0.0 DAREBIN CREEK MANAGEMENT COMMITTEE (DCMC) REVIEW

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Previous Items

Council on 30 October 2023 (Item 5.3 - Darebin Creek Management Committee (DCMC) external audit findings and recommendations)

Council on 9 December 2024 (Item 5.1 - Darebin Creek Management Committee (DCMC) extension of MoU and funding contribution)

SUMMARY

1. At the Ordinary Council Meeting on 30 October 2023, Council resolved (CO2023/197) to conduct a review of the Darebin Creek Management Committee (DCMC)'s land management and catchment coordination services, with a final report due by December 2025. The resolution included a commitment to:
    - maintain funding to DCMC until 30 June 2025 under the existing Memorandum of Understanding (MoU),
    - review of the structure and delivery of catchment management services, that considers Integrated Water Management obligations, in partnership with other LGA funding bodies
    - review of the Darebin Parkland (land management) and the Creek Coordination (catchment management) services considering:
        - improve the ecology and biodiversity values along Darebin Creek and Banyule,
        - provide opportunities for community input into the review,
    - being consistent with Council's procurement obligations as per the Local Government Act 2020.
2. At the Ordinary Council Meeting on 9 December 2024, Council resolved (CO2024/171) to extend the Memorandum of Understanding (MoU) and funding commitment between Banyule City Council and Darebin Creek Management Committee (DCMC) to 30 June 2026. The resolution also requested a report be presented in June 2025 detailing outcomes of the review for the Darebin Parklands coordination (land management) and Darebin Creek catchment coordination services.
3. This report responds to Council's resolutions of 30 October 2023 and 9 December 2024, extensive community and stakeholder consultation, and the updated Procurement Policy 2025-29, which now allows procurement exemptions based on an assessment by the Chief Executive Officer (CEO), where the CEO determines that a Tender is not feasible or in the best interests of Council, and where there may be a Not-for-Profit provider that is available to provide superior outcomes than would likely be obtainable through the private market.
4. This approach ensures continuity of ecological restoration, community engagement, and partnership with Traditional Custodians, while supporting regional consistency and measurable outcomes. Continuing to work with DCMC is supported by strong community preference for a not-for-profit, partnership-based model, and by the need for regional consistency. The proposed agreement will include clear land management specifications, catchment coordination principles, annual reporting, and measurable outcomes.
5. If endorsed, officers will negotiate a co-designed service agreement with DCMC, to develop a 10-year service agreement, structured as an initial 5-year term with a review at year 4, allowing DCMC to submit a proposal for a second 5-year term. Council will receive a further report to consider the co-designed

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service agreement in April 202. Ongoing engagement with funding partners and stakeholders will be maintained throughout the process

6. The recommended approach is consistent with Council's adopted strategies for environmental stewardship, integrated water management, and community partnership. The agreement will be delivered within Council's approved budget and in compliance with the updated Procurement Policy.

RECOMMENDATION

That Council:

1. **Note the Darebin Creek Management Committee (DCMC) Service Review Engagement Findings Report (Attachment One).**
2. **Note officers will co-design a five (5) year + five (5) year service agreement with DCMC.**
3. **Receive a further report in April 2026 to consider the co-designed service agreement.**

COUNCIL PLAN

- This report is in line with Banyule's Council Plan strategy to "Engage and work with the community and partners to protect, enhance and experience the environment". The recommended approach supports integrated water management, biodiversity conservation, climate resilience, and partnerships with Traditional Custodians.

BACKGROUND

- On 30 October 2023, Council resolved to conduct a comprehensive review of DCMC's land management and catchment coordination services, with a final report due by December 2025. Council committed to maintain funding to DCMC under the existing Memorandum of Understanding (MoU) and to provide opportunities for community input.
- On 9 December 2024, Council extended the MoU and funding commitment to 30 June 2026, ensuring service continuity during the review period.
- On 22 September 2025, Council adopted the Procurement Policy 2025–29, which includes exemptions for engaging not-for-profit organisations that deliver direct community and environmental benefits.
- Darebin Council recently resolved to directly engage DCMC and Merri Creek Management Committee (MCMC) for a 10-year term, structured as two 5-year blocks with a review and new proposal at each interval.

Consultation and Engagement

- Extensive community and stakeholder engagement was undertaken between October 2024 and April 2025, including:
    - Targeted engagement with Friends groups, DCMC, Traditional Custodians (including the Narrap Unit), and the broader community
    - Public forums, online surveys, and publication of findings on Shaping Banyule
    - Over 120 submissions received, with key themes including strong support for a not-for-profit, partnership-based model, prioritization of ecological restoration, and the importance of community stewardship

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What We Heard

- Community strongly preferred continuity of service with DCMC, citing trust, local knowledge, and proven outcomes.
- Stakeholders emphasised the need for measurable ecological and social outcomes, transparent reporting, and ongoing partnership with Traditional Custodians
- The recommendations presented in this report are directly informed by extensive consultation. The engagement process revealed a strong preference for a not-for-profit, partnership-based model. These insights have shaped the proposed service specifications, performance measures, and partnership principles.

Banyule's Proposed Approach and Next Steps

- Council's approach to the review of the Darebin Parkland (land management) and the Creek Coordination (catchment management) services is grounded in the resolutions of 30 October 2023 and 9 December 2024, which committed to a comprehensive review, alignment with procurement obligations under the Local Government Act 2020.
- Extensive community and stakeholder engagement has informed the development of this report, with over 120 submissions received and strong support for a partnership-based model. It is envisaged the proposed co-design service agreement will incorporate measurable outcomes, transparent reporting, and ongoing collaboration with Traditional Custodians, ensuring that Council's investment is aligned with community values and strategic priorities.
- Top level expectations for land management and key principles for catchment coordination form the basis for a Request for Proposal (RFP) specification from DCMC, reflecting the priorities identified through Banyule's community consultation and the draft Integrated Water Management (IWM) Plan. These priorities include:
    - Waterway and catchment health
    - Ecological restoration and biodiversity
    - Community engagement and volunteering
    - Partnership with Traditional Custodians (including the Narrap Unit)
    - Infrastructure, amenity, and safety
    - Innovation and leveraging external funding.
- Timing will be aligned with partner councils to ensure coordinated service delivery and avoid fragmentation.

Top-Level Expectations

- Consistent with Council's previous resolutions the following top-level expectations have been developed to guide the co-design of service specifications and any future service agreement. These expectations are designed to:
    - Provide clear, measurable outcomes and indicators for both land management and catchment coordination.
    - Ensure alignment with Council's Integrated Water Management Plan, community priorities, and the outcomes of recent stakeholder engagement.
    - Support transparent performance measurement and reporting.

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Land Management Specifications

Table 1: Land Management of Rockbeare Park and Surrounding Banyule Land

Expectation Area	Outcome Statement	Performance Indicator(s)
Biodiversity	Protect and enhance native vegetation, habitat, and species diversity	Annual biodiversity health score % area under restoration Number of threatened species supported
Ecological Restoration	Targeted restoration and weed management programs deliver measurable improvements	Area treated for weeds Restoration sites established Reduction in invasive species cover Reduction in vegetation fuel load
Maintenance Standards	Safe, accessible, and well-maintained public spaces	Number of safety incidents Maintenance response time User satisfaction (survey)
Cultural Heritage	Aboriginal cultural values are recognised and protected; Traditional Owner partnership is embedded	Number of cultural burns Narrap Unit engagement hours Cultural heritage sites protected
Community Involvement	Active community participation and stewardship	Volunteer hours Number of community events Friends group engagement
Reporting & Accountability	Transparent, compliant service delivery	Annual report submitted Compliance with legislation Stakeholder satisfaction

Principles for Catchment Coordination

- In addition to land management, Council's future agreement with DCMC must address the broader coordination of catchment health and waterway management across the Darebin Creek corridor.
- The following expectations ensure that Council's priorities for waterway health, biodiversity, community engagement, and partnership with Traditional Custodians are embedded in the service specification.

Table 2: Creek Catchment Coordination Principles

Principle Area	Outcome
Catchment Quality & Waterway Health	Improved waterway health and ecological function
Biodiversity & Restoration	Riparian and aquatic habitats are protected and restored
Community & Stakeholder Engagement	Community and stakeholders are engaged in catchment health
Partnerships & Collaboration	Traditional Owner knowledge and Caring for Country practices are embedded
Reporting & Accountability	Transparent, compliant service delivery

Annual Contribution and Basis for Service Co-Design

- It is proposed that Banyule Council set a ceiling on its annual contribution to the Darebin Creek Management Committee (DCMC). For 2025–26, the Banyule Council contribution is $258,335 (inclusive of GST). This amount would be indexed annually in line with the rate cap for the term of the agreement.
- This ceiling will serve as the basis for co-designing the service model and specification with DCMC and partner councils. The distribution of Council's contribution, whether allocated to land management or

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catchment coordination, will be determined through the co-design process, reflecting community feedback, strategic priorities, and the outcomes of recent engagement.

- This approach ensures that Council's investment is transparent, sustainable, and directly aligned with the expectations and values of the Banyule community.

Timing

- The following timeline outlines the key steps and milestones for the development and implementation of the proposed service agreement with DCMC. It provides a structured overview of the process from Council endorsement through to contract execution and commencement of the new agreement, ensuring transparency and alignment with Council's strategic objectives and stakeholder expectations.

Table 3: Timeline

Step	Date	Action
Council report	13 Oct 2025	Present formal report & recommendations
Submission period	Oct 2025 – Jan 2026	Invite submission from DCMC
Evaluation & negotiation	Feb – Mar 2026	Evaluate submission, develop draft co-design agreement,
Council report	April 2026	Council considered the appointment of DCMC for five (5) year + five (5) year agreement
Contract execution	May – June 2026	Finalise and sign agreement
Service commencement	1 July 2026	New agreement begins

KEY ISSUES

- The proposed approach provides long-term funding certainty and continuity of service, supporting ongoing ecological restoration, community engagement, and partnerships with Traditional Custodians.
- Aligns Banyule's approach with Darebin Council and other funding partners, supporting coordinated service delivery and regional outcomes.
- The exemption pathway under the Procurement Policy 2025 – 2029 enables the CEO to make an assessment to determine if a tender process is required. This is turn will allow officers to negotiate directly with DCMC to co-design a service specification and agreement, subject to due diligence and financial delegation.
- The agreement will be co-designed with DCMC and partner councils, incorporating annual reporting, partnership principles, and measurable outcomes.

SUPPORTING REPORT DETAILS

Legal Consideration

- Council must engage in contracting and procurement activities in accordance with its Procurement Policy as a legislated requirement under the *Local Government Act 2020*.
- Council adopted its procurement policy on the 22 September 2025 which now allows procurement exemptions based on an assessment by the Chief Executive Officer (CEO), where the CEO determines that a Tender is not feasible or in the best interests of Council, and where there may be a Not-for-Profit provider that is available to provide superior outcomes than would likely be obtainable through the private market.

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Human Rights Charter

- In developing this report to Council, the subject matter has been considered in accordance with the requirements of the Charter of Human Rights and Responsibilities Act 2006. It is considered that the subject matter does not raise any human rights issues.

Gender Impact Assessment

- Section 9 of the *Gender Equality Act 2020* states Council, as a defined entity, must conduct a Gender Impact Assessment for policies, strategies, plans, programs, and services that are new or up for review and have a direct and significant impact on the public.
- A Gender Impact Assessment has not been undertaken at this stage, however full assessment will be considered during the co-design process and presented when Council considers the co-design service agreement in April 2026.

Environmental And Climate Change Impact Assessment-

- Banyule City Council declared a climate emergency in 2019. *The Local Government Act 2020* mandates that councils must act on climate change by trying to minimise their contributions to global warming and mitigate and plan for climate change risks.
- As a planning authority and land manager Banyule City Council also has a legislated requirement to protect land, water and biodiversity in Banyule, under the *Planning & Environment Act 1987 and Catchment & Land Protection Act 1994.*
- The *Environment Protection Act 2017* outlines Councils General environment duty to, so far as reasonably practicable, minimise risks of harm to human health and the environment from pollution and waste.
- In developing this report to Council, the subject matter has been considered against key determinants of environmental and climate change impact.
- DCMC's services directly contribute to Council's biodiversity, climate adaptation, and waterway restoration objectives. A direct engagement model supports long-term ecological outcomes, alignment with restoration programs, and access to external environmental funding.

Sustainable Procurement Outcomes

- The recommended approach supports social, economic, and environmental outcomes by enabling community-based stewardship, leveraging external funding, and supporting local jobs and volunteering.

Financial Implications

- The proposed agreement will be negotiated within Council's approved budget and financial delegation. For 2025–26, the Banyule Council contribution is $258,335 (inclusive of GST), indexed annually in line with the Victorian rate cap.
- The agreement will ensure fair cost-sharing with funding partners and leverage DCMC's ability to attract external grants.

Innovation and Continuous Improvement

- The direct engagement model enables continuous improvement through co-design, annual reporting, and adaptive management, supporting innovation in land and waterway management.

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Community Engagement

- Extensive community and stakeholder engagement has informed the development of the proposed approach, including public consultation, targeted engagement with Friends groups, DCMC, and Traditional Custodians, and publication of consultation findings on Shaping Banyule.
- The full Darebin Creek Management Committee (DCMC) Service Review - Community Engagement Findings Report is included in **Attachment 1.**

Collaboration

- The approach has been developed in collaboration with Darebin Council and other funding partners, supporting a coordinated, regional approach to service delivery.

Key Considerations

- The agreement will be co-designed with DCMC and partner councils, with a review at year 4 to assess needs and ensure alignment.

Officer Declaration of Conflict of Interest

- The *Local Government Act 2020* requires members of Council staff, and persons engaged under contract who provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates.
- Council officers involved in the preparation of this report have no conflict of interest in this matter.

ATTACHMENTS

No.	Title	Page
1	DCMC Community Engagement Findings Report 12 February 2025	