position in support of the project to ensure that local benefits are maximised.

Recommendation

That Council:

- (1) Supports the construction of the Suburban Rail Loop including new stations at Reservoir and Bundoora.
 - (2) Advocates to the Victorian Government that:
 - a. The North-East Section of the Suburban Rail Loop (Melbourne Airport to Box Hill) be constructed following the completion of Stage 1
 - b. The Suburban Rail Loop Authority work in partnership with Council during planning, construction and evaluation phases and that new station locations be used as opportunities for community infrastructure
 - c. The Route 11 tram be extended to Reservoir Station to act as a feeder service for the Suburban Rail Loop
 - d. High-frequency bus services be introduced along the proposed North-East Section as an interim transport solution until the Suburban Rail Loop is built
 - e. It commits to achieving infrastructure sustainability excellence throughout design, construction and use.
 - f. The development of the projects include comprehensive community engagement to develop designs and seek feedback that reaches Darebin's diverse community.
 - (3) Writes to the Minister for Transport Infrastructure, the State Members for Preston and Bundoora, Federal Member for Cooper and the Vice-Chancellor of La Trobe University advising them of Council's decision.
 - (4) Writes to all CEOs of local governments on the proposed route of the Suburban Rail Loop advising them of Council's decision.
-

BACKGROUND / KEY INFORMATION

This report is in response to the announcement of the Suburban Rail Loop by the Victorian Government in August 2018.

Project overview

In August 2018 the Victorian Government announced the Suburban Rail Loop (SRL) project. This is planned to be a 90-kilometre orbital railway running on dedicated tracks between Werribee and Cheltenham. It would be constructed in four stages by 2050 and connect all existing metropolitan railway lines (except for the Alamein, Flemington Racecourse and Sandringham Lines). See **Appendix A** for a detailed map.

Stage 1 of construction is scheduled to commence before 2022. Preliminary geotechnical and other investigations have commenced for this section between Cheltenham and Box Hill.

The schedule for future stages has not yet been confirmed. However, given that the Melbourne Airport Rail Link project has been announced (which makes up part of the Western Section), it is likely that the section through Darebin will be the last one to be completed.

Previous Council Resolution

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

COMMUNICATIONS AND ENGAGEMENT

Consultation

The Suburban Rail Loop Authority is currently conducting online community engagement. It seeks information from communities along the proposed Stage 1 route from Box Hill to Cheltenham.

The Darebin community has not yet been engaged about this project. As this is a State Government project, all community engagement will be led by the relevant Authority.

ANALYSIS

Alignment to Council Plan / Council policy

Goal 1 - A sustainable city

Goal 1.2 of the Council Plan states that Council will advocate for better public transport.

The Darebin Transport Strategy 2007 – 2027 outlines Council's objectives to drive the way that Darebin delivers transport to its communities:

DTS Objective	Relation to Suburban Rail Loop
To improve local and metropolitan accessibility	A new orbital railway will greatly expand access to jobs, services and education for Darebin's residents to locations that are currently difficult to access.
To increase the role of sustainable transport modes	The Suburban Rail Loop (SRL) is forecast to significantly increase the use of public transport as a viable alternative to cars.
To build new development that reduce transport demands	One of the stated aims of the SRL is to use new station locations as opportunities for 'value capture' and transit-oriented development. If planned correctly, this would result in new developments that emphasise sustainable transport and reduce transport pressures on the city.
To increase social inclusion for residents	Disadvantaged communities in Darebin are 2.5 times less likely to own a car than advantaged communities. People with a disability, people on lower incomes and other groups are also more likely to rely on public transport to access jobs, services, education institutions and social opportunities. Improving public transport access will improve social justice outcomes.
To improve health and environmental outcomes	Improved public transport access through the SRL would encourage greater use of sustainable transport. This in turn reduces air and noise pollution and improves public health through greater active travel.
To improve community safety	Road trauma can be greatly reduced by more people choosing to ride, walk or take public transport. The SRL would encourage more sustainable travel and improve safety.
To integrate quality urban design, economic development and access	Precincts around new stations will be key aspects of the project. Council can work with the relevant State Government authorities to ensure quality urban design, improvements for local economies and better accessibility for all.
To engage stakeholders through effective communication	Success of the SRL will depend on all stakeholders working in partnership, including Council with local communities.

Environmental Sustainability Considerations

Climate Emergency

Transport is the third-largest and fastest-growing source of emissions in Darebin. Dramatically increasing the role of sustainable transport is vital to addressing the Climate Emergency.

Key direction 1 of the Darebin Climate Emergency Plan 2017-2022 acknowledges the leadership role Darebin can take to mobilise action from the State Government. The SRL is an opportunity to advocate for sustainability excellence in design, construction and operation so that project greenhouse gas emissions are reduced or eliminated.

Key direction 4 of the Darebin Climate Emergency Plan 2017-2022 brings a climate emergency lens to transport. Objective 3 commits Council to advocating for improved frequency and accessibility of public transport. The Suburban Rail Loop would improve both aspects of sustainable transport.

Covid-19 Pandemic

The full impact that the Covid-19 pandemic has had on the way people travel is still yet to be understood. It is expected that travel via heavy rail will still be required into the future, with the Suburban Rail Loop providing an essential connection between currently isolated areas of greater Melbourne.

Equity, Inclusion and Wellbeing Considerations

Improving public transport improves equity, inclusion and wellbeing for our communities. The Suburban Rail Loop would provide direct connections from Darebin to other major activity centres across Melbourne. This would provide viable alternatives to driving, particularly for disadvantaged groups.

Cultural Considerations

Developing precincts around new stations will present many opportunities for the integration of cultural and art opportunities. There are many examples around the world where this has successfully occurred. Station development sites may also provide scope for renewed or additional arts and cultural facilities.

Economic Development Considerations

Providing greater transport access to Darebin increases the potential customer base for local businesses. The Suburban Rail Loop would connect at Reservoir and bring significant benefits to this activity centre, as well as other locations that would link to the new station.

Strategic development around new stations at Reservoir and Bundoora would also represent significant economic opportunities for local and regional economies. Making it easier for staff and customers to access Darebin from non-CBD locations would make our city a more attractive location for businesses to locate and conduct their activities.

This new infrastructure would also provide economic benefits to support the La Trobe National Employment and Innovation Cluster (NEIC). La Trobe University has an expanding education and research role in the NEIC. The SRL would link NEIC together with Melbourne's other NEICs and education, research & innovation precincts.

Financial and Resource Implications

Advocacy to the Minister, MP's and other major stakeholders including CEO's of other affected councils can be completed using existing resources. No additional budget is required at this stage of the SRL development.

Legal and Risk Implications

Council assets will likely be impacted during construction. There are likely to be other questions and impacts regarding Council's assets and spaces, such as parkland and trucks traversing street networks. This will require mitigation measures such as traffic management plans, alternative arrangements and clear communication with affected communities. Further details from the State Government are required before further analysis can be undertaken.

The community is also likely to be impacted during construction. It is highly likely that the SRL would take several years to construct through Darebin and result in impacts similar to other major projects. These could include:

- Disruptions to transport networks
- Heavy vehicles traversing Darebin's streets
- Noise and dust.

The SRL may result in the compulsory acquisition of some properties along the alignment to facilitate safe construction.

Operational Impacts

The Suburban Rail Loop may have impacts on open space, the street network and infrastructure assets. These will likely occur both during and after construction. Some rail assets, such as open space or pathways, may be handed over to Council at project completion, as has occurred with similar projects (e.g. level crossing removals). At this early planning stage, there are insufficient details available to make a detailed assessment of these impacts.

Early advocacy with the State Government will help secure good outcomes for Darebin and other communities along the proposed route.

DISCUSSION

Clear need in the Darebin context

Two of the proposed new stations are at Bundoora and Reservoir. Exact locations have yet to be determined. However, it is highly likely that these will be located at La Trobe University and the existing Reservoir Station respectively.

La Trobe University has the worst public transport access of any university in Melbourne. It lacks a direct heavy rail connection and is relatively isolated from existing activity centres. A station at Bundoora would greatly improve its connectivity and improve opportunities for students, staff and visitors to the campus as well as collaboration with other centres of excellence across Melbourne.

Reservoir already has a heavy rail station on the Mernda Line. However, its connections into other activity centres in either east or west directions are limited. A new connection to Heidelberg and Broadmeadows and beyond would improve economic and social accessibility for Reservoir.

From the limited information available, officers understand that parts of the North-East section may be constructible without tunnelling. Other opportunities may be available, such as elevated rail or trenched rail. This could significantly reduce the cost of this section and improve the cost-benefit ratio of the SRL.

The SRL alignment and new stations must be planned to maximise integration with land use and the wider transport network, including planning for improved connecting services, to increase access for Darebin residents and workers, including to and within the La Trobe NEIC (including Northland Major Activity Centre and surrounding employment area, and La Trobe University).

Significant benefits that would enhance other transport priorities

Council has existing advocacy priorities and plans that could benefit from the SRL, including:

- Route 11 tram extension to Reservoir Station
- Melbourne Metro 2
- Bus network improvements
- Affordable and social housing
- Northern Pipe Trail upgrades
- Improved public transport connections for the La Trobe NEIC
- Improved road layout at the Reservoir Level Crossing Project.

Council has been advocating for the route 11 tram to be extended to Reservoir for many years. There is demonstrated strong community support for this project. With the onset of SRL, this proposal gains new importance as a feeder connection into a new SRL station at Reservoir. It would provide improved accessibility for residents in the west and north-west sections of Darebin to the SRL and other transport options contained at Reservoir.

Other projects would benefit from the additional investment and value capture opportunities created by the new stations at Reservoir and Bundoora. The roads package that was not delivered through the Reservoir Level Crossing Project would provide land value capture opportunities and assist in achieving objectives of the Reservoir Structure Plan. New bus routes could be implemented along the route of the SRL as an interim measure before the rail project is completed. This would prove demand and help prepare the community for the changes and opportunities provided by a fully completed SRL.

There are also opportunities for active transport projects to complement any new SRL infrastructure. Important links such as the Northern Pipe Trail could be upgraded to accommodate an increase in people walking and cycling to a new Reservoir Station.

There are many potential opportunities presented by the SRL that will require further officer investigation. However, at this time, there is limited information available. This more detailed analysis will be undertaken once further details are obtained from the Suburban Rail Loop Authority.

Opportunity to improve sustainability

The SRL is an important opportunity to deliver infrastructure that achieves outstanding sustainability outcomes, for example, maximum use of recycled content, zero carbon materials and construction methods, good ecological outcomes and reduced waste and pollution. Darebin has an opportunity to lead advocacy that calls on the State Government to commit to achieving sustainability excellence for this project.

OPTIONS FOR CONSIDERATION

Officers propose that Council consider three options in response to this report:

- Option A – Support Suburban Rail Loop in its current form (recommended)
- Option B – Oppose Suburban Rail Loop in its current form
- Option C – Support Suburban Rail Loop in a modified form

Option A – Support Suburban Rail Loop in its current form

This option would support the SRL as proposed by the State Government (outlined in **Appendix A**). This would involve stations at Bundoora and Reservoir for Darebin and construction of the North-East section, between Box Hill and Melbourne Airport, immediately following the completion of Stage 1 from Cheltenham to Box Hill. These proposed station locations offer the most positive change for areas of Darebin that are most in need of improved transport connections. There would be several opportunities for both advocacy on existing community priorities and scope for future items to be investigated and considered as the SRL project progresses.

Option B – Oppose Suburban Rail Loop in its current form

Council could oppose the construction of the SRL.

This is not recommended as there would be significant benefits to the project in regards to many of Council's strategic goals, even understanding that construction would be disruptive to the Darebin community for a time. The long run benefits for sustainability, economic development and community are strong.

Option C – Support the Suburban Rail Loop in a modified form

There are several options beyond what has been published by the State Government to date for a railway along their published alignment (Appendix A). Alternatives may include alternative station locations or alignments.

Whittlesea City Council has recently adopted a position to advocate for an SRL station at Epping. This option would limit the ability for the project to deliver a station at Reservoir or Bundoora as it would represent a significant deviation from the State Government's proposed route. This alternative appears to have fewer benefits for the Darebin community than the current proposed route, largely because the benefits to the Darebin community and economy would not be realised to the same degree.

Additional research is required by officers before any definitive recommendations can be made on any alternative alignments. Should Council wish to pursue Option C, a further report would be necessary at a future Council meeting.

Officers recommend Option A for adoption.

IMPLEMENTATION STRATEGY

Details

Advocacy and preparation will be done in accordance with Council's resolution and in partnership with other councils across Melbourne and the Northern Region.

Work with other local governments across the region on advocacy activities, including economic development and transport, will continue.

Collaboration with all stakeholders will continue on items of common purpose and benefit. Known stakeholders currently include other local governments in the Northern Region, La Trobe University and Northern Horizons.

Officers will also continue to monitor the release of information and updates from the Suburban Rail Loop Authority. Further details on potential opportunities, alignment, construction approach, station locations and timelines will be sought.

Communication

Preparation or construction works on the North-East Section is not imminent. Pending the acquisition of additional details from the Victorian Government, officers will prepare communications plans and strategies as required.

Timeline

The Suburban Rail Loop Authority has not released details on the timeline of the full project. The first stage of works from Cheltenham to Box Hill is scheduled to commence in 2022. The full project is scheduled for completion by 2050.

RELATED DOCUMENTS

- Darebin Transport Strategy 2007 – 2027 (as amended)
- Darebin Climate Emergency Plan 2017 – 2022.

Attachments

- Suburban Rail Loop Alignment Map (**Appendix A**)

DISCLOSURE OF INTEREST

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

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

7.8 EDWARDES LAKE PLAYSPACE CONCEPT DESIGN**Author:** Team Leader City Design**Reviewed By:** General Manager City Sustainability and Strategy

EXECUTIVE SUMMARY

This report recommends that Council release for community consultation a draft concept design for a new playspace at Edwardes Lake Park as part of its work to improve the park. It also recommends Council update community and produce an updated site plan for the Park that reflects recent improvements and the proposed playspace.

Edwardes Lake Park is located in Reservoir, is of regional significance, and serves a critical role in providing 'green lungs' for the Darebin community. It is also an important connector for local habitat along Edgars Creek and is a popular regional destination for informal community gatherings and recreation.

Council has been considering further improvements to the park over a number of years and undertook community engagement in 2016 and 2017 for the purpose of helping with long term planning and with the intention of reviewing the previous Master Plan for the site.

This work is now completed and the key improvement that this work identified is a clear aspiration to activate the western section of the park, and construction of a new playspace in that area to achieve this. Therefore, in its 2019-20 budget, Council provided for the concept design of this new playspace.

This report seeks endorsement to release the concept plan for community consultation. Consulting on the playspace now would give Council the option to progress with detailed design of the playspace in 2020-21 which is proposed in Council's draft budget. Due to ongoing restrictions around Covid-19, consultation plans include a video that has been prepared to enable the greatest level of engagement by the community. If restrictions ease, face to face methods will also be used.

Council has also progressed a number of improvements in the Park in parallel. Recent improvements have included new park furniture, upgrades to the athletics track, new trees and a new public toilet building including a Changing Places facility adjacent to the existing all-abilities playground, near Griffiths Street.

Other than the proposed new playspace in the western section, many of the improvements identified were straightforward and could be easily incorporated into Council's annual renewal, open space workplan and budget processes. They didn't require the long term functions, uses or policy to change and are consistent with Council's existing directions. Therefore, officers advise that producing a full new Master Plan document is not necessary or warranted.

Community feedback identified an ongoing desire to consider long term opportunities including activating the boathouse and in the long run aspiring to have the lake be able to accommodate water recreation. Council has been exploring both these in parallel processes.

- Water recreation is not currently feasible and Council decided in April 2020 to advocate for State Government support to progress what would, if it is feasible at all, require very significant funding and many years work to realise this long term aspiration. This advocacy is ongoing.

- Similarly, Council has been in parallel progressing work to explore the feasibility of activating the boathouse and this will be considered by Council separately. This does not have a material impact on the layout or function of the park and does not need to be resolved for Council to make a decision in relation to this report.

Recommendation

That Council:

- (1) Notes recent improvements to Edwardes Lake Park, based on community feedback
- (2) Endorses the draft Edwardes Lake Seaver Grove Playspace playspace concept design for community consultation (**Appendix A**)
- (3) Requests that a community update be provided which includes an updated Park site plan reflecting the proposed new playspace and recent improvements.

BACKGROUND / KEY INFORMATION

Edwardes Lake Park, a 26-hectare park in Reservoir is one of Darebin's key regional parks catering to a diverse and growing community. The park functions as a regional open space with over 250,000 visitors per annum with more than 350,000 residents living within a 15-minute drive.

Edwardes Lake Park currently has a district quality All Abilities Play Space, a BBQ area, a picnic area, dog off lead area, two older play spaces, skate park, toilet blocks, outdoor fitness circuit, walking tracks, sporting field, public open space and several buildings. Much of this infrastructure is aging or is not of the size or quality required by the community now and into the future.

Its centrepiece is the Edwardes Lake, a water body of approximately 6.3ha and the second largest urban lake in the Melbourne Metropolitan region. The Lake, fed by Edgars Creek has an upstream catchment of more than 100 square kilometres that includes industrial areas and one of the fastest growing urban areas in the Victoria, the City of Whittlesea.

Edwardes Lake Park was donated to Preston Council by Mr. Thomas Dyer Edwardes in 1914 and was officially opened in 1920. Originally the Lake was used for rowing regattas, swimming, fishing tournaments, water skiing and power boat racing. As the water quality has deteriorated park use has changed. A Planning Heritage Overlay applies to the site recognizing this significance.

Following major silting and pollution issues, in 2001 significant works were undertaken at the lake and immediately upstream in 2002 – 2004 with the following key improvements:

- improved sediment capture upstream of the Lake, along with secondary sediment traps within the lake to extend sediment capturing capability;
- better circulation of waters within the Lake water body involving changed lake bathymetry (the shaping of the bottom of the lake and edges);
- construction of low flow wetlands and an increase in fringing aquatic vegetation around the Lake perimeter to assist with nutrient uptake.

These works were designed for use of the lake as passive recreation (and were funded by Council (\$2.5 Million), Melbourne Water (\$650,000) and the Victorian Government (\$532,500).

Council has been considering improvements to the park over a number of years and undertook community engagement in 2016 and 2017 to review the existing masterplan and understand if Council's directions, needs and aspirations needed to be updated.

The community engagement process identified local aspirations for:

- Diversifying activity in the park by activating the western underused section by creating a new playspace
- A number of smaller scale improvements
- A continued desire to consider longstanding opportunities for the boathouse and use of the lake for water recreation

The aspirations for a playspace at the western end of the park identified through the engagement process are also in line with Council's Playspace Strategy.

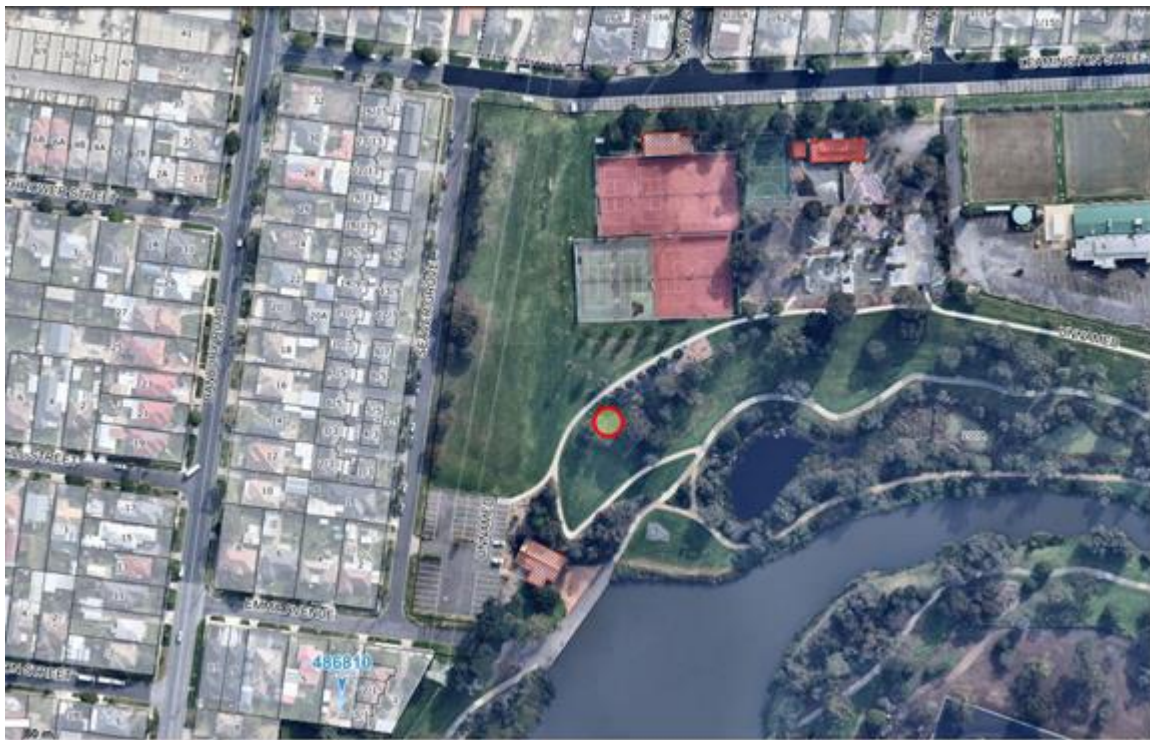


Fig1 – proposed location of playspace

Previous Council Resolution

At its meeting of 17 June 2013 Council resolved:

“THAT Council Officers as part of the planning process for Edwardes Lake Park establish a community based reference group in 2014 to assist in the review of the existing master plan and guide the development of a future plan for Edwardes Lake Park.“

This resolution responded to a resolution from its meeting of 4 March 2013:

“That Council receive a report in May 2013 on the feasibility of establishing an Edwardes Lake Park Reference Group or Advisory Committee.”

COMMUNICATIONS AND ENGAGEMENT

Consultation

For a three-week period in November 2016, we collected ideas to improve the park, listened to personal stories from various generations of the community and understood community frustrations with the lack of investment in their local park. Community engagement activities for this initial phase included:

- One 'drop in session' was held at the Edwardes Lake Park on Saturday 19 November 2016, where Council officers collected ideas about how their park could be improved for the local community and park users.
- Presentations to the 'Darebin Disability Advisory Committee', Active and Ageing Committee.
- On site meetings with Government Agencies.
- One-on-one meetings with internal departments.
- Information on Council's webpage.
- Media release in local papers.
- Local advertisements in the Neighbourhood Community house newsletter and library newsletter.
- Social media updates.
- A summary brochure which was distributed to 3000 homes in Reservoir.

Ideas generated through this process were then tested and explored with the community at the Darebin Kite Festival in March 2017.

A Community Reference Group was established to provide advice and feedback on the masterplan for the site. Members were in place for two years from 2016 in line with the group's Terms of Reference.

Communications

ANALYSIS

Alignment to Council Plan / Council policy

Goal 1 - A sustainable city

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

Environmental Sustainability Considerations

Climate Emergency

The proposed playspace character is focused around nature-based play, using natural elements and increasing community stewardship of the natural world and biodiversity.

Equity, Inclusion and Wellbeing Considerations

The playspace will be designed to foster social interaction and be designed using Crime Prevention through Environmental Design (CPTED) principles.

Cultural Considerations

The community of Reservoir is a diverse one, and the methodology for engagement will be designed to reach a broad spectrum of people from a wide variety of backgrounds.

Economic Development Considerations

High quality public spaces support the renewal efforts of local government to help attract and retain residential and business populations in Darebin.

Financial and Resource Implications

The concept design for the playspace is included within the 19/20 Council budget. Detailed designs will be progressed throughout the 20/21 financial year, in-house or within standard operating budgets.

Legal and Risk Implications

There are no factors in this report which impact on Legal and Risk implications.

Operational Impacts

The Parks and Open Space team will be closely consulted throughout the design phase, to ensure ease of maintenance for all new pieces of play equipment.

DISCUSSION

Community feedback basis for proposed draft Playspace Concept Design

The concept for the playspace has been developed in response to community engagement about Edwardes Lake Park as well as to align with the goals and directions of *Breathing Space: The Darebin Open Space Strategy*.

The new playspace is planned for a steep slope above the wetland and lake. The proposed site already includes a few pieces of small play equipment adjacent to a small barbeque area and the proposed draft concept design proposes to build on these existing uses.

The draft design focuses on nature play and adventurous play for children of all ages. The design uses the slope to create opportunities for sliding, climbing, swinging, rolling and spinning. It also offers space for engaging with nature, building cubbies, playing with water and sound equipment, having picnics, watching a performance and enjoying the view.

Community feedback called for:

- Nature play
- Water play
- Sound/music play
- New play equipment, spinning play equipment
- Loose parts play
- Sensory garden, native grassland meadow, garden beds, trees
- Environmental themes
- Treasure hunt/orienteering

See **Appendix A** for the concept design of the new playspace, to be used as the basis for community consultation.

Community feedback identified many straightforward ideas that align with existing direction and renewal programs

Except for the western section of the park, generally community feedback confirmed that the layout, function and uses of the park work well.

Many ideas and improvements were straightforward. A number have been completed and others can be considered within Council's normal operating and renewal programs

Improvements completed in the last three years include:

- New park furniture including seats, picnic suites and bins (including trialling the big belly compacting smart bins)
- New public toilet currently being constructed, to include a changing place facility, adjacent to the Griffiths Street all-abilities playspace
- Widening of internal paths
- Improvements to the athletics track to include resurfacing, new lighting, drinking fountain and shade trees
- Resurfacing of the skate park

Other ideas, issues and opportunities from community feedback are listed below. These can be progressed over time as part of Council's normal renewal and operating programs. Each year, they would be considered for funding in Council's budget process considering priorities across Darebin.

- Decentralising activity from the Griffiths Street BBQ and Playspace and creating balance by introducing new uses and activity in other areas of the park.
- Improvements to paths, entrances and signage
- Upgrades to park infrastructure such as toilets, BBQ shelters, seating, bins and stage area
- Reconsidering the location of the stage, BBQ area, and dog-off lead area
- Improvements to visibility, safety, and the perception of safety
- Improving landscape and vegetation cover, and tree planting

Community feedback confirmed long term aspirations

Community feedback confirmed community aspirations on two long term aspirations, which Council has been exploring in separate processes. These were:

- Activate the former boathouse with hospitality, creative or cultural uses.
- See if recreation is possible on the water such as non-motorised boating, pedal boats, fishing and/or swimming in the lake.

In regards to the second matter, Council has now completed monitoring of the Lake to understand the feasibility of this and considered a report on 6 April 2020. It resolved that Council:

- (1) *Notes the findings of water quality monitoring at Edwardes Lake and that it is not currently feasible to improve water quality to a level that allows water-based recreation at Edwardes Lake and therefore to ensure public safety continues to manage the lake without recreation activities.*
- (2) *Makes adjustments to maintenance and management of water at the lake to improve water quality but notes that these would not enable recreation.*
- (3) *Continues to advocate for improved water quality outcomes in Darebin's waterways and waterbodies by working with other relevant agencies.*

In regards to activating the boathouse, the feasibility of this is being explored in a parallel process and is subject to a separate report to Council. However, this parallel process is appropriate and recommended because it is not expected to require a material change to the Park layout or function as a result, which are the key aspects that spatial planning and design resolve.

Updating community and the site plan for the Park

As well as releasing the playspace concept design, officers advise that there is a need for an update on Edwardes Lake Park to the community which includes an updated site plan. The updated site plan would incorporate the proposed playspace and recent improvements that have already been made.

Based on the engagement and technical work to date, Officers advise that a full new Master Plan is not needed or warranted for several reasons:

- the relatively small scale of change proposed to the park of which the most significant component is the playspace. By consulting on the playspace, Council will be testing the community's views about the most significant element of change proposed in the park.
- A number of improvements have already been completed.
- The other improvements identified are in line with existing direction and policy and therefore new policy or direction is not required – they can be readily considered and progressed through Council's regular renewal, maintenance and open space improvements programs.
- Council's policy and direction for parks has been strengthened recently with the adoption of Council's Open Space Strategy and this framework supports strong strategic outcomes at Edwardes Lake Park.

Consultation with community would focus on the new playspace which is the key change them. identified at the site. Updating the Park site plan and referring improvements to the annual budget process would reflect the confirmation that the current park layout function and use is generally meeting community needs well.

OPTIONS FOR CONSIDERATION

Option 1 (recommended) – release the Edwardes Lake Seaver Grove Playspace concept design for community consultation, and update community with a new site plan for the park that includes the proposed playspace and recent improvements Council has now implemented.

Consulting on the playspace is recommended and it is the major improvement that has been identified through community engagement. Other changes can be readily incorporated into Council's normal renewal and operating programs and considered as part of the annual budget process.

There is a need to update community and also to update the site plan to reflect the improvements Council has already been made. However, given the work already done and that the future improvements are in line with existing direction and policy, there isn't a need to create a new Master Plan. Council's resources would be more effectively focused on the proposed new playspace and other improvements.

The community update and updated site plan would be shared with the community and available on Council's website.

Other improvements identified readily considered via Council's normal renewal programs rather than requiring change in direction or policy.

Option 2 – Release the Edwardes Lake Seaver Grove Playspace concept design for community consultation and request that an updated Park site plan be developed by officers for Council consideration at a future meeting.

This is similar to option one, except that before updating community, they would report to Council with a draft site plan for consideration. Officers would bring this to the same meeting as the community feedback on the proposed draft playspace design, which is expected to be August 2020.

Option 3 (not recommended)– defer consultation on the Playspace at this time and/or request further work be done before Council makes a decision.

It would delay consultation until at least February 2021 and mean that the earliest construction could start would be the 2022-23 financial year.

This has not been provided for in the 2020-21 draft budget and would therefore require that other proposed work be deferred or reduced in scope.

IMPLEMENTATION STRATEGY

Details

If Council endorses the release of the draft concept for consultation, officers will immediately begin a period of consultation, promoted through email and social media, as well as signs on site.

This feedback and a final draft concept design would be considered by Council at a meeting in August 2020.

A detailed design for the playspace would be developed through 2020/21. The construction of the playspace would be considered along with priorities across the City while developing budgets for future years.

Communication

Noting continuing restrictions and the need to prioritise the safety of the community, this period of consultation proposes to focus on non -face-to-face methods. To this end, an engaging video has been prepared that outlines the concept for the playspace and invites feedback. This video will be promoted through social media.

More traditional methods will also be used, such as emails to key community and stakeholder groups who use the park, a letter drop to local homes, telephone calls, posters in the park and Darebin's YourSay page. If restrictions ease, face to face consultation will also be considered.

Timeline

- End of June/beginning of July - Consultation period begins
- End of July - Consultation period ends
- August 2020 – Consideration of draft Edwardes Lake Masterplan to release for community consultation
- August 2020 – June 2021 - Preparation of detailed design based on community feedback
- Autumn 2021 - Consideration of playspace delivery within Council budget process for 21/22 financial year

RELATED DOCUMENTS

Nil

Attachments

- Edwardes Lake Park - Playspace Concept for Public Consultation Purposes (**Appendix A**)

DISCLOSURE OF INTEREST

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

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

7.9 DAREBIN'S RESPONSE TO SUPPORT TRANSPORT AND BUSINESSES DURING COVID-19

Author: Coordinator Transport Engineering

Reviewed By: General Manager City Sustainability and Strategy

EXECUTIVE SUMMARY

This report responds to a resolution of council on 9 June calling for *“a report outlining opportunities, costs, budget impacts and the process regarding the establishment of temporary new kerb outstands and park lets for use by traders for footpath trading”*. It also covers the new needs of commuters that are emerging in response to the pandemic.

The COVID-19 (coronavirus) pandemic has had significant impacts on transport and businesses in Darebin.

While people have been working from home and many businesses have been closed or operating at reduced hours, there has been significantly less congestion and parking pressure and at the same time there have been increases in pedestrians and cyclists.

With commuting, education, some trade and other activities restarting we are seeing:

- businesses seeking additional space to help them socially distance including for things like managing queues or footpath dining.
- an increase in the number of cyclists and cars on our roads as commuters aim to socially distance by avoiding public transport.

To avoid an increase in chronic congestion in our city, enable a vibrant local economy and safely support the wellbeing of our community, this report proposes that Council:

- Advocates for temporary protected bicycle lanes in key State Government roads in Darebin, and for policy changes to help support community at this time.
- Implements temporary bicycle lanes in two locations in Darebin and investigates further options
- Visits businesses to offer them a ‘fast track’ assessment to help facilitate improvements to their footpath trading arrangements.
- Invites requests from interested businesses to repurpose carparking bays and other road space to help them extend dining areas, with a view to understanding demand and trialling it in up to five locations.

Our understanding of need has been changing rapidly and this report recommends that Council prioritise the following activities ahead of some of the activities proposed in the draft budget:

- To support changes around schools and fast track reviews of footpath trading permits, officers would reprioritise operating programs.
- To implement temporary bicycle lanes in South Crescent between Plant Street and Simpson Street and in Cramer St between St Georges Road and Gilbert St, and to investigate the same in High St between Westgarth St and Darebin Road and Normanby Ave to Dundas St, Council would need to reduce the scope of other projects by a total of \$130,000.
- To support trial of introduction of up to five dining areas on road space, \$15,000 would be needed.

- This report recommends a mix of programs be reduced to accommodate this.

Depending on specific circumstances, changes near schools, or trials of using road space for dining could require some council funding to proceed.

After investigation, if it is found feasible and to have merit, implementing a temporary bicycle lane in High St would also require funding. Should this be identified, a report would be brought to Council at that time. Generally, officers expect possible future costs could be in the order of \$100,000 to \$400,000.

Recommendation

That Council:

- (1) Advocates for the following temporary protected bicycle lanes along key cycling corridors to be implemented by the Victorian State Government to provide safe alternatives for people who are no longer able to take public transport:
 - a) Heidelberg Road between Ivanhoe and Clifton Hill
 - b) Westgarth Street between South Crescent and Rucker Street
 - c) Station Street between Darebin Road and Railway Place
 - d) St Georges Road between Merri Parade and Fitzroy North.
- (2) Writes to the Minister for Roads and Minister for Transport Infrastructure to advocate for the Victorian Government to urgently implement items listed in Appendix D.
- (3) Writes to the Minister for Public Transport to strongly advocate for the Victorian Government to urgently implement items listed in Appendix E.
- (4) Endorses a program to facilitate requests from local schools to implement temporary changes to traffic and parking near schools to help children, parents and staff to socially distance on the following basis:
 - a) That the school principal supports the changes
 - b) These would apply during school start and finish times
 - c) Reasonable efforts must be made to contact occupiers of all properties directly abutting affected areas
 - d) It must meet safety and access requirements as assessed by an appropriately qualified Council officer before implementation.
 - e) Any approvals required are secured (for example from the Department of Transport)
- (5) Endorses a program to support local businesses and community visiting shopping areas to safely socially distance, in accordance with Victorian Government guidelines where necessary, by:
 - a) Visiting businesses and offering them a 'fast track' assessment in regard to footpath trading including as to whether their trading area can be extended into other areas of the footpath.
 - b) Inviting business to raise requests with Council to repurpose car parking bays or otherwise use road space for trading or open space, with a view to initially trialling this in up to five locations, and allocates \$15,000 for this purpose
- (6) Allocates \$130,000 for planning and implementation of short-term temporary bicycle projects on Darebin-managed roads, including those outlined in **Appendix A** for the 2020-21 financial year:

- a. South Crescent (in sections between Victoria Road and Westgarth Street);
 - b. Cramer St between St Georges Road and Gilbert Road; and
 - c. to investigate the same in further locations, including High Street between Westgarth Street and Darebin Road and Normanby Avenue to Dundas Street
-

BACKGROUND / KEY INFORMATION

The COVID-19 (coronavirus) pandemic has had significant impacts on both the transport system and business community in Darebin. The period of Stage 3 restrictions meant that many businesses could not operate, and movement was restricted to essential travel only. The number of overall trips declined and the proportion of people walking and cycling increased dramatically.

Impact on Darebin's local businesses

Due to the closure of many businesses and cancellation of events in response to the State Government restrictions there has been a significant number of people in the Darebin community that have lost work, and businesses that have reduced or ceased trade. Many others who have continued working have been doing so from home.

Economic projections suggest Darebin's Gross Regional Product (GRP) is forecast to fall by -15.7% in the June Quarter 2020. This is expected to fall higher than the state average (projected to be 12.8%). The industries immediately affected by COVID-19 and subsequent government restrictions are highlighted within Darebin's Tourism Strategy as the key points of difference and attractors for our City. These include:

- Creative industries including live music venues, musicians and supported industries
- Hospitality businesses – cafes and restaurants and food manufacturing.

At the time of this report, there were 440 registered cafes and restaurants operating in Darebin. This number also includes take away operators, live music venues, bars, chain restaurants and hotels. Of these 250 businesses currently have Goods on Footpath trading for outdoor dining (chairs and tables).

As previously reported in the JobKeeper report to Council on 9 June, given the nature of hospitality cafés and restaurants are likely to provide employment for some of the most vulnerable groups within our community including young people, women, casuals and international students. Women and international students are also over-represented in casual employment and are therefore probably more likely to both lose their jobs during the COVID-19 contraction and may also be ineligible for support under the Government's JobKeeper package.

Impact on Darebin's transport network

The Victorian Government has announced the gradual easing of restrictions where appropriate. Officers expect this to result in a further increase in the numbers of trips that people are making. Traffic data confirms this trend with road traffic now having risen to 80-90% of pre-pandemic volumes, even before many services and workplaces have reopened.

Darebin traffic signal loop volumes relative to first two weeks of March

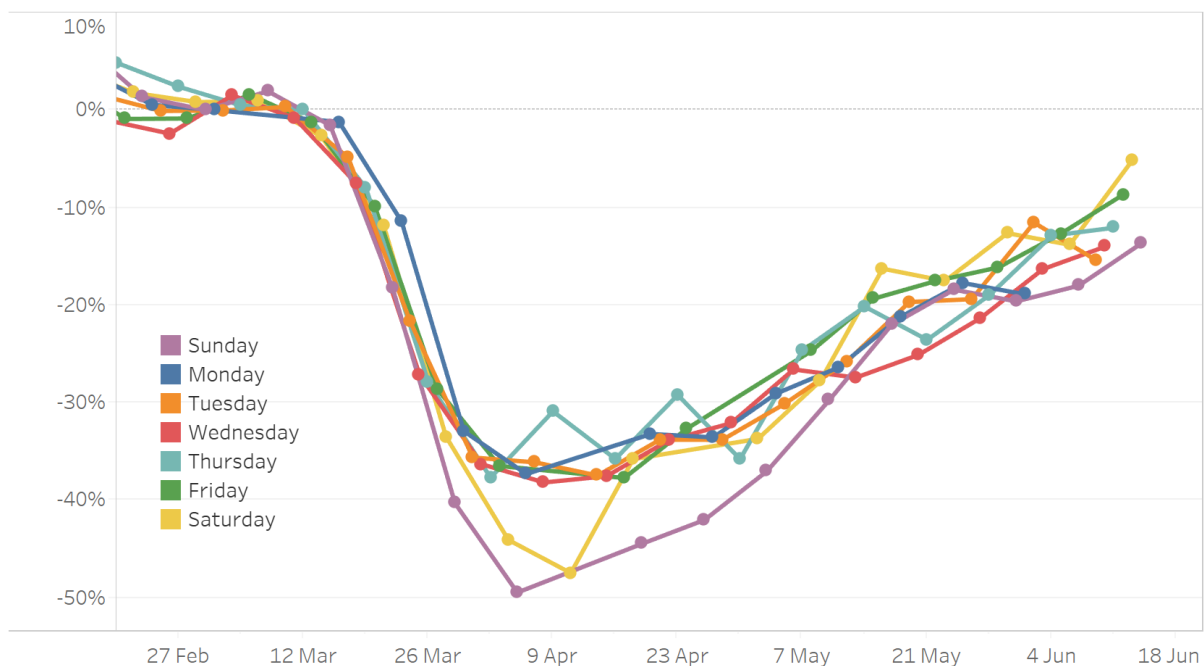


Figure 1: Darebin traffic signal loop volumes relative to first two weeks of March

Council has already implemented measures to support our community during this stage of the pandemic response. This support includes:

- temporary alteration of parking restrictions in key locations to support local businesses upon request
- assisting with community inquiries for journey planning and promoting active travel to and from schools.
- Working with schools to implement effective social distancing through the installation of traffic management signs to enable students, carers and teachers to travel safely to and from school.

Before the COVID-19 pandemic, Darebin's residents made over 16,700 daily trips to work by public transport. Post-pandemic, trams, trains and buses will be operating at only 15 to 20 percent of their usual capacity due to social distancing requirements. This means that there will be tens of thousands of people across Darebin and Melbourne who are likely to need alternative ways to travel. If nothing is done, there is a significant risk that people commuting to work and travelling around Darebin will use cars instead. This would create even more congestion than before the pandemic, which our road network cannot fit. The latest data shows that arterial roads in Darebin are already approaching capacity even before many people have returned to work or education facilities have fully reopened.

While there may be some relief as more people working from home and schedule more flexible working hours, this is not expected to be enough to account for the significant capacity reductions in public transport and subsequent increase in the number of cars.

As restrictions ease it is likely that more cafes and restaurants will re-open. However, with possible space and distancing requirements for different types of outlets, and with outdoors being safer for patrons and staff alike, there is expected to be a strong desire for outdoor dining areas and additional areas for waiting safely while picking up ordered goods. Like many Councils in metropolitan Melbourne, opportunities are being investigated on the street network.

The key issues are:

- Safety for children walking, riding and scooting to school
- Capacity of the street network to accommodate more car traffic
- Delays on the movement of goods caused by increased traffic
- Significantly reduced capacity of public transport vehicles
- Significant increase in the number of people riding bikes and walking and the inability of existing infrastructure to cater for increased demand.

This intersection of a requirement for more people to start travelling and businesses to do their trade in a way that supports social distancing and maintaining community safety is the intention of this report and basis of the recommendations.

Previous Council Resolution

At the ordinary Council Meeting on 9 June 2020, Council resolved:

That Council:

- 1) *Calls for a report at the next Council Meeting on 29 June 2020 outlining opportunities, costs, budget impacts and the process regarding the establishment of temporary new kerb outstands and park lets for use by traders for footpath trading. The report should include;*
 - a. *Identification of potentially suitable locations in all shopping precincts.*
 - b. *Identification of any suitable locations where side streets may be closed to allow for temporary pop up community space during COVID-19.*
 - c. *Identification of safe alternates for heating and temporary weather protection/undercover measures.*
 - d. *The costs and resourcing requirements needed to establish a fast track process for traders seeking to temporarily expand footpath trading and waiving of all council fees for permits.*
 - e. *The costs and resourcing requirements needed to establish a direct communication strategy to traders including via zoom conferencing and/or literature.*
- 2) *Receives a further report after the pandemic restrictions are removed outlining the return of investment seen as a result of the increased temporary trading areas for the community including residents and traders.*

COMMUNICATIONS AND ENGAGEMENT

Consultation and Communications

Any changes to Darebin's street network will be subject to a full safety assessment and be progressed through a notification to affected properties and/or consultation where applicable.

As we are operating under unprecedented circumstances that require urgent action, it is the intention to use trial installations to collect information on how they are operating and accept feedback during the project. This can then be used to make decisions on how to progress at regular intervals following implementation of each project.

For projects along the St Georges Road median to improve safety for riders and efficiencies for trams the previous Council resolutions have been collated in **Appendix B**.

This approach will be regularly reviewed and considered against the pandemic situation, need of the project and degree of impact to the nearby and affected properties.

Some projects on local streets have already been endorsed at Council for design and delivery. These include the Preston (West) and Reservoir Streets for People Corridors. Full engagement processes have been followed for these projects, as noted in previous reports to Council. Officers have been in ongoing discussions with:

- Local governments across Victoria
- Victorian Department of Transport
- Victorian Department of Education & Early Childhood Development
- Victorian Department of Health
- Local schools

ANALYSIS

Alignment to Council Plan / Council policy

Goal 1 - A sustainable city

The Darebin Transport Strategy and Cycling Strategy both support Council's aims to dramatically increase the number of people walking and cycling, and advocate for better public transport. The 2017 – 2021 Council Plan's target is to increase this number by 12 percent by 2021.

There are several existing reports, draft designs and plans completed for bicycle routes in Darebin, including infrastructure recommendations. These will be used to consider any cycling infrastructure as part of this work.

Goal 4 - A strong economy

The 2017 – 2021 Council Plan aims to support our local businesses by enabling and activating space. By working with local businesses to reach the goals set out in the Plan. Council supports a vibrant, productive and diverse range of businesses and industries that support the needs of our communities.

Supportive placemaking, streetscape improvements and urban design provide significant benefits for the local economy. Creating attractive spaces means that people are more likely to visit more often and stay longer. They can also establish unique local identities that attract customers to the area.

In the context of the pandemic, many local businesses are struggling. Council has jurisdiction over many of the streets and footpaths in our activity centres and can harness the opportunity of these spaces to support local economies.

Environmental Sustainability Considerations

Transport is the third largest and fastest-growing source of greenhouse gas emissions in Darebin. Any increase in the number of cars on our streets will result in increased emissions. Limiting this as much as possible will have a positive environmental impact.

Reclaiming space for people from cars in activity centres will further encourage people to walk to their local shops as access by active travel is made easier.

Equity, Inclusion and Wellbeing Considerations

Vulnerable communities are less likely to own or use a car and more likely to be impacted by COVID-19. Disadvantaged groups are more reliant on public transport to access services, employment and education. Making walking and cycling as a viable alternative to public transport use will reduce the risk exposure and improve access to essential services, jobs, recreation and social interactions.

Where additional trading space is considered and will impact the access of a disabled parking space, an alternative accessible and convenient location will be made nearby for the disabled space.

Pop-up parks are to be led by champions through the application process who are looking to make positive change in their streets. Designs for pop-up street closures will be supported by the Transport Engineering, City Design and Access and Inclusion teams to ensure they are fit for purpose for our diverse community.

Cultural Considerations

In-person arts and culture events may resume over the next few months as restrictions are eased by the Victorian Government. This would result in increased travel to and from events both within and outside Darebin.

There may also be opportunities to integrate public or community art into projects that repurpose street space for other uses. For example, textured pavements near schools or designs of on-road infrastructure. This will be considered on a case by case basis.

Economic Development Considerations

Many local businesses have been significantly impacted by the COVID-19 pandemic. While Council has already introduced measures to support them, further consideration will need to be made as the situation changes and develops. Supporting local businesses to maximise opportunities at this time – such as expanding the space available for seating or trading – could bring benefits to business owners, staff and customers.

These potential benefits are for businesses close to any changes and would not be expected to benefit all types of businesses, or businesses further away from any changes. The benefits to individual businesses should be weighed against the cost of making changes to infrastructure, which is relatively high compared to other options available that support businesses.

Overall, Council's economic development specialists advise modifying footpath trading or enabling businesses to use roadways is recommended if it can be:

- done without significant cost (to either the business or council)
- put in place reasonably quickly
- implemented with a simple and easy to access process.

While officer advise that there is merit in a trial to understand the level of benefit to businesses and learn what's needed to make this work, generally, officers also recommend that Council not invest significant funds towards parklets or similar measures at this stage. Officers have

assessed possible options and concluded that grants and other economic development measures that are planned a part of the economic recovery effort will have more benefit to more business for the equivalent cost.

Financial and Resource Implications

To prioritise these changes, Council would need to defer some of the proposed works in the draft 2020-21 Budget. **Appendix A** outlines the estimated costs associated with each recommended project on Darebin managed roads. \$15,000 would be required to trial in up to five locations the extension of outdoor dining into road spaces.

The total cost would be \$145,000 and officers recommend these as a higher priority than some projects provided for within the current draft budget. Officers recommend reducing the scope of four programs in the current budget by deferring some of the work. The four programs that officers recommend reducing are:

- Safe and Sustainable Travel program
- Cycling Program
- Road Rehabilitation Program
- Road Resurfacing Program

Proposed item	Estimated cost for 2020-21	Impact on existing projects
South Crescent protected westbound bike lane between Plant Street and Simpson Street	\$70,000	All three of these projects are recommended to be funded from the 2020/21 Cycling program. There are proposed works along the Northcote Streets for People corridor that would be delayed for the proposed items to be progressed.
Cramer Street separated and protected bike lanes between St Georges Road and Gilbert Road	\$50,000	
Investigation along High Street to provide a bike facility and clarity of lane widths	\$10,000 (investigation only)	

To support changes around schools and fast track reviews of footpath trading permits, officers would reprioritise operating programs:

- This will be reasonably straight forward regarding the fast track foot path trading permit process as some of the work that the local laws and traffic enforcement teams has dropped off during COVID.

In regard to supporting schools, council would refocus its school education and support programs to focus on schools most pressing needs at this time. Some of the education that was planned would not occur in 2020-21.

Depending on the specific circumstances, changes near schools or trials of using road space for dining could require some additional Council funding to proceed. Also, if it is found feasible and to have merit, implementation of a temporary bicycle lane in High St would also require funding. Should this need be identified, a report would be brought to Council at that time.

Generally, officers would expect possible future costs could be in the order of \$100,000 to \$400,000.

Legal and Risk Implications

The *Road Management Act 2004* and *Local Government Act 1989* outline Council's powers and responsibilities to manage its road network.

Council has the authority to make changes to its roads. However, some of these require approval from the Department of Transport. These include permanent road closures and installation of major traffic control devices.

State declared roads remain under the care and management of the Department of Transport (DoT). Projects that are on or may affect the operation of a State declared road will need the approval of DoT.

There is a risk that making significant changes in the community at this time may result in some anxieties from community members. Equally, doing little or nothing may not meet community members' expectations of Council and result in significant disruption to the operation of Darebin's transport network.

Operational Impacts

The recommended projects on South Crescent, Northcote and Cramer Street, Preston will have little impacts on Council operations due to their temporary nature. There will be some maintenance requirements to ensure the projects continue to operate safely.

Trading areas and pop-up parks would mainly affect Operations Centre teams such as the rubbish collection, street cleansing, road maintenance, as well as the parks and open space team if there were to be any planting associated with any of the proposed facilities. There may also be an increase in calls to our Local Laws team with reports of permit conditions not being adhered to.

The top bike riding and tram priority projects that exist on roads managed by the Victorian Government would be installed and maintained by the Department of Transport and not Council. However, it will be important for Council to be involved across all stages of the project development and delivery process.

DISCUSSION

Local and State Governments in Australia and Victoria are considering similar measures to respond to the COVID-19 pandemic.

It is important that Darebin continues to show leadership and is prepared to ensure the social, physical, psychological, economic and environmental wellbeing of our community.

Community requests relating to changing needs in COVID-19 Pandemic

Many community enquiries have been received during the COVID-19 pandemic, including requests for:

- Solutions to overcrowding on shared paths
- Safe bicycle lanes along key routes
- Reallocated road space to people riding along High Street

- Automatic callup of pedestrian signals at intersections
- Some parking bays to be temporarily altered for short-term pick up and drop off to support takeaway food businesses
- Additional area for cafes and restaurants to trade.

Better cycling infrastructure to support new demand from cyclists during COVID-19

Making on-road infrastructure safer for people riding would provide additional options – particularly for commuters.

This would help to reduce conflict and overcrowding on Darebin's shared paths. The streets across the entire network that have been identified for potential change are included in the table as **Appendix A**.

Council's Safe Travel Strategy and Transport Strategy both consider and outline the benefits of improved walking and cycling infrastructure. The return on investment on bicycle projects is typically much higher than for road projects and can be realised quickly. Safety improvements are known to be achieved through lower speed limits. The status of speed limit changes to 40km/h on local streets can be seen across Darebin in **Appendix C**.

This report proposes advocating to and supporting work of Department of Transport to implement safe cycling corridors along four key routes (**Appendix A**). Previous work has identified these locations as important links between existing strategic cycling corridors and some investigation and design work has already been completed.

These would provide viable alternatives for people who are no longer able to take public transport with its reduced capacity. Officers have assessed several options and have concluded that these sections would have the highest value to make it safe and attractive for people to ride their bikes as an alternative.

Officers have also been in discussions with the Department of Transport and other councils to request automatic callup of pedestrian signals at intersections to reduce public health risks and support people walking. The recommendation in this report and subsequent resolution proposes to strengthen this advocacy.

Supporting businesses to consider extending footpath trading space

A relatively straight forward way that council can help businesses is to make it easy for them to explore and gain approval for extending footpath trading area along the footpath.

Whether or not this is suitable for a business depends on their location and proximity to other uses. As a result, it needs a case by case assessment by officers.

However, where it is suitable, it is a quicker and easier solution than using road space. Using road space is likely to only be possible on a temporary basis in many areas – and when vehicle numbers increase may need to be removed, and it also requires a more involved safety assessment which takes time and resources.

There are 250 businesses with footpath trading areas. Officers can visit these businesses and identify if there are options to extend the trading area.

Council has already decided to waive footpath trading fees, so there will be no charge. Fees for heaters, stands, umbrellas and furniture have also been waived for the 2020-21 financial year. 15 businesses currently have approved heaters in footpath areas. There are specifications and requirements for outdoor heaters and gas bottles that must be met.

Businesses seeking changes to liquor licensing will be referred to the VCGLR who are the responsible authority for these decisions.

Popup parks as a possible support for outdoor dining

In regard to closing local roads to create pop up parks, the indicative cost for a temporary closure is between \$2,000 and \$5,000 and the timeline required is 2-3 weeks. At a relatively high cost compared to other ways to support business, it is not recommended as a higher priority for Council investment than other business support programs that have been put in place as part of the Recovery Package.

It can be a good option for businesses located in specific places next to local roads, however it doesn't provide broad benefit to lots of businesses. There are also some locations where it won't be possible for transport safety or accessibility reasons. To add value, an essential ingredient is a motivated and driven local business or businesses that really want to make use of the space. Therefore, officers recommend letting businesses know that it's something that we can consider interested businesses should get in touch.

It is not clear how much demand there would be from businesses for this, even if Council were to cover some of the cost of installation. Officers recommend that Council trial up to 5 sites and allocate a budget for that purpose of \$15,000. We would expect this could be in place by the end of August 2020 subject to demand from business, which may not emerge strongly in winter and given the current state government directions.

Responding to schools needs

Council has already received and assessed several requests for changed arrangements near schools. These relate to expanding space for children, parents and staff to socially distance safely and facilitate the significant increase in the number of students walking, riding and scooting to school.

In some cases, officers will have to balance residents' preferences and school community needs. Officers will ensure that any changes are safe and enable ongoing accessibility. However, it is possible, even likely, that some of these changes will inconvenience some local residents. Generally, we expect special arrangements to be temporary and at school start and finish times.

There may be some costs associated with these changes. Generally, officers plan to manage these within operating budgets under delegation including by reprioritising schools and safe travel programs as appropriate. To do this, some planned operating programs may be deferred.

IMPLEMENTATION STRATEGY

Details

A list of bike and tram projects that may be available for immediate implementation or investigation has been prepared (**Appendix A**). It is expected that we will continue to hear from our community about other opportunities to improve the transport network which will need to be investigated.

Actions to be taken if the report is adopted as recommended would be:

- Write to the relevant Ministers and the Department of Transport in support of the advocacy items in **Appendices C, D and E**

- Commence detailed planning and communication for implementation of the South Crescent and Cramer Street bicycle infrastructure
- Plan feasibility study of High Street changes
- Commence planning for business doorknocking support, working across Council departments
- Contact all schools in Darebin and the Department of Education to inform them of Council's decision and inviting partnership opportunities for implementation of safe travel changes

Implementation

The urgency of implementing these projects and social distancing requirements means that traditional consultation methods cannot be used.

Officers propose the use of temporary infrastructure to trial any changes. These can be changed, manipulated or removed as required during the project as feedback is received from the community.

Council will make every effort to contact all affected property occupiers before any changes are made. However, this will be limited to methods not involving close contact to comply with State Government regulations and advice, such as letters and online media.

Following the installation of any temporary changes, officers will closely monitor any impacts and benefits. No permanent changes would be made without consultation and engagement with the community, following the implementation of any trial.

RELATED DOCUMENTS

- Darebin Transport Strategy 2007 – 2027 (as amended, 2017)
- Darebin Cycling Strategy 2008 – 2018
- Streets for People Feasibility Study 2018

Attachments

- Bike and Tram Projects for During and After the Covid-19 Pandemic (**Appendix A**)
- Council resolutions and strategies for safety along St Georges Road median shared path (**Appendix B**)
- Current 40km speed limit reduction applications (**Appendix C**)
- Advocacy items for Minister for Transport Infrastructure (**Appendix D**)
- Advocacy items for Minister for Public Transport (**Appendix E**)

DISCLOSURE OF INTEREST

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

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

7.10 LOCAL GOVERNMENT ACT 2020 - IMPLEMENTATION AND COMPLIANCE

Author: Coordinator Governance, Council Business & Civic Services

Reviewed By: General Manager Governance and Engagement

EXECUTIVE SUMMARY

This report presents to Council six compliance matters introduced by the new *Local Government Act 2020*, which are required to be implemented by 1 September 2020; namely:

- a) Councillor Support and Expenses Policy
- b) Public Transparency Policy
- c) Audit & Risk Committee Charter
- d) Instrument of Delegation - Council to CEO
- e) Delegated Committees (Planning Committee)
- f) Draft Governance Rules

Items A – E are presented to Council for adoption. The draft Governance Rules are presented to Council for endorsement for public exhibition. The intention is that the draft Governance Rules will return to Council for adoption at the 20 July Ordinary Council Meeting.

Recommendation

That Council:

Part A - Councillor Support and Expenses Policy 2020

- (1) Adopts the *Councillor Support and Expenses Policy 2020* as provided at **Appendix A**, with an effective date of 29 June 2020.

Part B - Public Transparency Policy 2020

- (2) Adopts the *Public Transparency Policy 2020* as provided at **Appendix B**, with an effective date of 29 June 2020.

Part C - Audit & Risk Committee Charter

- (3) Adopts the *Audit & Risk Committee Charter* as provided at **Appendix C**, with an effective date of 29 June 2020.

Part D – Instrument of Delegation – Council to the Chief Executive Officer

- (4) In the exercise of the power conferred by Section 11(1)(b) of the *Local Government Act 2020*, resolves that:-
- a. There be delegated to the person holding the position, or acting in or performing the duties, of Chief Executive Officer the powers, duties and functions set out in the attached *Instrument of Delegation to the Chief Executive Officer*, as provided as **Appendix D**, subject to the conditions and limitations specified in that Instrument.
 - b. The instrument comes into force immediately the Common Seal of Council is affixed to the Instrument.

- c. On the coming into force of the Instrument all previous delegations to the Chief Executive Officer are revoked.
- d. The duties and functions set out in the Instrument must be performed, and the powers set out in the Instruments must be executed, in accordance with the schedule set out in the instrument and any guidelines or policies of Council that it may from time to time adopt.

Part E – Delegated Committees (Planning Committee)

- (5) Pursuant to Section 63 of the *Local Government Act 2020*, resolves to establish the Planning Committee as a 'Delegated Committee' until such time as Council makes a further resolution on the matter.
- (6) Approves the *Planning Committee Instrument of Delegation* as provided at **Appendix E** to ensure the Planning Committee has the power to make decisions on relevant matters and notes that:
 - a) the Instrument of delegation comes into force immediately the Common Seal of Council is affixed to the Instrument; and
 - b) remains in force until Council determines to vary or revoke it.
 - c) The powers discretions and authorities conferred on the Planning Committee by the Instrument must be exercised in accordance with the schedule set out in the Instrument and with any guidelines or policies Council may from time to time adopt.

Part F – Draft Governance Rules

- (7) In accordance with Section 60(4) of the *Local Government Act 2020*, endorses the Draft Governance Rules 2020 as provided at **Appendix F**, places the draft Governance Rules on public exhibition and invites written submissions for a period of 2 weeks.
 - (8) Receives a final report considering any submissions on the Draft Governance Rules 2020 at the Council meeting to be held on 20 July 2020.
-

BACKGROUND / KEY INFORMATION

The *Local Government Act 2020* (the Act) is the result of a four-year review of the *Local Government Act 1989*. The new Act was developed through consultation with Councils, peak bodies and the community. It focusses on five key reform themes; namely (i) Improved Service Delivery, (ii) Strong Local Democracy, (iii) Improved Conduct, (iv) Community Confidence, and (v) A New Relationship.

The Act was passed by Parliament on 17 March 2020 and received Royal Assent on 24 March 2020. Proclamation will occur in four stages on 6 April 2020, 1 May 2020, 24 October 2020 and 1 July 2021.

Transitional arrangements are in place in relation to the proclamation of the different parts of the new Act, with key elements of the 6 April 2020 proclamation due for implementation no later than 1 September 2020. This includes adoption of a Councillor Expenses Policy, Public Transparency Policy, Audit & Risk Committee Charter, Governance Rules, the establishment of the delegation to the Chief Executive and the transition of Council's 'Special Committees' to Delegated Committees

More broadly, implementation of the new Act is complex and multi-layered and requires action from many officers across the organisation. An internal project plan has been prepared and implementation is being led by the Governance and Council Business Team. Engagement has occurred with relevant officers across the organisation with a detailed operational work

plan prepared to ensure that the various policy, process and operational requirements of the new Act are implemented on time and in the form required. To this extent, officers are also engaging in industry-wide forums and training and are accessing newly developed standard templates and guidelines to assist with new policy and process development.

Implementation of the Act is a major undertaking for the organisation and requires the involvement of Councillors before and after the October election. Some of the items brought before Councillors for adoption will be simple policy neutral translations of existing policies and instruments into a new 2020 Act format, while others will include new or amended policy content. The items identified in this report are largely policy neutral procedural changes, however in the review and policy development process officers have taken the opportunity to incorporate best practice approaches to these various policies and standards.

Previous Council Resolution

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

COMMUNICATIONS AND ENGAGEMENT

Consultation

Preparation of the draft policies, instruments and charters proposed for adoption or endorsement at this Council meeting have been the subject of consultation with relevant officers across the organisation, Local Government Victoria, regional working groups / forums, members of Council's Audit Committee, external Governance consultants and Council's lawyers (Maddocks).

Communications

New policies and the Governance Rules, once adopted by Council, will be posted on Council's website. Instruments of Delegation and Charters will be provided to relevant Council officers and Committee members.

ANALYSIS

Alignment to Council Plan / Council policy

Goal 6 - A well governed Council

Environmental Sustainability Considerations

Nil.

Climate Emergency

Nil.

Equity, Inclusion and Wellbeing Considerations

Officers have considered and given reference to issues of accessibility, equity, inclusion and wellbeing in the context of these policy reviews in accordance with the requirements of Council's Towards Equality Framework.

Cultural Considerations

Nil.

Economic Development Considerations

Nil.

Financial and Resource Implications

Implementation of the new Act is a significant undertaking for Council and requires the involvement of officers from across the organisation. It also requires the procurement of specialist governance assistance and legal advice at various times. Provision has been made in the draft 2020/21 budget for implementation of the Act.

A specific financial implication of the proposed Instrument of Delegation from Council to the Chief Executive Officer (CEO) is for the CEO's financial delegation to increase from \$500,000 to \$1m. This has been benchmarked within the sector and is detailed in under the 'CEO Delegation Review' section of this report.

Legal and Risk Implications

Failure to respond to the requirements of the new Act, both in terms of timeliness and content, would represent non-compliance with Council's most significant and important piece of legislation. It is important, therefore, for Council to resolve the items required for implementation by 1 September 2020 while officers continue to work toward implementation of other aspects of the new Act.

Operational Impacts

Implementation of the Act impacts the organisation during both the implementation phases (given the time and resourcing that successful implementation requires), and during ongoing operations thereafter. The six items specifically listed in this report are largely policy neutral procedural updates of existing policies and practices into new formats and will therefore have a relatively limited impact on Council's operations.

DISCUSSION**Councillor Support and Expenses Policy**

The Act requires that a Council adopt and maintain an expenses policy in relation to the reimbursement of out-of-pocket expenses for Councillors and members of delegated committees. The policy must specify procedures to be followed in applying for reimbursement and in reimbursing expenses, provide, where relevant, for the reimbursement of a Councillor's or delegated committee member's childcare costs, and, where relevant, must have regard to expenses incurred by a Councillor who is a carer.

A 'Councillor Support and Expenses Policy' has been prepared. While this policy is generally consistent with the existing Councillor Support and Expenses Policy, the opportunity to review and update the policy has been taken. To this extent, the policy varies from the current policy in that it:

- Introduces a principles-based approach, based on:
 - Council Integrity.
 - Encouraging Diversity in Participation, Equity and Access.

- Accountability and Transparency.
- Reasonableness and Appropriateness.
- Separation.
- Specifies all resources and facilities that will be provided to Councillors.
- Introduces provisions to support Councillors identified as having carer responsibilities.
- Introduces a process to deal with incidental private use of resources and facilities.
- Sets out the expense categories and process for Councillors' reimbursement.
- No longer allows for Council-provided equipment to be available for purchase at the end of a Council term.
- No longer provides for Council letterhead to Councillors.
- Provides for Councillors to access the Employee Assistance Program (confidential counselling).
- Provides clearer and more prescriptive provisions for Councillors' training and development.

The Councillor Support and Expenses Policy is presented to Council for adoption at **Appendix A**.

Public Transparency Policy

The Act requires Council to adopt and maintain a 'Public Transparency Policy' that specifies the information (including policies, plans and reports) that will be publicly available, describes how this information will be made publicly available, and gives effect to the following legislated public transparency principles:

- Council decision making processes must be transparent except when the Council is dealing with information that is confidential.
- Council information must be publicly available unless the information is confidential or public availability of the information would be contrary to the public interest.
- Council information must be understandable and accessible to members of the community.
- Public awareness of the availability of Council information must be facilitated.

A Public Transparency Policy has been prepared. The policy is based on sector best practice examples and is consistent with existing practice with no substantive policy or procedural changes.

The Public Transparency Policy is presented to Council for adoption at **Appendix B**.

Audit & Risk Committee Charter

The Act requires Council to establish an 'Audit and Risk Committee' and to adopt a Charter for the Committee. The Committee must include members who are Councillors but must consist of a majority of members who are not Councillors and who collectively have expertise in financial management and risk, and experience in public sector management. Committee membership cannot include Council officers.

The Audit and Risk Committee Charter must specify the functions and responsibilities of the Committee, including monitoring the compliance of Council policies and procedures with relevant requirements, monitoring Council's financial and performance reporting, monitoring and providing advice on risk management and fraud prevention systems and controls, and overseeing internal and external audit functions.

An 'Audit & Risk Committee Charter' has been prepared. The Charter is generally consistent with the existing Audit Committee Charter and amendments are administrative only to bring the Charter into compliance with the new Act.

The Audit & Risk Committee Charter is presented to Council for adoption at **Appendix C**.

CEO Delegation Review

The delegation of powers is considered essential to enable day-to-day decisions to be made to ensure the operations of Council are enacted efficiently and effectively. Delegations are standard practice across all Councils. Delegations should be regularly updated to reflect any legislative changes and or a more appropriate level of accountability.

The Act provides that a Council may by instrument of delegation, delegate to the members of a delegated committee or the Chief Executive Officers any power, duty or function of a Council under the Act or any other Act, subject to certain exclusions.

The Council is a legal entity composed of its members (i.e. the Councillors). Because it is not a "natural person", the Council can act in only one of two ways: by resolution; or through others acting on its behalf.

Where the latter is to occur, the authority to act needs to be formalised through written 'Instruments of Delegation'. The Act and other legislation makes express provision for the appointment of delegates to act on behalf of the Council.

The Act requires that Council review and update the instruments of delegation to the Chief Executive Officer. In turn, the CEO will review and update various Instruments of Delegation by the Chief Executive Officer to other officers.

Reviewing delegations is good practice. Councillors will recall that in March, Council resolved to amend the CEO delegation (both financial and authority) in anticipation of possible circumstances created by the COVID19 pandemic, i.e. the inability of the Council to meet. To date, this delegation has not been exercised, however it is recommended that these Emergency Powers be maintained.

Noting that the current financial delegation to the CEO of \$500,000 has been in place for at least 15 years, it is timely to review this delegation. Informed by benchmarking, it is proposed to permanently increase the CEO financial delegation from \$500,000 to \$1 million.

Benchmarking of several metropolitan Councils indicates the following financial delegations for the Chief Executive Officer:

Council	CEO	GMs / Directors (Second level)
Melbourne	\$2m	\$1M
Port Phillip	\$1m (\$5m in emergency)	Not available
Yarra	\$750K	\$200K
Moreland	\$700K	\$385K
Moonee Valley	\$500K	\$250K to \$500K
Hume	\$500K	\$100K
Banyule	\$500K	\$350K
Darebin	\$500K (Propose to increase to \$1m)	\$250K (Propose to increase GM Capital and Operations to \$750K and all other GMs to \$350K)

*Benchmarking occurred in April 2020 and does not reflect any changes occurring in response to the LG Act 2020 implementation.

The Instrument of Delegation from Council to the Chief Executive Officer is presented to Council for adoption at **Appendix D**.

Delegated Committees

In addition to the power to delegate authority to natural persons, the Act continues the practice of delegation of some powers to 'Delegated Committees'. Council has two existing committees that fall within the scope of Delegated Committees under the Act – the Planning Committee and the Hearing of Submissions Committee. The Act provides that Council must adopt new Instruments of Delegation in relation to these two committees if they are to remain operational beyond the 1st September 2020.

It is proposed that at this time, only the Planning Committee be re-established as a Delegated Committee, and the Hearing of Submissions Committee be reviewed during the coming months in the context of preparation of the Community Engagement Policy that the Act requires be adopted by 1 March 2021.

The Instrument of Delegation for the Planning Committee is presented to Council for adoption at **Appendix E**. This is a policy neutral translation that will not change the delegation to or functioning of the Planning Committee.

Governance Rules

The Act requires Council to develop, adopt and keep in force Governance Rules with respect to the:

- Conduct of Council meetings and meetings of Delegated Committees.
- Form and availability of meeting records.
- Election of the Mayor, Deputy Mayor and the appointment of an Acting Mayor.
- Election Period policy.
- Procedures for the disclosure of a Conflict of Interest by a Councillor or a member of a Delegated Committee.
- Disclosure of a Conflict of Interest by a member of Council staff.

The Governance Rules must provide for a Council to consider and make a decision on any matter being considered fairly and on its merits, and institute decision making processes to ensure that any person whose rights will be directly affected by a decision of Council is entitled to communicate their views and have their interests considered.

The draft Governance Rules have been based on best practice model templates provided by Local Government Victoria, other municipalities and Maddocks Lawyers. Council's Governance Local Law was adopted in April 2020 after a comprehensive process and the Election Period Policy was adopted by Council in November 2019. These have been incorporated into the draft Governance Rules in a policy neutral way, with minor changes that are not substantive but which will assist clarity and consistency of approach.

On the basis that a formal public engagement process on the key components of the Governance Rules has been conducted in recent months, a two-week period of public exhibition in relation to the draft Governance Rules is appropriate and compliant with the Act.

OPTIONS FOR CONSIDERATION

- Option 1 (recommended) That Council adopts/endorses the documents appended to this report.
- Option 2 (not recommended) That Council adopts/endorses the documents appended to this report with amendments.
- Option 3 (not recommended) That Council does not adopt/endorse the documents appended to this report.

IMPLEMENTATION STRATEGY

Communication

The relevant documents, once adopted/endorsed for exhibition, will be posted on Council's website.

Timeline

The policies, charter and Instruments of Delegations will come into effect upon adoption by Council.

The draft Governance Rules will be subject to a two-week public exhibition period, followed by a further report to Council at the 20 July 2020 Council meeting.

Attachments

- Councillor Support and Expenses Policy (**Appendix A**)
- Public Transparency Policy (**Appendix B**)
- Audit and Risk Committee Charter (**Appendix C**)
- Instrument of Delegation - Council to the Chief Executive Officer (**Appendix D**)
- Instrument of Delegation (Planning Committee) (**Appendix E**)
- Draft Governance Rules (**Appendix F**)

DISCLOSURE OF INTEREST

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

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

7.11 PROPOSED SALE OF LAND FROM A DISCONTINUED ROAD REAR 65 SOUTHERNHAY STREET AND REAR 60 KING WILLIAM STREET, RESERVOIR

Author: Property Officer

Reviewed By: General Manager Governance and Engagement

EXECUTIVE SUMMARY

In April 2019, Council received an enquiry from an adjacent owner of the 3.66-metre-wide former road adjoining the rear of 63-69 Southernhay Street and 58-64 King William Street, Reservoir, who was seeking to purchase the land abutting their property, being part of the unsold land from a previously discontinued road.

The land shown hatched on the site plan in **Appendix A** is known as Lot 6 on Title Plan 896344C shown in **Appendix B**, and in orange in the aerial view in **Appendix C**.

Consultation with abutting property owners confirmed the feasibility of the proposed sale, with the property owners of 65 Southernhay Street, Reservoir indicating their interest by signing an in-principle agreement to purchase the land from the discontinued road at market value, as well as meeting all reasonable costs associated with the statutory process.

It is therefore recommended that Council commences the statutory process to sell the land from this former road and to take title of any unsold land.

Recommendation

That Council:

- (1) Commences the statutory procedures under Section 189 of the *Local Government Act 1989* ('the Act') to:
 - a) Sell the land from the discontinued road adjoining the rear of 65 Southernhay Street, Reservoir shown as Lot 6 on Title Plan 896344C in **Appendix B**, to the owners of 65 Southernhay Street, Reservoir, in accordance with Council Policy.
 - (2) Gives public notice under Sections 189, 82A and 223 of the Act of the proposed sale in the appropriate newspapers and on Council's website, and in such notice, state that Council proposes to:
 - a) Sell the land from the former road to the owners of 65 Southernhay Street, Reservoir by private treaty
 - b) Transfer to itself any land that remains unsold.
-

BACKGROUND / KEY INFORMATION

In April 2019, Council received an enquiry from an adjoining property owner, looking to purchase the land from the former road at the rear of their property. Investigations revealed that on 1 October 2007, Council resolved to discontinue the road bound by Southernhay Street, King William Street, Alexandra Street and High Street, Reservoir and to sell the land by private treaty in accordance with Council policy. However, not all parcels of land were sold at that time,

with the unsold parcels of land continuing to vest with Council. The discontinuance was published in the Victorian Government Gazette on 18 October 2007, shown in **Appendix D**.

Investigations also revealed that the unsold land appears to have been incorporated within the property at 65 Southernhay Street for many years. Whilst the adjoining owners at 60 King William Street initially expressed interest in purchasing the land as well, they later decided to withdraw their interest and have not objected to the sale of the land to the adjoining owner.

Council resolved to give public notice under Sections 189, 82A and 223 of the *Local Government Act 1989* on the remaining unsold parcels of Land from the former road at its ordinary meeting on 6 April 2020, with a further report pending on the outcome of that process.

Previous Council Resolution

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

COMMUNICATIONS AND ENGAGEMENT

Consultation with adjoining property owners

All immediate adjoining property owners, both occupiers and non-occupiers were consulted on 16 June 2019 and whilst the adjoining owners at 60 King William Street initially expressed interest in purchasing the land, on 1 April 2020, they withdrew their interest and have not objected to the sale of the land to the adjoining owner, which was confirmed in writing on 2 April 2020.

The property owners of 65 Southernhay Street, Reservoir have confirmed an interest in acquiring the land, known as Lot 6 at current market value, as well as meeting all of the reasonable costs associated with selling the land in accordance with current policy.

Consultation with Service Authorities and Council Departments

Easements in favour of both Council and Yarra Valley Water were saved over the land at the time of the discontinuance in 2002.

Consultation with the community

The statutory procedures require Council to give public notice of its intention to sell the land known as Lot 6 on Title Plan 896344C and invite submissions from affected parties or any person/s. All abutting property owners will be advised of the proposal in writing and informed of their right to make a submission. Submitters may request to be heard by Council prior to a decision being made to proceed or otherwise with the proposal. Following this, a report will be presented to Council for a decision on whether to sell the land, part of the land or not to sell the land.

Communications

- All immediate adjoining property owners, both occupiers and non-occupiers were consulted in writing on 15 May 2019 and 16 June 2019, as part of initial investigations in considering the proposals and no objections were received. The dimensions and proposed allocation of the land is shown in the Title Plans provided in **Appendix B**.
- The property owners of 65 Southernhay Street, Reservoir have agreed to purchase the land adjoining their property at current market value, as well as meeting all reasonable costs associated with the transfer of land.

ANALYSIS

Alignment to Council Plan / Council policy

Goal 6 - A well governed Council

Property Asset Management Strategy

Sale of Minor Council Property Assets Policy

Environmental Sustainability Considerations

There are no factors in this report that impact upon environmental sustainability.

Equity, Inclusion and Wellbeing Considerations

There are no factors in this report that impact upon equity, inclusion and wellbeing.

Cultural Considerations

There are no factors in this report that impact upon cultural considerations.

Economic Development Considerations

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

Climate Emergency

There are no factors in this report that impact upon climate change

Financial and Resource Implications

At the commencement of negotiations with each of the property owners, the Council's Valuer placed a market value of \$550.00 per square metre (including GST) on the land. Lot 6, with an area of 62m² is intended to be sold to the property owners of 65 Southernhay Street for the total amount of \$34,100.00 (including GST).

Costs associated with the statutory procedures and sale of the former roads will be recovered from the purchaser, should the sale proceed. The land from the former road, once sold, will also attract Council rates.

Legal and Risk Implications

Risks associated are covered under the analysis of each option.

DISCUSSION

Council's property portfolio must meet current service needs while providing the flexibility to meet future requirements. Roads, reserves, revenge strips, hiatus and other pieces of land of unusual shape and limited usefulness that are less than 200m² in area (collectively referred to as minor Council property assets) were originally set aside in early plans of subdivision for a particular purpose, such as access or drainage. In many cases, these parcels of land are still required for that purpose and need to remain open and available to the public.

In situations where a minor Council property asset is no longer reasonably required for that purpose or other strategic purposes, it may be considered surplus and suitable for sale.

OPTIONS FOR CONSIDERATION

Option 1 – Abandon the Proposal or Do Nothing

Council could resolve to abandon the proposal, take no action or may make no resolution on the matter. This option would mean the status quo would remain with the adjoining property owners continuing to occupy the land.

Council may be perceived as knowingly encouraging and enabling property owners to continue to occupy other reserves, roads or rights-of-way within Darebin to the detriment of the community (whether financially or as a benefiting right).

Council may, at some time in the future, resolve to commence the process to sell the land.

Option 2 – Commence the Statutory Procedures (Recommended)

Council could resolve to commence the statutory procedures to potentially sell the land. This would extend the consultation to the wider community and enable all affected property owners to have a formal opportunity to make a submission. This option would assist Council in obtaining further insight into the overall consensus of surrounding property owners and the community in relation to the sale. It would also enable Council to make an informed assessment of the proposed sale of the land from the former roads.

Benefits of commencing the statutory process, depending on Council's decision on the proposed sale, could result in receipt of revenue from the sale of land that is no longer required for its original purpose.

IMPLEMENTATION STRATEGY

Details

- Commence statutory process
- Report back to Council on outcome of statutory process

Communication

- Council departments
- Community
- Macquarie Local Government Lawyers
- Owners of adjoining properties
- Statutory authorities

Timeline

It is expected that a report on the outcome of the statutory process would be presented to Council for consideration in August 2020.

RELATED DOCUMENTS

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

Attachments

- Site Plan rear 65 Southernhay Street and 60 King William Street, Reservoir (**Appendix A**)
- Title Plan road rear Southernhay Street and King William Street, Reservoir (**Appendix B**)
- Aerial View 63-69 Southernhay Street and 58-64 King William Street, Reservoir (**Appendix C**)
- Victorian Government Gazette road rear Southernhay Street and King William Street, Reservoir (**Appendix D**)

DISCLOSURE OF INTEREST

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

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

**7.12 EXTENSION OF CONTRACT CT 201336 - PROVISION OF
HARD WASTE COLLECTION SERVICE****Author:** Coordinator Waste Operations**Reviewed By:** General Manager Operations and Capital

EXECUTIVE SUMMARY

The contract for the existing hard waste collection service was awarded by Council in 2014 for an initial term of five (5) years with two (2) one (1) year extension options. Exercising extension periods was to be at the sole discretion of Council and subject to the contractor's satisfactory performance during the initial term of the contract.

In April 2019, Council approved the first of the extension options which expires on 31 July 2020.

Given the satisfactory performance of the current contractor over the life of the contract, this report recommends that Council exercise the second and final contract extension until July 2021.

Recommendation

That Council.

- (1) Exercises the second and final extension of one year for contract CT201336 – Provision of Hard Waste Collection Services with WM Waste Management Services for the booked hard waste collection at an estimated cost of \$120,000 and the June 2021 area-based collection at an estimated cost of \$1,100,000 completing all available extensions under this contract on 31 July 2021.
 - (2) Authorises the Chief Executive Officer to finalise and execute the contract extension on behalf of the Council.
-

BACKGROUND / KEY INFORMATION

Council has been offering an area-based hard waste collection service across the municipality since 2013. An area-based collection meant that Council would collect from all households in particular areas at the same time (annually in June). In addition, a limited booked hard waste service is also offered in Spring each year.

Since 2014, Council has successfully partnered with WM Waste Management Services to collect residential hard waste across the municipality.

Officers have regularly monitored the performance of Council's contractor and are satisfied that exercising the second and final contract extension is in the best interests of Council and its residents.

Previous Council Resolution

At its meeting of 18 March 2013 Council resolved that:

“A seasonal booked hard waste collection between October and December every year be introduced starting from October 2013”.

At its meeting of 21 July 2014, Council resolved that:

1. *Council awards contract CT201336 – Provision of Hard Waste Collection Services to WM Waste Management Services for the provision of annual area based and limited seasonal booked collections for a term of five (5) years commencing in August 2014 for an estimated total value of \$4,640,823 over 5 years.*
2. *Council receive a report in 2019 with consideration of a further two (2) x one (1) year extensions.*

At its meeting of 19 April 2019, Council resolved that:

Council exercises the first extension of 1 year for the current contract “CT 201336 – Provision of Hard Waste Collection Services with WM Waste Management Services at an estimated cost of \$977,000 for the area collection and \$115,000 for the booked collections, an estimated total of \$1,092,000 commencing in May 2019 and completing on 31 July 2020;

COMMUNICATIONS AND ENGAGEMENT

Consultation

Consultation has occurred with the following internal stakeholders.

Title	Division
General Manager Operations & Capital	Operations & Capital
Manager City Works	Operations & Capital
Acting, Manager Environment & Sustainable Transport	City Sustainability & Strategy
Coordinator Waste Operations	Operations & Capital
Team Leader Street Cleaning	Operations & Capital
Senior Procurement Officer	Finance

All internal stakeholders agree that exercising the final contract extension would be sensible while a review of the hard waste collection service is undertaken.

Communications

The community is notified about upcoming hard waste collections through:

- Letterbox drop
- Council’s website
- Social media (posts and a video of the mayor)
- e-newsletters (sustainability news, East Preston Community Centre, What’s on for Families, Older and Active in Darebin)
- On-hold message (month leading up to and month of collections)

ANALYSIS

Alignment to Council Plan / Council policy

Goal 1 - A sustainable city

This contract aligns with the Council Plan 2017-2021 and achievement of Goal 1.1

- Reduce waste to landfill

Environmental Sustainability Considerations

Council's newly adopted Waste and Recycling Strategy maps a direction towards sustainable waste management in the Darebin community. The hard waste collection service is one element of the strategy which aims to improve recycling rates and reducing the volume of waste going to landfill.

Climate Emergency

Council's Waste and Recycling Strategy adopted by Council on 9 June 2020 includes an action to review the hard waste collection service and the methodology used before a new service is designed and tested with the market. This review will begin in late 2020.

Equity, Inclusion and Wellbeing Considerations

The service is available to all residents throughout the municipality equally.

Cultural Considerations

The community is notified about hard rubbish collections in English and 12 other community languages. Notifications are also announced via social media and can be translated through Facebook's translation offer.

Economic Development Considerations

WM Waste employs Darebin residents as drivers and jockeys. The contractor also uses local suppliers in its operations and the recyclable hard waste and general waste collected throughout the municipality is deposited by the contractor at the Darebin Resource Recovery Centre in Reservoir.

Financial and Resource Implications

It is estimated that the booked and area based hard waste collection service will cost Council approximately \$1.2m (based on quantity collected) in the coming financial year. Council's waste management budgets have made satisfactory provision for these costs in 2020/21.

Legal and Risk Implications

The original contract allowed for two extension periods of one year each. This report recommends that Council exercise the second and final one-year extension. There is very little risk in Council exercising the final contract extension.

DISCUSSION

The current hard waste contractor, WM Waste, is entering its final contractual period (subject to Council approval) and has satisfactorily performed the duties of the contract. In particular, the service delivered by WM Waste has been generally well received by the community and WM Waste has been open to service improvements and feedback provided by the community.

Council's waste team manages the contractor's obligations through regular contract meetings where the contractor updates Council on what's been collected, what quantities and volumes were picked up and recycled and any waste hotspots that Council may wish to know about. The contractor also provides a list of residences from which waste left out but not collected (largely due to material being left out that Council does not collect e.g. asbestos and building rubble). Officers conduct regular audits and spot checks on the contractor collection practices and waste volumes due to be collected.

The table below shows what was collected in 2019 (officers believe there will be an increase in hard waste collected in 2020 due, in part, to home restrictions as a result of COVID-19).

Material	Tonnes
Scrap metal	245
Tyres	16
Mattresses	121
E-waste	15
General waste	1,983
TOTAL	2,380

WM Waste transports collected steel and metal to its recycler and other recycled material and general waste to the Darebin Resource Recovery Centre at which point staff at DRRC sort through the hard waste for further items of value. Only general waste then ends up in landfill.

OPTIONS FOR CONSIDERATION

Option 1 - Exercise the second and final one-year extension (Recommended)

This would allow the continuation of hard waste collection services to the community until the review of the hard waste service is completed and future service levels and models are explored and determined.

Option 2 - Do not exercise the second and final one-year extension (Not recommended)

Not extending the contract would mean that the current hard waste collection service would need to be re-tendered prior to the limited hard waste service in Spring 2020.

IMPLEMENTATION STRATEGY

Tasks	Timeframe
Exercise second option to extend the contract by one year	July 2020
Carry out booked collection	Sep-Dec 2020
Carry out area-based collection, which will complete all available extension under this contract.	June 2021

Communication

Officers will advise WM Waste of Council's decision and complete the necessary contractual amendments.

Timeline

As per implementation timeline outlined in the above table.

RELATED DOCUMENTS

Nil

Attachments

Nil

DISCLOSURE OF INTEREST

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

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

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

Nil

9. NOTICES OF MOTION

9.1 ADVOCACY REPORT ON EXTENSION OF TRAM ROUTE 11

Councillor: Gaetano GRECO

NoM No.: 480

Take notice that at the Council Meeting to be held on 29 June 2020, it is my intention to move:

‘That Council receives an urgent report on an articulated strategy plan to advocate for the extension of Tram Route 11.’

Rationale

In light of this stimulus spending by the federal and state government on major infrastructure projects to help stimulate the economy and create jobs in view of the COVID-19 economic recovery efforts, Council should take this opportunity to consider putting forward a well-articulated argument for the extension of Tram Route 11 as major linking transport project for our city.

Notice Received: 15 June 2020

Notice Given to Councillors 22 June 2020

Date of Meeting: 29 June 2020

Attachments

Nil

9.2 CALL FOR THE EXTENSION OF THE FEDERAL GOVERNMENT'S FREE CHILDCARE PROGRAM**Councillor: Gaetano GRECO****NoM No.: 481**

Take notice that at the Council Meeting to be held on 29 June 2020, it is my intention to move:

***'That** Council writes to the Prime Minister, Leader of Opposition and Leader of the Greens calling for an initial 3 months extension of the Federal Government's free childcare program which will now end on 12 July 2020. Council also calls for an overhaul of the childcare system after September with a view of a adopting a modern free childcare scheme into the future.'*

Rationale

The government's \$1.6 billion free childcare program will end on July 12 and early educators will stop receiving JobKeeper payments the following week. Council should support local childcare facilities and parents by urging the federal government to extend the fee-free childcare arrangement until at least to the end September as initially planned and call for an overhaul of the childcare system after September with a view of a adopting a modern family centred free childcare scheme into the future.

Notice Received: 15 June 2020**Notice Given to Councillors 22 June 2020****Date of Meeting: 29 June 2020****Attachments**

Nil

9.3 RELEASE OF CONFIDENTIAL ADVICE BY DR JANE STANLEY REGARDING PRESTON MARKET**Councillor:** Gaetano GRECO**NoM No.:** 482

Take notice that at the Council Meeting to be held on 29 June 2020, it is my intention to move:

'That Council:

- (1) Notes the presentation provided to Councillors by Dr Jane Stanley, a renowned expert on markets around the world, regarding the future of Preston Market.*
- (2) That subject to Dr Jane Stanley's approval, the presentation she made to the Councillor Briefing on the 25 May 2020 regarding Preston Market be publicly released for transparency reasons.*
- (3) Urgently forwards Dr Stanley's presentation to the Planning Minister and the Victorian Planning Authority (noting that Dr Stanley's presentation was not commissioned by or endorsed by Council) to ensure they have a range of expert perspectives on the future of Preston Market.'*

Rationale

This report needs to be publicly released and forwarded to the VPA and the Minister for Planning for the sake of transparency and providing a balance of views on the future location of the market.

Notice Received: 15 June 2020**Notice Given to Councillors** 22 June 2020**Date of Meeting:** 29 June 2020**Attachments**

Nil

10. URGENT BUSINESS

11. REPORTS OF STANDING COMMITTEES

Nil

12. RECORDS OF ASSEMBLIES OF COUNCILLORS

12.1 ASSEMBLIES OF COUNCILLORS HELD

Section 80A of the Local Government Act 1989 which outlined the requirements to be observed in respect to Assemblies ie

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

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

was repealed on the 1 May 2020 by the *Local Government Act 2020*.

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

Officers anticipate that the issue of public transparency and accountability in relation to forums involving Councillors previously defined as Assemblies of Councillors will be addressed in the Councils Governance Rules which must be adopted by the 1 September 2020.

Until the Governance Rules are developed and adopted by Council the 'regime' previously followed will continue in the interests of good governance.

An Assembly of Councillors record was kept for:

- Councillor Briefing – 15 June 2020
- Councillor Briefing – 22 June 2020

Recommendation

That the record of the Assembly of Councillors held on 15 & 22 June 2020 and attached as **Appendix A** to this report, be noted and incorporated in the minutes of this meeting.

Attachments

- Assemblies of Councillors - 29 June 2020 (**Appendix A**)

13. REPORTS BY MAYOR AND COUNCILLORS

Recommendation

That Council note the Reports by Mayor and Councillors.

14. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL

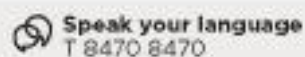
15. CLOSE OF MEETING

CITY OF DAREBIN

274 Gower Street, Preston
PO Box 91, Preston, Vic 3072
T 8470 8888 F 8470 8877
E mailbox@darebin.vic.gov.au
darebin.vic.gov.au



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



العربية	Italiano	Soomalii
繁體中文	Македонски	Español
Ελληνικά	नेपाली	اردو
हिंदी	ਪੰਜਾਬੀ	Tiếng Việt