

Council Meeting

to be held at the Civic Centre, Civic Drive, Greensborough
on Tuesday 22 March 2022 commencing at 7:00pm.

Attachments

Carl Cowie
Chief Executive Officer

Thursday 17 March 2022

Distribution: Public

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Nillumbik Shire Council

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Council Meeting

to be held virtually on Tuesday 22 February 2022 commenced at 7:01pm.

Minutes

Carl Cowie
Chief Executive Officer

Friday 25 February 2022

Distribution: Public

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Nillumbik Shire Council

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22 February 2022

Nillumbik Shire Council

**Minutes of the Meeting of Nillumbik Shire Council held Tuesday 22 February 2022.
The meeting commenced at 7.01pm.**

Councillors present:

Cr Frances Eyre	Swipers Gully Ward (Mayor)
Cr Richard Stockman	Blue Lake Ward
Cr Karen Egan	Bunjil Ward
Cr Peter Perkins	Ellis Ward
Cr Ben Ramcharan	Sugarloaf Ward (Deputy Mayor)
Cr Geoff Paine	Wingrove Ward

Officers in attendance:

Carl Cowie	Chief Executive Officer
Vince Lombardi	Chief Financial Officer
Hjalmar Philipp	Director Operations and Infrastructure
Blaga Naumoski	Executive Manager Governance, Communications and Engagement
Nichole Johnson	Acting Executive Manager Communities
Rosa Zouzoulas	Executive Manager Planning and Community Safety
Eddie Cheng	Manager, Information Technology
Nik Mistriotis	Lead Systems Architect
Emma Christensen	Acting Governance Lead

1. Welcome by the Mayor

2. Acknowledgement of Country

Acknowledgement of Country was read by the Mayor, Cr Frances Eyre.

3. Good Governance Pledge

The Good Governance Pledge was read by Cr Richard Stockman.

4. Prayer

A prayer was read by Reverend Dr Tim Johnson, Senior Minister at St John's Anglican Church, in Diamond Creek.

5. Apologies

An apology for this meeting has been received from Cr Natalie Duffy.

Council Resolution

MOVED: Cr Ben Ramcharan

SECONDED: Cr Karen Egan

That the apology from Cr Natalie Duffy be noted.

CARRIED

Council Meeting Minutes

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6. Presentations

Nillumbik Australia Day Awards and Citizenship Ceremony 2022

On 26 January we presented our Australia Day Awards and welcomed our newest citizens in a Citizenship Ceremony. The event was held at Eltham Community and Reception Centre, and livestreamed for our virtual audience.

We heard from Nillumbik Reconciliation Group representatives Jan Aitken and Jan Mackenzie, and Wurundjeri Elder Uncle Ian Hunter. Our guest speaker was Paralympian and Nillumbik native Jaryd Clifford. My thanks to you all for your contributions.

Our Citizens of the Year for 2022 are Eltham residents Marlis Dopheide and Miranda Armstrong, who were also named Volunteers of the Year. Marlis and Miranda have spent many years welcoming refugees to Nillumbik, and assisting them to find housing, schools for their children, employment and education opportunities.

Our Senior Citizen of the Year is Lorraine Hudson of Hurstbridge. In 2021 Lorraine, with support from her son Daniel of DC Meats, spent three months making meals to hand out to locals in what was a difficult year for many. She made hundreds of meals to help take the pressure off and bring a smile to the face of Nillumbik families.

Our Young Citizens of the Year are Eltham residents Hayden And Stephanie Rujak. Through their volunteer work over the past seven years, 15-year-old Hayden and 12-year-old Stephanie have worked hard to support people experiencing homelessness, escaping family violence, and struggling with the pressures of the pandemic.

With the help of a network of youth volunteers, the Rujaks run Hayden's Helping Hands, which was awarded Community Group of the Year. Hayden's Helping Hands' volunteers are all children, and they have contributed the equivalent of \$200,000 in quality clothes, food, bedding and other items to those in need since the group was established.

Congratulations to all our deserving award recipients.

The other important part of the event was welcoming our new citizens. More than 50 people took the citizenship pledge, and on behalf of Council, I wish them all a happy and prosperous future.

Lastly, I'd like to acknowledge the many Council staff who played a part in bringing this event to fruition. A lot goes on behind the scenes to put on successful events of this scale, so thank you all.

Australia Day 2022 Honours List

It was great, yet again, to see members of our community being recognised for their achievements in the recent Governor General's Australia Day Honours List and tonight I would like to acknowledge them and their achievements.

The following Nillumbik resident was awarded a Companion of the Order of Australia (AC) in the General Division:

- Distinguished Professor Jennifer Graves AO, for eminent service to science, particularly through leadership and research in evolutionary genetics, to international and national professional societies, for science education in schools, and as a mentor and role model for women.

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The following Nillumbik residents were awarded a Medal of the Order of Australia (OAM) in the General Division:

- David Gregory, for service to the small business sector.
- Dr Anthony Michaelson, for service to the community through alcohol and drug use prevention programs.

I would like to commend each of them for their dedication, service and achievement of excellence in their respective fields. They embody the Nillumbik ethos of service, diligence, commitment and above all, serving the broader community.

Thank you.

Tribute – Aunty Judy Nicholson

Council would like to pay tribute to Aunty Judy Nicholson who passed away on 18 January 2022.

Judy was a proud Wurundjeri woman, a talented indigenous artist and a fierce advocate for cultural education. Judy had a deep connection to country and a lifelong fascination for the native flora and fauna of Australia.

Judy worked with many councils across Melbourne including Nillumbik Shire. Her artworks are featured prominently here at Bunjil Reserve in Smiths Gully, Panton Hill and the Watson's Creek area (collectively known as The Panton Hill Bushland Reserve), and at the Gawa Trail in Watsons Creek. Work is currently underway to replicate some of the Gawa Trail artwork at Edendale Farm.

For the last two years, Judy has been working with Council and community on an indigenous seasonal garden project at Eltham North Adventure Playground. Judy's artwork, *The Wurundjeri Seasons*, was completed in 2021, and will soon be installed at this site.

Judy told the stories of her culture through her art. She often used symbols and colours significant to the Wurundjeri Woi-wurrung people to weave a visual story.

For many years, Judy also delivered cultural workshops, walks and talks on different aspects of Wurundjeri culture. Judy was passionate about sharing knowledge. She was just as passionate about increasing her own knowledge – she never stopped learning.

Judy was open and generous when it came to sharing her culture. It was important to her that her audience understood the Wurundjeri culture and that the knowledge, art, ideas and cultural heritage of her people was preserved beyond the oral tradition.

Judy leaves a rich legacy of artworks across Melbourne and beyond. She educated us. She inspired us. And she did so with an energy, passion and curiosity that was truly unique.

For Judy, family was paramount and we offer our condolences to Judy's family and friends.

Council Meeting Minutes

22 February 2022

7. Confirmation of Minutes

Confirmation of the minutes of the Council Meeting held on Tuesday 14 December 2021.

Council Resolution

MOVED: Cr Geoff Paine

SECONDED: Cr Peter Perkins

That Council confirms the minutes of the Council Meeting held on Tuesday 14 December 2021 (Attachment 1).

CARRIED UNANIMOUSLY

8. Disclosure of conflicts of interest

Nil

9. Petitions

Nil

10. Questions from the gallery

Janelle Hyett asked the following question:

Can council please advise what is happening with play space in the Collard Drive and Herbert's Lane Diamond Creek estate areas?

We were told that the developer had land put aside for council to construct a play area for the children in this area. Apparently the land that was dedicated to this has been sold as a house block

Response

The planning controls that govern how this area has and continues to be subdivided and developed, is the Development Plan Overlay, it has objectives that must be met. The Development Plan was approved for this area in June 2002 and sets the framework for:

- all subdivision and development applications,
- identifies open space areas in two nodes along Diamond Creek and Scrubby Creek, with the potential for linking this open space to other open space areas, the local road network and the Diamond Creek township.

A further open space area is envisaged in the central area just south of Herberts Lane although this location will be largely required for drainage purposes as required by Melbourne Water and some active recreational open space around the main drainage function.

The main focus of the open spaces along the creeks in this area, is to provide both conservation and recreation open space. It will allow for the protection of remnant vegetation along the creek, and provide the opportunity for development of trails on cleared, flat land to accommodate active open space for residents of the broader area.

Once the area has been fully developed in accordance with the approved Development Plan, likely in the coming 5-6 years, Council will become the responsible authority that will maintain these areas of open space. The approved Development Plan does not require the developer or subdivider to install a playground beyond the provision of open space. It should be noted though, that Council could look to fund a playground in the future, once it becomes the land manager of the developed open spaces.

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Accordingly, Council will be better able to assess the needs of the community and determine in accordance with its Playground Strategy, where a playground might potentially be installed post the final subdivision and development of the area subject to the Development Plan and this part of Diamond Creek.

Gila Schnapp has asked the following questions

1. Why does Eltham equitably include all those liable for the Special rate charge within the Major activity centre structure plan boundary but Diamond Creek does not? e.g. Collins and Main St.

Response 1

The Diamond Creek Traders Association determine the boundary they wish to include in the special rate and present this to Council in their request for a special rate.

2. Will all owners liable for the Special Rate charge, who are not also the business occupier, be permitted to become members of the Diamond Creek Traders Association if they wish?

Response 2

Purpose of the Traders Association is to represent businesses in each of the relevant precincts with marketing activity to promote their businesses and the business precinct more broadly.

You are encouraged to liaise with the Traders Association.

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11. Reports of Advisory Committees

AC.001/22 Advisory Committee Report - 22 February 2022

Distribution: Public

Manager: Blaga Naumoski, Executive Manager Governance, Communications and Engagement

Author: Janet Taylor, Governance Officer

Summary

Council has a range of Advisory Committees which provide a formal mechanism for Council to consult with key stakeholders, seek specialist advice and enable community participation. Although they do not make any formal decisions, they provide valuable advice to Council.

In accordance with Advisory Committee Terms of Reference, the following minutes of Advisory Committee meetings are attached (**Attachment 1**) and presented to Council for noting:

1. Health and Wellbeing Advisory Committee Meeting held 9 December 2021; and
2. Positive Ageing Advisory Committee Meeting held 3 December 2021.

Council Resolution

MOVED: Cr Geoff Paine

SECONDED: Cr Peter Perkins

That the minutes of the Advisory Committee meetings (**Attachment 1**) reported be noted.

CARRIED UNANIMOUSLY

Council Meeting Minutes

22 February 2022

12. Officers' reports

CM.001/22 Declaration of the Diamond Creek Business Precinct Special Rate
2022-2027

Distribution: Public

Manager: Rosa Zouzoulas, Executive Manager Planning and Community Safety

Author: Danielle Phyland, Economic Development and Tourism Lead

Summary

The purpose of this report is for Council to consider the matter of whether to declare, modify or abandon the Special Rate for Diamond Creek.

Renewing the Special Rate for Diamond Creek will continue to improve the trading climate of the Diamond Creek business precinct through the implementation of a series of business improvement and promotional activities. Over the past five years the scheme has been successful in funding advertising campaigns, events and overall marketing of Diamond Creek.

In accordance with the requirements of the s233 of the *Local Government Act 1989* formal notification of the proposed special rate was undertaken, with a public notice published in the Herald Sun on Friday 27 August 2021 and written notification being sent via mail to owners of properties upon which the special rate would be levied.

Notice has also been provided to the Diamond Creek Traders Association with a copy of the public notice forwarded on to occupiers/businesses (relevant in cases where the owner obliges the tenant pay the special rate) and available on Council's website.

In response to the public notice, Council received 5 written submissions (**Attachment 6**) from the 137 properties liable to pay the special rate. 4 business owners in support of the special rate and 1 property owner opposing its renewal.

In accordance with sections 223(1) (b) and (c) of the *Local Government Act 1989*, Council has heard and considered all submissions and/ or objections at a meeting of its Planning and Consultation Committee Meeting on the 16 November 2021. At this meeting, three business owners made in person submissions in support and one property owner made an objection.

Following consideration of their submissions, the Diamond Creek Traders Association has advised that it wishes to proceed with the renewal of the Special Rate in the form advertised.

Accordingly, this report recommends that Council declares the Special Rate for Diamond Creek for a further five year period.

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22 February 2022

12. Officers' reports

CM.001/22 Declaration of the Diamond Creek Business Precinct Special Rate
2022-2027

Council Resolution

MOVED: Cr Peter Perkins

SECONDED: Cr Geoff Paine

That Council:

1. Having considered all submissions received and taken account of all objections lodged and complied with the requirements of sections 163A, 163B and 223 of the *Local Government Act 1989* (the Act), and otherwise according to law, hereby declares a Special Rate for Diamond Creek under section 163(1) of the Act for the purpose of defraying expenses to be incurred by Council in providing funds to the incorporated body known and operating as the Diamond Creek Traders Association. The funds, subject always to the approval, direction and control of Council, are to be used for the purpose of funding a centre marketing officer, promotional, advertising, marketing, business development and other incidental expenses as approved by Council and agreed to between Council and the Diamond Creek Traders Association, all of which are associated with the encouragement of commerce, retail and professional activity and employment in the Diamond Creek business precinct.
2. Gives notice to all owners and occupiers of properties included in the special rate renewal and all persons who have lodged a submission and/ or an objection in writing of the decision of Council to declare and levy the Special Rate commencing on 1 July 2022, and the reasons for the decision.
3. Resolves that for the purposes of paragraph 2, the reasons for the decision of Council to declare the Special Rate are that:
 - a) There is sufficient support for the Special Rate from the property owners and occupiers.
 - b) Council considers that it is acting in accordance with the functions and powers conferred on it under the *Local Government Act 1989*, having regard to its role, purposes and objectives under the Act, particularly in relation to the encouragement of commerce, retail activity and employment opportunities in and around the scheme area.
 - c) The basis of distribution of the Special Rate amongst those persons who are liable or required to pay the Special Rate is considered to be fair and reasonable.
4. Undertakes all statutory processes and procedures to implement the Special Rate.
5. Notifies the Diamond Creek Traders Association of the decision.
6. Upon declaration officers finalise the Special Rate Agreement in conjunction with the Diamond Creek Traders Association.

CARRIED UNANIMOUSLY

Council Meeting Minutes

22 February 2022

12. Officers' reports

CM.002/22 Hurstbridge Farmers Market

Distribution: Public

Manager: Rosa Zouzoulas, Executive Manager Planning and Community Safety

Author: Danielle Phyland, Economic Development and Tourism Lead

Summary

In September 2018, Council resolved to enter into a three (3) year contract with Diamond Valley Community Support (DVCS) for the operation and management of the Hurstbridge Farmers' Market. Previously managed by Council, the market management was opened for Expression of Interest and DVCS were the successful applicant. This report is to inform Councillors of the completion of this contract and provide Officer recommendation for DVCS to retain the management role and be responsible for self-funding the ongoing operation of the market.

The impacts of COVID have been significant for markets across the Shire including the Hurstbridge Market and the DVCS has been working extremely hard to ensure the continuity of the market by making improvements and changes throughout the pandemic such as relocation from Fergusons Paddock to the Hurstbridge Primary School.

Council's Economic Development and Tourism Unit have worked closely with DVCS to ensure they have operated safely throughout the pandemic, provided them with support and guidance for marketing and promotion and discussed new initiatives to enhance the market such as the introduction of a Young Entrepreneurs market hub.

Council Resolution

MOVED: Cr Karen Egan

SECONDER: Cr Richard Stockman

That Council provide Diamond Valley Community Support (DVCS) with confirmation of the satisfactory completion of the contract and allows DVCS to retain the market management role, wholly responsible for self-funding the ongoing operation of the market.

CARRIED UNANIMOUSLY

Council Meeting Minutes

22 February 2022

12. Officers' reports

CM.003/22 Local Government Performance Reporting Framework - Mid-Year
2021-2022 Performance Report

Distribution: Public

Manager: Jeremy Livingston, Executive Manager Business Transformation and
Performance

Author: James Hartigan, Business Performance Analyst

Summary

The purpose of this report is to present to Council the Local Government Performance Reporting Framework (LGPRF) mid-year service performance results for the 2021-2022 financial year.

The report measures Council's current performance against the expected range (based on LGPRF guidelines set by State Government) as well as comparing Council's current performance against the 2020-2021 end of financial year result.

This is the third time Council is completing a mid-year progress update on the LGPRF indicators, with the aim of the report to provide more frequent and current data to better monitor and more proactively address any issues or trends identified with Council's performance.

The report demonstrates that Council is performing well against the LGPRF framework, with all but one result within the expected range based on Local Government Victoria guidelines, and with a large number of indicators improving compared to previous reports.

This strong result also needs to be understood in the context of various COVID-19 challenges and impacts during the reporting period, including 89 days of lockdown between July and October 2021.

Council Resolution

MOVED: Cr Geoff Paine

SECONDED: Cr Ben Ramcharan

That Council notes the Local Government Performance Reporting Framework (LGPRF) service performance results for the period from July to December 2021 (**Attachment 1**).

CARRIED UNANIMOUSLY

Council Meeting Minutes

22 February 2022

12. Officers' reports

CM.004/22 December Quarter Financial Report

Distribution: Public

Manager: Vince Lombardi, Chief Financial Officer

Author: Melika Sukunda, Finance Manager

Summary

This report outlines Council's financial performance and financial position for the period ended 31 December 2021.

The Income Statement shows an overall favourable year to date (YTD) variance of \$1.08 million representing 2.61 percent of YTD Budget. This reflects the combined result of lower than budgeted operating income of \$664,341 and lower than budgeted operating expenses of \$1.745 million.

Council's overall financial position at the end of this quarter is sound. The impacts of the state of emergency due to the coronavirus pandemic continue to be monitored and are adversely impacting the net result.

The Chief Executive Officer has reviewed the quarterly report and the mid-year financial review and has determined that a revised budget is not required.

Council Resolution

MOVED: Cr Ben Ramcharan

SECONDED: Cr Richard Stockman

That Council receives and notes the Financial Report for the period ended 31 December 2021 (**Attachment 1**).

CARRIED UNANIMOUSLY

Council Meeting Minutes

22 February 2022

12. Officers' reports

CM.005/22 Council Plan Quarterly Performance Report - 2021-2022 - Quarter 2

Distribution: Public

Manager: Jeremy Livingston, Executive Manager Business Transformation and Performance

Author: James Hartigan, Business Performance Analyst

Summary

The purpose of this report is to present the Council Plan Quarterly Performance Report (**Attachment 1**) for noting. These reporting updates are received by Council on a quarterly basis to demonstrate in a practicable and tangible way how the Council Plan 2021-2025 is being delivered to the community.

The Council Plan Quarterly Performance Report provides the second update on delivery progress and performance of the 2021-2022 Annual Action Plan actions, which align to delivery of the first year of the Council Plan 2021-2025.

Of the 23 actions that are identified for quarterly reporting in the 2021-2022 Annual Action Plan, 20 actions are currently 'on track', one action has been completed and two actions are experiencing minor issues.

The overall position reflected in the report suggests that Council has made a solid start in delivering on key actions of the Council Plan, and significant outcomes for the community.

All 54 actions identified in the Annual Action Plan 2021-2022 will have updates provided in the corresponding report for the fourth quarter. This will also be published in the Annual Report 2021-2022 when presented to the community later in 2022.

Council Resolution

MOVED: Cr Richard Stockman

SECONDED: Cr Geoff Paine

That Council notes and receives the Council Plan Quarterly Performance Report (**Attachment 1**) for the second quarter of 2021-2022.

CARRIED UNANIMOUSLY

Council Meeting Minutes

22 February 2022

12. Officers' reports

CM.006/22 Environment and Sustainability Advisory Committee revised terms of reference and committee renewal

Distribution: Public

Manager: Hjalmar Philipp, Director Operations and Infrastructure

Author: Lisa Pittle, Manager Environment

Summary

This report presents a review of the operation of the Environment and Sustainability Advisory Committee (ESAC) and the terms of reference which have been updated to align with Council's new Advisory Committee Policy and standardised templates.

It is recommended to renew the committee by June 2022 ahead of the scheduled renewal date of October 2022. The new committee will support the implementation of the Climate Action Plan and the commencement of the Biodiversity Strategy.

Council Resolution

MOVED: Cr Ben Ramcharan

SECONDED: Cr Karen Egan

That Council:

1. Acknowledges and thanks members of the Environment and Sustainability Advisory Committee for their advice and practical contribution to environment and sustainability outcomes for the Shire over the term of the committee.
2. Endorses the revised terms of reference for the Environment and Sustainability Advisory Committee for public exhibition in March 2022 seeking expressions of interest for membership nomination to renew the committee by July 2022.
3. Instructs officers to report nominations to the Environment and Sustainability Advisory Committee to Council for endorsement.

CARRIED UNANIMOUSLY

Council Meeting Minutes

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12. Officers' reports

CM.007/22 Health and Wellbeing Advisory Committee

Distribution: Public

Manager: Corrienne Nichols, Executive Manager Communities

Author: Nichole Johnson, Manager Community Partnerships

Summary

This report seeks endorsement of the updated Terms of Reference (**Attachment 1**) for the Health and Wellbeing Advisory Committee (the Committee). The Terms of Reference have been reviewed to ensure the purpose and function of the Committee:

1. Supports legislative requirements, governance, implementation and evaluation of the Nillumbik Health and Wellbeing Plan 2021-2025; and
2. Reflects the engagement conducted with existing Committee members.

Council Resolution

MOVED: Cr Richard Stockman

SECONDED: Cr Geoff Paine

That Council:

1. Endorse the updated Health and Wellbeing Advisory Committee Terms of Reference (**Attachment 1**).
2. Note that an Expressions of Interest period will be open for a period of 3 weeks seeking community members for the Health and Wellbeing Advisory Committee following endorsement of the Health and Wellbeing Advisory Committee Terms of Reference.
3. Note that Council appointment of six new community members to the Health and Wellbeing Advisory Committee will be sought at the 26 April 2022 Council Meeting.

CARRIED UNANIMOUSLY

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22 February 2022

12. Officers' reports

CM.008/22 Nillumbik Shire Submission - DELWP Planning Reforms - Improving the Operations of ResCode Discussion Paper

File: FOL/21/24533

Distribution: Public

Manager: Rosa Zouzoulas, Executive Manager Planning and Community Safety

Author: Leigh Northwood, Strategic Planning Lead

Summary

The Department of Environment, Land, Water and Planning (DELWP) recently sought feedback from relevant stakeholders (including councils) on its *Improving the Operations of ResCode Discussion Paper* (**Attachment 1**), which introduces a new assessment model for residential development and discusses how the new model is proposed to be applied to amend the ResCode provisions within planning schemes across Victoria.

The report seeks Council's endorsement of the finalised Nillumbik Shire Council submission response (**Attachment 2**) to the *Improving the Operations of ResCode Discussion Paper* and authorisation for Council officers to submit the response to DELWP for formal consideration.

The Discussion Paper was released for public consultation on 8 November 2021 and the proposed reforms have been included as part of the State Government's broader planning system reforms. The proposed reforms form part of a suite of recommendations that were made by the Red Tape Commissioner in review of State and local government processes surrounding building and planning approvals processes.

The deadline for submissions to the Discussion Paper closed on the 17 December 2021, however this timing did not account for Council's reporting cycles, therefore Council officers prior to the close of the consultation period, negotiated with DELWP to provide an officer-level only response (not to be made public), with an endorsed submission to be subsequently provided after Council has time to be briefed and consider the matter at its first February 2022 Meeting. This endorsed submission will become Council's adopted position and will be made public by DELWP along with other submissions made by stakeholders.

Council officers note the proposed changes are wide-ranging and may have broader implications, particularly in regard to how other provisions within the Nillumbik Planning Scheme may be used (or accepted by DELWP), as the 'appropriate planning implementation tool' for particular matters. The preliminary issues identified include (among other matters):

- a. Potential effects on the implementation of Council's future Neighbourhood Character Strategy;
- b. Potential diminishment of Council's discretion in determining planning decisions for residential development;
- c. Limitations on residential planning decisions being confined to the Performance Assessment Module (PAM) in most circumstances;
- d. The determination of a proposal meeting the Performance Criteria and the subjectivity in determining whether these criteria have been met between parties (e.g. Council, applicant and VCAT);

Council Meeting Minutes

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12. Officers' reports

CM.008/22 Nillumbik Shire Submission - DELWP Planning Reforms - Improving the Operations of ResCode Discussion Paper

- e. The resultant development outcomes that will transpire as a result of these reform changes to the Nillumbik Planning Scheme ordinances and the detrimental impacts that may be caused to Nillumbik Shire's established and preferred neighbourhood character;
- f. Potential unconsidered and detrimental impacts to the flexibility and subsequent utilisation of existing planning controls/tools to strengthen neighbourhood character values.
- g. Clarification regarding the timing and implementation of the proposed reforms;
- h. Lack of clarity and detail about the inter-relationship of proposed reforms with identified future consideration and implementation into other planning controls; and
- i. Clarification regarding the time savings these reforms will have in the planning permit process.

Council Resolution

MOVED: Cr Geoff Paine
SECONDED: Cr Peter Perkins

That Council:

1. Endorse the finalised submission response to the Planning for *Improving the Operations of ResCode Discussion Paper* (at **Attachment 2**); and
2. Submit the endorsed Council submission response to DELWP for consideration.

CARRIED UNANIMOUSLY

Council Meeting Minutes

22 February 2022

12. Officers' reports

CM.009/22 Planning Scheme Amendment C140nill - Recommendations to the Public Exhibition

File: PRJ/21/44

Distribution: Public

Manager: Rosa Zouzoulas, Executive Manager Planning & Community Safety

Author: Leigh Northwood, Strategic Planning Lead

Summary

The purpose of this report is to update Council in regard to the exhibition of Amendment C140nill (the Amendment) and provide a subsequent recommendation as to the future proceedings of the amendment. The Amendment seeks to apply a Heritage Overlay (HO) on a permanent basis to 1080 Heidelberg-Kinglake Road, Hurstbridge (also known as 'Fermanagh'). The property is subject to a current planning permit application (604/2021/05P), which proposes additions to the dwelling that make substantial changes to the façade of the building.

The property is included in Council's Stage A Heritage Review, which was adopted at Council's June 2021 Council Meeting. The Heritage Review recommended the application of the Heritage Overlay to the property given it is of local historic, aesthetic and associative significance to the Shire of Nillumbik; noting the subsequent amendment to apply the Heritage Overlay (to all places identified in Heritage Review Stages A and B) is not programmed until the Stage B Heritage Review is completed in mid-2022.

Given the implication of the planning permit application, officers have sought approval (under delegation) from the Minister for Planning for Amendment C139nill (now C145nill) to introduce the Heritage Overlay to 1080 Heidelberg-Kinglake Road on an interim basis pursuant to Section 20(4) of the *Planning & Environment Act 1987*. This provides temporary heritage protection for the property allowing Council time to seek approval and progress a further planning scheme amendment (C140nill) to introduce the Heritage Overlay permanently as per the recommendations of the Stage A Heritage Review.

Amendment C140nill was placed on exhibition pursuant to the requirements of the Act, from 25 November 2021 to 14 January 2022 and notifications were sent out to relevant stakeholders as well as being advertised in local media. Council received one supporting submission in total during the exhibition period. The submitter was invited to attend the 8 February 2022 Planning and Consultation Committee Meeting (PCC) to speak to their submission. No further late submissions were received between the exhibition close date and the PCC Meeting.

Given the single submission received to the Amendment was and proposes no changes a Planning Panel is not required to resolve any outstanding issues.

As such, this report recommends that Council resolve to adopt the amendment without changes and seek approval from the Minister for Planning.

Council Meeting Minutes

22 February 2022

12. Officers' reports

CM.009/22 Planning Scheme Amendment C140nill - Recommendations to the Public Exhibition

Council Resolution

MOVED: Cr Karen Egan

SECONDED: Cr Geoff Paine

That Council:

1. Adopts Amendment C140nill to the Nillumbik Planning Scheme as exhibited and directs officers to submit the adopted planning scheme amendment to the Minister for Planning for approval and gazettal.
2. Notifies submitters to the planning scheme amendment of Council's resolution of 22 February 2022 regarding Amendment C140nill and updates Participate Nillumbik accordingly.

CARRIED UNANIMOUSLY

Council Meeting Minutes

22 February 2022

12. Officers' reports

CM.010/22 Christmas Hills - Melbourne Water Land Divestment Update

Distribution: Public

Manager: Rosa Zouzoulas, Executive Manager Planning and Community Safety

Author: Leigh Northwood, Strategic Planning Lead

Summary

At its 30 November 2021 Council Meeting, Council resolved to (among other matters) agree in principle to becoming Committee of Management (CofM) for land including the Christmas Hills Tennis Court and heritage Post Office to facilitate assessment by Department of Environment, Land, Water & Planning (DELWP) through the Strategic Crown Land Assessment (SCLA) process, with a request the current parking and effluent areas supporting the Christmas Hills Hall be included in the land that Council is seeking to become the CofM for.

Subject to acting upon the resolution of 30 November 2021 (resolution in more detail in the body of the report below), officers have received an update from DELWP with regard to Councils resolution and also the outcomes of the SCLA process.

DELWP has advised it has consulted with Melbourne Water, regarding the request for 'additional area for parking purposes' inclusive of effluent area associated with the Christmas Hills Hall, as put forward by Council (in its 30 November Meeting).

The advice received states that the entire parcel in question, Lot 1 TP611807, 40 Simpson Road, Christmas Hills, has now been determined to be included within their land sales program and they intend to sell this parcel.

The advice further informs Council of existing easements on Title for effluent disposal to the Hall property, and this arrangement will provide access, protection and maintenance of the effluent disposal asset lifelong irrespective of who owns the property and as such, the land approved by SCLA is in their view sufficient.

The SCLA process has now been completed and signed off. The SCLA deems the parcels proposed for CofM by Council, inclusive of the Tennis Court Area and old heritage Post Office, are of medium public value, for the State.

Based on the above, DELWP have requested a resolution of Council, based on the medium public value determined from the recent DELWP – SCLA, that Council formally agree in principle, in becoming the CofM of the proposed areas (which exclude the effluent field as put forward in the 30 November 2021 resolution), as indicated in **Attachment 1**.

DELWP have also requested an updated letter of support for Council becoming CofM for the area at **Attachment 1**, be signed by the Council's CEO and forwarded to them.

Council Meeting Minutes

22 February 2022

12. Officers' reports

CM.010/22 Christmas Hills - Melbourne Water Land Divestment Update

Council Resolution

MOVED: Cr Ben Ramcharan

SECONDED: Cr Karen Egan

That Council:

1. Agrees in principle to becoming Committee of Management for the land described as Lot 1 & 2 TP382274, Lot 1 TP516578 & Lot 3 LP27152 being part of 40 Simpson Rd, Christmas Hills identified in (Attachment 1); and
2. Requests the Chief Executive Officer provide a letter of support to DELWP? addressing point 1.

CARRIED UNANIMOUSLY

Council Meeting Minutes

22 February 2022

12. Officers' reports

CM.011/22 Review of Instrument of Delegation to Members of Council Staff

Distribution: Public

Manager: Blaga Naumoski, Executive Manager Governance, Communications and Engagement

Author: Katia Croce, Governance Lead

Summary

Council is empowered under various legislation to undertake duties and functions in accordance with that legislation. To undertake these duties and functions, it is necessary for Council to delegate relevant powers to the administration of the Council.

It is also necessary for Council to delegate some of its other functions to the administration for reasons of efficiency and to prevent Council from having to make many operational decisions at Council meetings.

This update takes into account the deletion of provisions from the *Environment Protection Act 1970*, updates to various provisions under the *Planning and Environment Act 1987* and a new provision for the Residential Tenancies Regulations 2021 has been included, which affect Council's powers, duties and functions.

This report requests that Council resolves to adopt the amended Instrument of Delegation to reflect legislative changes.

Council Resolution

MOVED: Cr Peter Perkins

SECONDED: Cr Ben Ramcharan

That Council:

1. In the exercise of the powers conferred by the legislation referred to in the attached Instrument of Delegation (**Attachment 1**), Nillumbik Shire Council (Council) resolves that:
 - a. There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached Instrument of Delegation to Members of Council Staff, the powers, duties and functions set out in that Instrument, 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 members of Council staff (other than 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 Instrument must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

CARRIED UNANIMOUSLY

Council Meeting Minutes

22 February 2022

12. Officers' reports

CM.012/22 Informal Meetings of Councillors Records - 22 February 2022

Distribution: Public

Manager: Blaga Naumoski, Executive Manager Governance, Communications and Engagement

Author: Janet Taylor, Governance Officer

Summary

In accordance with *Item 19 of Council's Governance Rule – Meeting Procedure*, adopted on 25 August 2020, Council is required to report as soon as practicable to a Council Meeting a record of each Informal Meetings of Councillors held.

This report lists Informal Meetings of Councillors records submitted since the matter was last reported to Council on 14 December 2021.

An Informal Meetings of Councillors Record was kept for the following meetings (**Attachment 1**):

1. Arts and Cultural Advisory Committee Meeting held 15 November 2021;
2. Councillor Briefing held 7 December 2021;
3. Councillor Briefing (Eltham Park and Ride) held 8 December 2021;
4. Health & Wellbeing Advisory Committee Meeting held 9 December 2021;
5. Climate Action Plan Committee Meeting held 13 December 2021.
6. Council Meeting Pre Meeting held 14 December 2021
7. Environment & Sustainability Advisory Committee Meeting held 15 December 2021;
8. Councillor Briefing held 1 February 2022;
9. Youth Council Advisory Committee Meeting held 7 February 2022;
10. PCC Pre Meeting held 8 February 2022.

Council Resolution

MOVED: Cr Geoff Paine

SECONDED: Cr Karen Egan

That Council, in accordance with *Item 19 of Council's Governance Rule – Meeting Procedure*, receives the Informal Meetings of Councillors Records (**Attachment 1**) for the meetings held.

CARRIED UNANIMOUSLY

Council Meeting Minutes

22 February 2022

12. Officers' reports

CM.013/22 Yarra Plenty Regional Library proposed Budget 2022/2023

Distribution: Public

Manager: Corrienne Nichols, Executive Manager Communities

Summary

Yarra Plenty Regional Library (YPRL) is required to prepare and adopt an annual budget under the provisions of the Local Government Act 1989 (the Act). The budget is required to include specific financial information as well as details about the fees and charges that the Library intends to levy.

The proposed Yarra Plenty Regional Library Budget 2022/2023 (proposed Budget) (**Attachment 1**) provides key information about revenue, operational results, service levels, cash and investments, capital works, financial position, financial sustainability and outlines where the energy of Library staff will be focussed over the coming year to achieve the objectives of the Library Plan 2021-2025.

Council Resolution

MOVED: Cr Karen Egan

SECONDED: Cr Richard Stockman

That Council:

1. Endorse the Yarra Plenty Regional Library proposed Budget 2022/2023 (**Attachment 1**); and
2. Resolves that **Attachment 1** - Yarra Plenty Regional Library proposed Budget 2022/2023 remains confidential on the grounds specified in the definition of confidential information in section 3(1)(g) of the *Local Government Act 2020*.

CARRIED UNANIMOUSLY

Council Meeting Minutes

22 February 2022

12. Officers' reports

CM.014/22 Tender Report - Contract 2122-032 Kangaroo Ground Landfill Capping
- Civil Contractor

Distribution: Public
Manager: Hjalmar Philipp, Director Operations and Infrastructure
Author: Enrique Gutierrez, Manager Capital Works
Lance Clark, Senior Procurement Specialist
Vince Lombardi, Chief Financial Officer

Summary

This report recommends the awarding of contract 2122-032 for Kangaroo Ground Landfill Capping - Civil Contractor.

The tender for this contract was via a selected invitation process, following on from an Expression of Interest (EOI) process that was undertaken in 2019 and which resulted in two Civil Contractor companies being shortlisted.

The tender for contract 2122-032 was a price only tender, as the qualitative evaluation was undertaken as part of the original EOI process.

The programmed works for the capping of the Kangaroo Ground Landfill site is a 5-year program. There may be an opportunity through the contract term to accelerate the program to reduce the current timeline.

It is intended that the works will commence shortly after the contract is awarded (subject to contractor's availability). The current work plan includes a completion date of 30 June 2026.

The Tender Evaluation Panel (TEP) has assessed all submissions and this report provides a summary of their evaluation in recommending the awarding of the contract for 2122-032 for Kangaroo Ground Landfill Capping - Civil Contractor.

Pursuant to the Instrument of Delegation to the Chief Executive Officer, the value of this contract exceeds the specified financial limits and a Council resolution is therefore required to award the contract.

Recommendation

That Council:

1. Accept the tender submitted by the **preferred tenderer** for the sum of \$[Redacted] plus \$[Redacted] for contingency (exclusive of GST).and enter into the following contract:
Number: 2122-032
Title: Kangaroo Ground Landfill Capping - Civil Contractor
Term: 28 February 2022 to 30 June 2026
2. Notes that the contract will be funded through the Waste Management Charge and referred to future budget cycles.
3. Authorises the Director Operations and Infrastructure to finalise and execute the contract documentation.
4. Authorises the Director Operations and Infrastructure to approve any contract amendments to timelines during to the term of the contract.

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12. Officers' reports

CM.014/22 Tender Report - Contract 2122-032 Kangaroo Ground Landfill Capping
- Civil Contractor

-
5. Authorises the Director Operations and Infrastructure to approve additional cost variations that are a result of unknown latent site conditions or changes to project requirements throughout the term of the contract with a total value of no more than the approved contract value including contingency.
 6. Any variations that exceed the agreed contract value (including contingency) will require a further Council resolution.
 7. Advises all tenderers accordingly.
 8. Makes public the decision regarding this contract but the Tender Evaluation Report (**Attachment 1**) remain confidential on the grounds specified in the definition of confidential information in section 3(1)(g) of the *Local Government Act 2020*.
 9. Resolves that the preferred tenderer be named.

Council Resolution

MOVED: Cr Ben Ramcharan

SECONDED: Cr Geoff Paine

That Council:

1. Accept the tender submitted by the **preferred tenderer Shamrock Civil Engineering Pty Ltd** for the sum of **\$13,804,381.00** plus **\$2,070.657.15** for contingency (exclusive of GST).and enter into the following contract:
Number: 2122-032
Title: Kangaroo Ground Landfill Capping - Civil Contractor
Term: 28 February 2022 to 30 June 2026
2. Notes that the contract will be funded through the Waste Management Charge and referred to future budget cycles.
3. Authorises the Director Operations and Infrastructure to finalise and execute the contract documentation.
4. Authorises the Director Operations and Infrastructure to approve any contract amendments to timelines during to the term of the contract.
5. Authorises the Director Operations and Infrastructure to approve additional cost variations that are a result of unknown latent site conditions or changes to project requirements throughout the term of the contract with a total value of no more than the approved contract value including contingency.
6. Any variations that exceed the agreed contract value (including contingency) will require a further Council resolution.
7. Advises all tenderers accordingly.
8. Makes public the decision regarding this contract but the Tender Evaluation Report (**Attachment 1**) remain confidential on the grounds specified in the definition of confidential information in section 3(1)(g) of the *Local Government Act 2020*.
9. Resolves that the preferred tenderer be named.

CARRIED UNANIMOUSLY

Council Meeting Minutes

22 February 2022

12. Officers' reports

CM.015/22 Tender Report - 2021-092 Annual Supply of Quarry Products

Distribution: Public

Manager: Hjalmar Philipp, Director Operations and Infrastructure

Author: Jeff Saker, Manager Operations Centre

Lance Clark, Senior Procurement Specialist

Summary

This report recommends the awarding of contract 2021-092 for Annual Supply of Quarry Products.

The contract term is for an initial period of three years, with two x one year options to extend the contract. The total duration of the contract, including the exercise of any options, shall not exceed five years.

This Contract is for business as usual supply and delivery of various crushed rock products for use in road and footpath maintenance to support Council's Road and Drainage Maintenance operational requirements.

The tender for contract was issued as a collaborative tender between City of Whittlesea and Nillumbik Shire Council.

The Tender Evaluation Panel (TEP) has assessed all submissions and this report provides a summary of their evaluation in recommending the awarding of the contract for 2021-092 for Annual Supply of Quarry Products.

Pursuant to the Instrument of Delegation to the Chief Executive Officer, the value of this contract exceeds the specified financial limits and a Council resolution is therefore required to award the contract.

Recommendation

That Council:

1. Accepts the tender submitted by the **preferred tenderers** for the schedule of rates disclosed in (**Attachment 1**) and enter into the following contract:
Number: 2021-092
Title: Annual Supply of Quarry Products
Term: 1 March 2022 to 28 February 2025
Options: Term extensions up to 28 February 2027
2. Authorises the Director Operations and Infrastructure to finalise and execute the contract documentation.
3. Authorises the Director Operations and Infrastructure to approve contract term extensions.
4. Authorises the Director Operations and Infrastructure to approve changes to operational requirements throughout the term of the contract.
5. Advises all tenderers accordingly.
6. Makes public the decision regarding this contract but the Tender Evaluation Report (**Attachment 1**) remain confidential on the grounds specified in the definition of confidential information in section 3(1)(g) of the *Local Government Act 2020*.
7. Resolves that the preferred tenderers be named.

Council Meeting Minutes

22 February 2022

12. Officers' reports

CM.015/22 Tender Report - 2021-092 Annual Supply of Quarry Products

Council Resolution

MOVED: Cr Peter Perkins

SECONDED: Cr Karen Egan

That Council:

1. Accepts the tender submitted by the preferred tenderers **Hanson Construction Materials Pty Ltd (Tenderer A)** and **Repurpose It Pty Ltd (Tenderer B)** for the schedule of rates disclosed in (**Attachment 1**) and enter into the following contract:
Number: 2021-092
Title: Annual Supply of Quarry Products
Term: 1 March 2022 to 28 February 2025
Options: Term extensions up to 28 February 2027
2. Authorises the Director Operations and Infrastructure to finalise and execute the contract documentation.
3. Authorises the Director Operations and Infrastructure to approve contract term extensions.
4. Authorises the Director Operations and Infrastructure to approve changes to operational requirements throughout the term of the contract.
5. Advises all tenderers accordingly.
6. Makes public the decision regarding this contract but the Tender Evaluation Report (**Attachment 1**) remain confidential on the grounds specified in the definition of confidential information in section 3(1)(g) of the *Local Government Act 2020*.
7. Resolves that the preferred tenderers be named.

CARRIED UNANIMOUSLY

Council Meeting Minutes

22 February 2022

12. Officers' reports

CM.016/22 Tender Report - Contract 2021-097 Annual Supply and Delivery of Mulch, Sand and Soil

Distribution: Public

Manager: Hjalmar Philipp, Director Operations and Infrastructure

Author: Blake Hunton, Parks and Open Space Coordinator

Jeff Saker, Manager Operations Centre

Lance Clark, Senior Procurement Specialist

Summary

This report recommends the awarding of contract 2021-097 for Annual Supply and Delivery of Mulch, Sand and Soil.

The contract term is for an initial period of three years, with two x one year options to extend the contract. The total duration of the contract, including the exercise of any options, shall not exceed five years.

This Contract is for business as usual supply of products to support Councils Parks and Open Space operational requirements but the contract can also be sourced by other areas of the Council such as Capital Works.

The Tender Evaluation Panel (TEP) has assessed all submissions and this report provides a summary of their evaluation in recommending the awarding of the contract for 2021-097 for Annual Supply and Delivery of Mulch, Sand and Soil.

Pursuant to the Instrument of Delegation to the Chief Executive Officer, the value of this contract exceeds the specified financial limits and a Council resolution is therefore required to award the contract.

Recommendation

That Council:

1. Accepts the tender submitted by the **preferred tenderers** for the schedule of rates disclosed in (**Attachment 1**) and enter into the following contract:
Number: 2021-097
Title: Annual Supply and Delivery of Mulch, Sand and Soil
Term: 1 March 2022 to 28 February 2025
Options: Term extensions up to 28 February 2027
2. Authorises the Director Operations and Infrastructure to finalise and execute the contract documentation.
3. Authorises the Director Operations and Infrastructure to approve contract term extensions.
4. Authorises the Director Operations and Infrastructure to approve changes to operational requirements throughout the term of the contract.
5. Advises all tenderers accordingly.

Council Meeting Minutes

22 February 2022

12. Officers' reports

CM.016/22 Tender Report - Contract 2021-097 Annual Supply and Delivery of Mulch, Sand and Soil

-
6. Makes public the decision regarding this contract but the Tender Evaluation Report (**Attachment 1**) remain confidential on the grounds specified in the definition of confidential information in section 3(1)(g) of the *Local Government Act 2020*.
 7. Resolves that the preferred tenderers be named.

Council Resolution

MOVED: Cr Geoff Paine

SECONDED: Cr Karen Egan

That Council:

1. Accepts the tender submitted by the preferred tenderers: **Ecodynamics Mulch Pty Ltd (Tenderer A), Blow It Mulch & Mega Mulch (Tenderer B), MulchXpress Pty Ltd (Tenderer C) and Bark King (Repurpose It) (Tenderer D)** for the schedule of rates disclosed in (**Attachment 1**) and enter into the following contract:
Number: 2021-097
Title: Annual Supply and Delivery of Mulch, Sand and Soil
Term: 1 March 2022 to 28 February 2025
Options: Term extensions up to 28 February 2027
2. Authorises the Director Operations and Infrastructure to finalise and execute the contract documentation.
3. Authorises the Director Operations and Infrastructure to approve contract term extensions.
4. Authorises the Director Operations and Infrastructure to approve changes to operational requirements throughout the term of the contract.
5. Advises all tenderers accordingly.
6. Makes public the decision regarding this contract but the Tender Evaluation Report (**Attachment 1**) remain confidential on the grounds specified in the definition of confidential information in section 3(1)(g) of the *Local Government Act 2020*.
7. Resolves that the preferred tenderers be named.

CARRIED UNANIMOUSLY

Council Meeting Minutes

22 February 2022

14. Notices of Motion

Nil

15. Delegates' Reports

Nil

16. Supplementary and urgent business

Nil

17. Confidential reports

Nil

18. Close of Meeting

The meeting closed at 7:58pm.

Confirmed:

Cr Frances Eyre, Mayor

Arts & Cultural Advisory Committee Minutes

Date: Monday, 15 November 2021
Time: 7pm to 9pm
Venue: Via Zoom. <https://zoom.us/j/99206647659>
Chair: Cr Geoff Paine
Minute taker: The meeting was recorded and minutes drafted from the recording.

Minutes item	Action
<p>1. Invited Attendees Councillors: Cr Geoff Paine (Chair), Mayor Cr Peter Perkins (Deputy Chair)</p> <p>Committee Members: Leanne Ipsen, Brian Gilkes, Pat Reynolds, Emma Roussel, Ona Henderson, Syd Tunn, Rebecca Davies, Alli Spoor, Hannah Zreikat, Jonathan Crowther, Liezl Shnookal, Sandra Miller, Dennis Coard</p> <p>Officers: Corrienne Nichols (Executive Manager Community Services), Nichole Johnson (Manager Community Partnerships), Simon Doyle (Coordinator Arts & Cultural Development), Sarah Hammond (Community Arts & Cultural Engagement Officer), Richard Holt (Arts Development Officer), Angela Bailey (Curator and Collections Management Officer), Renee Cosgrave (Exhibitions Support Officer)</p> <p>Apologies: Tessa Christie, Thomas McEvoy, Cassie May.</p>	
<p>2. Welcome and Acknowledgement of Country</p> <p><i>We acknowledge the Wurundjeri Woi-wurrung people as the Traditional Owners of the Country on which Nillumbik is located, we pay our respects to Elders past, present and future, and extend that respect to all First Nations People. We respect the enduring strength of the Wurundjeri Woi-wurrung and acknowledge that sovereignty was never ceded.</i></p>	(Geoff Paine)



<p>3. Conflict of interest and Informal Meeting of Councillors form</p> <p>Conflict of interest provisions are contained in section 80C of the <i>Local Government Act 1989</i>, the Councillor's Governance Code, the Employee Code of Conduct and the Volunteer Handbook (form attached). An Informal Meeting of Councillors form must be completed at the meeting in accordance with section 80A of the Local Government Act 1989.</p> <p>No conflict of interests</p>	<p>(Sarah Hammond)</p>
<p>4. Minutes from previous meetings (copy attached)</p> <p>That the minutes of the meeting held on 16 August 2021 are confirmed as a true and accurate record of the meeting.</p>	<p>Moved: Leanne Ipsen</p> <p>Seconded: Sandra Miller</p>
<p>5. Matters Arising</p> <p>5.1 2022-26 Arts and Culture Strategy Update</p> <p>The summary report (<i>What We Know: Arts and Culture Strategy 2022–26 Community Consultation Summary Report</i>) went to Councillor Briefing last Tuesday, 9 November. Simon shared highlights of the report via screen. Three key themes emerged strongly that reflect the Nillumbik community's cultural values and expectations. In addition, six actionable sub-themes were identified that relate directly to the key themes. Sixteen consultation documents, comprising raw data, imagery, summaries and reports were produced as a result of the consultation process and in total 2216 voices captured. This has been the largest ever consultation by Council for its Arts and Cultural planning. The report includes results and findings from all aspects of the community consultation phase and committee members are encouraged to read the report.</p> <p>Action: Sarah Hammond to provide the Participate Nillumbik link to the summary report for all committee members and to add the item to the next agenda for conversation. Arts and Culture Participate Nillumbik</p> <p>5.2 Artwork Audit (addition to agenda)</p> <p>Council recently undertook an artwork audit assessment of its artwork collection after removal of all artworks from the civic centre to a secure storage facility following a flood in early 2020. The audit identified 27 missing artworks (several mediums – paintings, ceramics, jewellery, textile) from the collection. A report was developed for the Audit and Risk Committee outlining process improvements including storage at a fine art storage facility. The Audit and Risk Committee were impressed with the quality of the report and were comfortable with the risk mitigations that will be put in place for the future. Officers will provide further information on missing artworks to the Committee at a future meeting. It was noted that there has been an exhaustive process undertaken to search for the missing artworks. At present they are all still missing.</p> <p>Simon introduced Council's new Exhibitions Support Officer, Renee Cosgrave.</p> <p>5.3 Eltham Library Community Gallery Program – Introduction to New Exhibitions Support Officer and Update</p> <p>Renee updated the committee on the ELCG exhibition program. DiversARTY by Living and Learning Nillumbik is currently being installed. This exhibition will run until 12 December. The next exhibition PANART 2021 presents new work by Nillumbik University of the Third Age painting and drawing members and will run from 17 December 2021 until 16 January 2022. The 2022 Program is being organised now.</p>	<p>(Committee Members)</p> <p>(Sarah Hammond)</p> <p>(Simon Doyle/Renee Cosgrave)</p>

<p>Eltham Library Community Gallery - Nillumbik Shire Council</p> <p>Ona Henderson asked when the Nillumbik Artist Open Studio program exhibition would be scheduled in 2022 and was advised this would occur in April – May 2022 in line with the May open studio weekends.</p> <p>5.4 Leigh documentary premiere rescheduled. Sarah advised the new dates for the documentary at ACMI, Flinders Street, Melbourne are: Sat, December 18, 2021 6:30 PM – 9:00 PM (fully booked) Sat, February 19, 2022 6:30 PM – 9:00 PM</p> <p>ACTION: Committee members to advise Sarah if they would like tickets.</p> <p>The Committee was also advised that St Andrews Film Society is in negotiations with the film production company for a Nillumbik showing. Pat will advise Council of the details. Sandra Miller also asked for the details when they are available so she can promote the opportunity in The Warrandyte diary.</p> <p>ACTION: Pat Reynolds and Sarah Hammond to liaise.</p>	<p>(Committee Members)</p> <p>(Pat Reynolds/ Sarah Hammond)</p>
<p>6. Curator and Collections Management Update</p> <p>At the last Committee meeting Angela Bailey gave an overview of the Nillumbik Art Collection and the gaps. The conversation was continued.</p> <p>6.1 Potential Commissions/Acquisition to Collection Nicholas Currie. Scars and Bruises. Formal recommendation for acquisition to follow but request for Committee members to support the acquisition through vote undertaken. Nicholas Currie is a young contemporary indigenous artist who lives in Nillumbik. His work would be a very important addition to the collection.</p> <p>Committee unanimously supportive of the acquisition.</p> <p>ACTION: Complete Artwork Recommendation Report and distribute to Committee for e-signature.</p>	<p>(Angela Bailey)</p>
<p>7. Arts Development Update</p> <p>7.1 St. Andrews Wayfinding Project The wayfinding elements are currently being produced and are almost completed. The ceramic and glass elements have to be embedded into the metal upright which is fully constructed and coated. Text elements are still to be added. The project is still a few weeks away from installation and the sites are looking great with all footings completed.</p> <p>Richard reminded committee members that it was a project desire not to make traditional signage but to use the wayfinding funds to connect key sites through the township that tell the story of those sites. Three sites were chosen (chapel, community centre, and market). It was agreed to use interesting visual and tactile materials.</p> <p>Significant landscaping of the sites has been required. Other sites have been identified for possible future additions to the project.</p> <p>7.2 Diamond Valley Sports & Fitness Centre Public Art Project Indigenous artist, Fiona Clarke, has been selected for the project. Richard shared photos of the concept with the Committee and briefly summarized the artist's background. The Wurundjeri Woi wurrung Aboriginal Corporation</p>	

<p>collaborated on the project: and contributed to the creative brief, they were also invited to be part of selection panel.</p> <p>7.3 2022 Nillumbik Prize for Contemporary Writing Applications closed on 7 November and there has been a fantastic response. In total 495 applications were received. The next steps are:</p> <ul style="list-style-type: none"> • Reading Group reading period - now until 10 January 2022. • Readers Group shortlisting meetings - 2 meetings x 2 (Short Story – 13 & 19 January 2022, Poetry 14 & 18 January 2022). • Judges Assessment period - 21 January – 4 March 2022 • Judging meetings - 7 & 9 March 2022 • Celebration at Diamond Valley Library - Saturday 28 May <p>Simon Doyle advised that Richard is leaving Council and will be very much missed. The Arts Development Officer position is being advertised now. Simon thanked Richard for his contribution to the Arts and Cultural Development team.</p>	
<p>8 Community Arts and Cultural Engagement Update</p> <p>8.1 Artist in Own Residence Program The Nillumbik Artists in Own Residence Program has been developed to commission opportunities for our local creatives to create for, or with community from their own unique art spaces. Artist in Own Residence program - Nillumbik Shire Council</p> <p>Sarah advised that commissions of up to \$1,000 or \$3,000 are available from a total budget of \$30,000. Applications closed on Thursday 11 November and the selection panel will sit on Tuesday, 16 November. 21 applications from all different mediums were received, very diverse, very exciting. Introductions to artists new to Council has been an added bonus. This will be an ongoing budget for ACD.</p> <p>ACTION: Sarah will circulate details of the successful applicants once confirmed.</p> <p>8.2 2021-22 History and Heritage Grants The History and Heritage Grants opened on 1 November and close on 30 November. Grants of up to \$600 are available to fund history and/or heritage projects within Nillumbik Shire. The total grant pool for 2021-22 is \$8000. History & Heritage Grants - Nillumbik Shire Council</p>	<p>(Sarah Hammond)</p>
<p>9 9.1 ACAC Meeting Format – digital vs in person Options for 2022 meeting formats and how the Committee meets were discussed. The options are to look to bring meetings into a physical space or to keep them online or have a combination of both formats. Everyone agreed that holding meetings online does bring with it the benefit of flexibility and that it was very convenient for people who have many meetings to be online and not have to travel. For those without a double Covid vaccination it is also currently the only way they can meet.</p> <p>Leanne Ipsen advised that she would like to have at least one physical in person meeting pre year. Other committee members agreed. The possibility of Hybrid meetings was also discussed but Council has previously found this tricky. If there was no requirement to record the meeting, this could be possible though.</p> <p>Officers to explore options in line with restrictions.</p>	

<p>ACTION: Simon Doyle to put forward some options for Committee to consider for the next meeting.</p>	<p>(Simon Doyle)</p>
<p>10 Other Business</p> <p>Members are invited to raise any other items for discussion or for future agenda scheduling.</p> <p>10.1 Committee Contribution Committee members were reminded that Council wants to hear from them about arts and culture projects, things pertinent to your arts practice, local issues, other areas of interests, artist or community needs, etc and encourages all members to contribute to future agendas. Members were thanked for their valued contribution during the year to meetings, selection panels and other projects.</p> <p>10.2 Eltham Art Show Leanne Ipsen enquired about how Eltham Art Show initiative was going. Ona Henderson advised that the Online gallery artist uptake has been good and the project is going well.</p> <p>10.3 Performing Arts Support Mayor Cr Peter Perkins discussed possible opportunities to support the performing arts community in terms of the provision of small rehearsal and performance spaces. Two specific facilities were discussed:</p> <ul style="list-style-type: none"> • Diamond Valley Outdoor performance Centre (Civic Drive) https://youtu.be/lyQRYtkH1bs • Plenty CFA Fire Station which may soon be demolished and the site returned to parkland. <p>There was a discussion about the pros and cons of both spaces and the present process for booking these spaces.</p> <p>General discussion followed regarding other spaces that could be used for arts and culture groups.</p> <p>It was identified that these spaces are not being promoted to arts community well enough.</p> <p>Simon Doyle highlighted the need for an audit on what facilities Council has that are available and could be used for arts and culture initiatives so we can promote all the spaces and places available to community.</p> <p>Liezl discussed Theatre 451 experience of finding a creative space in Nillumbik Shire. Part of the reason the group was unsustainable was because there was no viable venue or rehearsal space for the group. For example, ECRC is too expensive for small theatre companies, ELT/EPAC is not suitable for contemporary theatre and outdoor spaces are logistically difficult. Liezl would be happy to be part of a sub working group on this matter and would recommend that Lisa Inman, Theatre 451's Creative Director, be invited to be involved too.</p> <p>Cr Geoff Paine (Chair) asked, "How do we find spaces that could work for the arts without a huge budget?"</p> <p>Hana advised that community needs to see spaces in action. The audiences could then be built. Council needs to ask performers what they need. Hana advised she would love to be part of working group to explore this need further.</p>	<p>(All Committee Members)</p>

<p>Jonathan Crowther advised that a young emerging artists space is a nice idea and that the space doesn't need to be a highly polished one. Something like the CFA building could be ideal.</p> <p>Dennis Coard expressed his disappointment and concern about the lack of performing spaces in Nillumbik area. Plays that tour go to lots of shires, but never to Nillumbik. It is very disappointing/frustrating when you can't perform in your home shire.</p> <p>The Committee agreed that available spaces need to be assessed and then promoted, perhaps with a video of the space. Promotion is key.</p> <p>Corrienne Nichols advised that Council's IT team and Halls are working on new software for an online booking system which will give details of all facility elements.</p> <p>It was identified that Council doesn't needs to do further work around its current infrastructure and what may be suitable for arts and culture.</p> <p>It was agreed that dedicated arts spaces are important because some activities don't work well together – e.g.: Theatre and basketball are not a good match.</p> <p>Committee members advised that they would be happy to be part of a sub group or working group to look at this issue.</p> <p>Robust discussion followed and it was agreed that Council needs better articulate the availability and capability of potential art spaces to community.</p> <p>Simon Doyle advised that there is a Performing Arts Policy being developed specific to the needs of performing arts industry. Simon also advised that Council have a database of performing arts practitioners who are keen to be involved in developing the policy.</p> <p>ACTION: The Performing Arts Policy development work will cover this issue. Council will bring the conversation back to the Committee.</p> <p>10.4 Significant Events Committee members were reminded that there are 2 significant events occurring over the next 2 weekends. Montsalvat Arts Festival. Sunday 21 November. Ticketed. Nillumbik Artist Open Studios – 20/21 Nov and 27/28 Nov 2021.</p>	<p>(Simon Doyle)</p>
<p>11 2021 Meetings – Future Dates for Diary</p> <p>Committee Meetings 2022 Monday, 21 February 2022. 7 – 9pm. Meeting format to be confirmed. Monday, 16 May 2022. 7 – 9pm – <i>last meeting for outgoing 2020-22 members</i> Monday, 15 August 2022. 7 – 9pm – <i>first meeting for new 2022-24 members</i> Monday, 21 November 2022. 7 – 9pm</p> <p>Thanks were extended from Chair to Richard again for all his work.</p> <p>Close 9pm</p>	



UN-SPORTS-MAN-LIKE by Nicholas Currie at Blak Dot gallery

Presentation to ACAC, November, 2021



Nicholas Currie

Is an emerging artist, performer and writer who lives and practices in Diamond Creek. Currie's practice is autobiographical and introspective to his cultural identity and as an Indigenous First Nations and Anglo Saxon man in contemporary society. Currie's artworks are large nonfigurative works bases on gestural movements of the body used in dance, manual labour and sport. The visual language in his painting have elements of storytelling as well as invoking conversations around self identification

UN-SPORTS-MAN-LIKE at Blak Dot Gallery, Melbourne is his first solo exhibition. Blak Dot Gallery is a contemporary Indigenous owned and run gallery.

The exhibition presents a collection of paintings created by movements used by the body in sporting and performance actions and considers masculinity, the body, sport, culture and iconography.

The recommendation is to purchase a work from this exhibition



Nicholas Currie
Scars and Bruises, 2021
Acrylic, oil and pva on linen
75cmx100cm

Presentation to ACCC, November, 2021

ARTS AND
CULTURE



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Youth Council Advisory Committee

Minutes



Date:	Monday 7 February 2022
Time:	4.00pm – 6.00pm
Venue:	Via Zoom
Chair:	Youth Mayor Fieke Van Der Kamp
Minute Taker:	Nicola Clutton, Acting Team Leader Youth Development
Committee Members:	Youth Mayor Fieke van der Kamp, Deputy Youth Mayor Jack Linehan, Bailey Cumming, Maali Kerta-Rice, Orianna Edmonds, Indi Sandwell, Kirra Imbriano, Lachlan Wadsworth, Brianne Keogh, Maverick Knight
Councillor Representative	Cr Natalie Duffy
Other:	Katie Camilleri, Nichole Johnson, Corrienne Nichols
Apologies:	Joey Bowman

Order of business

1. Welcome

Youth Mayor Fieke van der Kamp welcomed all members to the first Youth Council meeting of 2022.

2. Acknowledgement of Country

We acknowledge the Wurundjeri Woi-wurrung people as the Traditional Owners of the Country on which Nillumbik is located, we pay our respects to Elders past, present and future, and extend that respect to all First Nations People. We respect the enduring strength of the Wurundjeri Woi-wurrung and acknowledge that sovereignty was never ceded.

3. Minute of silence

Deputy Youth Mayor Jack Linehan led the committee through a tribute minute of silence for the anniversary of the Black Saturday bushfires.

4. Apologies

Youth Council member Joey Bowman is an apology due to work commitments.

5. Conflict of Interest and Informal Meeting of Councillors Record

There was no conflict of interests declared.

6. Minutes of previous meeting

The minutes of the meeting held 11 October 2021 are confirmed as a true and accurate record of the meeting. No outstanding actions.

Minutes moved by: Lachlan Wadsworth

Minutes seconded by: Brianne Keogh

7. Councillor Representative

Nicola Clutton informed the committee of the new Councillor representative for 2022, Cr Natalie Duffy. Cr Duffy introduced herself to the group and acknowledged that it is the 40th anniversary of the decriminalisation of homosexuality and Nillumbik look forward to being about to celebrate Midsumma Festival as a Council in the future.

8. Item of business 1: Recreation and Leisure Strategy

April Wilson: Recreation & Open Space Planner discussed the [Draft Recreation and Leisure Strategy](#), which is currently out for public consultation. The Youth Council were asked to think about playgrounds, trails, sport clubs, skate parks, leisure centres swimming pools when giving feedback.

Youth Council were asked what they believe Nillumbik Shire Council are doing well and what could be done better within the recreation and leisure space. The following is a summary of the responses:

What Council are doing well?

- Liked the new set up at Diamond valley sports and believe great way to expand basketball around the area. April let the group know that at this stage there is no plans to update the existing section of the stadium.
- Highlighted that the Young Minds youth engagement showed that local young people have a great appreciation for sport in our area and noted the importance of this strategy for young people.
- Encouragement for women's sport (in particular women's basketball), to go back to weekdays and not clumped on the weekend, as this loses participation numbers.
- Love the extension of the diamond creek trail across the shire.
- Great to see when Nillumbik puts money into improving local sporting facilities like the local netball courts.
- Would like to see more come and try sports for beginner's i.e the Diamond creek swimming club, more competitions and opportunity to learn to swim.

What can we do better?

- More lighting on trails and rec areas as this will improve the safety of the area and will facilitate more female engagement.
- More inclusion in sporting clubs and all abilities opportunities to increase across all sports.
- Many of the trails are concrete; the committee would like to see a variety of services that are better for impact running. Bonus points if the alternate surface was recycled products.
- More walking paths in rural areas like St Andrews, it's very hard to walk to town ship.
- Jack commented that the Diamond Valley Stadium existing courts look very dated now after the redevelopment.

- More horse trails that are not concrete or provide a space next to the concrete path for horses and more signage for horse crossings.
- There is limited walking paths around the Montsalvat area.
- Maverick believes we could put more effort into supporting finishing along the creek, could support it in areas with paths and a pier near the river.
- The skate parks also have many grey walls; the Committee would like to see the community empowered to paint these walls with murals or through street art programs.

For further information on the Draft Recreation and Leisure Strategy contact April on: April.Wilson@nillumbik.vic.gov.au or complete the online survey at <https://participate.nillumbik.vic.gov.au/recreation-leisure-2022>.

9. Item of business 2: BMX Update

Tara Jolfaei: Recreation and Open Space Planner provided an update on the current BMX Dirt Jump consultation. The consultation is closing on Sunday 13 February, with one final pop up session happening on Thursday 10 February at Diamond Creek Skate Park. Results from the consultation show that the community are in support of the proposed 145 Allendale Road location. The working group will now be looking into the feasibility of the location with the support of The Trail Collective and other locations proposed.

For further information on the BMX project visit: <https://participate.nillumbik.vic.gov.au/bmx-park> or contact Tara on: Tara.Jolfaei@nillumbik.vic.gov.au

10. Item of business 3: Goals and priorities for 2022

Youth Council members were invited to discuss in small groups what they would like to get out of their time on the Youth Council in 2022, what are their goals and priorities. The following is a summary of the discussions captured.

Priorities for 2022:

- Youth Hub advocacy - trial a location to get the ball rolling, get in a guest speaker to a Youth Council meeting from another Council who has a successful Youth Hub.
- BMX Park Installation advocacy for the build to happen as soon as possible
- More lighting around public transport and trails
- Guest speakers at library for public to attend
- Connected and engaged - activities to bring people together - social connection activities

Project ideas:

- Start research piece on bullying in the area and action that into an education seminar or booklet. Best practice on how to handle bullying for parents, carers and teachers
- Project to increase female leadership in sporting clubs
- No gambling signs around sporting clubs

- Street art/mural art program for youth

Meeting ideas:

- More opportunities for the Committee members to lead the meetings, and take minutes.
- More guest speakers – it sparks ideas and conversations.
- Guest speakers and forums for all of Youth (get as many people as possible involved - have YC MC events - introduction and welcome - eg Jarryd Clifford, footy players and Pat Cronin foundation)
- Opportunity to voice opinions at meetings
- Ice breakers / fun activities

Personal goals:

- More leadership opportunities (swapping around MC etc)
- Talking to more departments in Council

11. Item of business 4: Meeting Dates 2022

Committee discussed meeting frequency for 2022, with consensus to proceed with monthly meetings due to other commitments and the expectation that there will likely be more working group meetings outside of the monthly meetings this year.

12. Item of business 5: Election of Youth Mayor Speeches

The 2022 election of the Youth Mayor and Deputy Youth Mayor will be held at the next Formal Advisory Meeting on Monday 4 April 2022. All members are invited to put their name forward if they are interested in applying and do a short presentation at this meeting for peer election.

The Youth Mayor and Deputy Youth Mayor term will be for one year from April 2022 to April 2023.

Action: Committee members are requested to let Nicola know if they are interested in running for Youth Mayor in 2022.

13. Item of business 6: Recruitment New Members

Four members have officially resigned from Youth Council, which includes Imogen, Cavan, Katie and Taj. The Committee were invited to discuss the option of recruiting new members or continue with 11 members.

Committee had an open floor discussion with some members believing it would be beneficial to stay as is, so that work can continue without disruption. Members like that the group is small and they all know each other. Other members of the group expressed their concern with the limited number of members moving forward may mean more work on them and their commitment level personally is not what it was last year due to change in education/employment/personal circumstances. Members would like to see as many opportunities given to young people as we can referencing our Youth Strategy priority Empowered and Engaged. Some members were neutral on the matter.

An anonymous vote at the request of the Committee was held with members sending their votes into Katie. The vote was in favour of recruiting new members.

Action: Youth Development Officers will move into recruiting new members over the coming month with the aim of inducting four new members prior to the next Formal Advisory Meeting in April.

14. Item of business 7: Youth Development Updates

Katie Camilleri provided the Committee with an update on Youth Development projects:

- The team are looking to begin research through a consultant into a Youth Hub, this will include thorough consultation with the Youth Council. More information to follow.
- Nillumbik Youth have been successful in renewing the FReeZA funding for another three years, to continue to grow our Nillumbeats FReeZA program. The Nillumbeats FReeZA program aims to provide local opportunities for young people aged 12-25 to plan and deliver a variety of events across Nillumbik Shire Council. More information here <https://www.nillumbikyouth.vic.gov.au/What-we-do/Youth-participation/Nillumbeats>.
- Additionally the team have secured new funding through the State Government's Engage! Grant, which will support the team to deliver an annual youth summit in May and support youth-led projects that help address priorities in the Youth Strategy. Youth Council will play a lead role in the design and delivery of the Youth Summit and a working group will be formed over the coming meetings to get this underway.

15. Other Business

Nil

16. Next meeting date and location

Youth Council Informal Meeting

Monday 7 March 2022

Location: TBC

Environment & Sustainability Advisory Committee (ESAC) Minutes



Date: Wednesday 16 February 2022
Time: 7.00pm – 9.00pm
Venue: Zoom
Chair: Cr Ben Ramcharan
Minute taker: Laura Nix

1	<p>Welcome and Acknowledgement of Country (10 min)</p> <p>Present: Cr Ben Ramcharan, Cr Karen Egan (arrived 7.12pm), Cr Geoff Paine, Liz Parsons, John Huff, David Turner, Narelle Campbell, John Brennan (arrived 8.20pm), Kirsten Reedy, Lisa Pittle, Laura Nix</p> <p>Apologies: Alan Thatcher, Andrew Robinson Absent: Carol Jadraque, Sali Bache, Aidan Somers</p>	Chair
2	<p>Conflict of interest</p> <p>Conflict of interest provisions are contained in section 80C of the <i>Local Government Act 1989</i>, the Councillor’s Governance Code, the Employee Code of Conduct and the Volunteer Handbook</p> <ul style="list-style-type: none"> • Register of standard/ongoing potential/perceived Conflicts of Interest has been established. • Narelle Campbell has declared an ongoing perceived potential conflict of interest which has been registered: <i>“I am employed by the Victorian Government Department of Health. My volunteer role on the Advisory Committee is in my capacity as a private citizen, local rural resident and rural resident advocate. There is no actual conflict between my professional role and personal roles. I am required to declare perceived potential conflicts as and if these arise (and so I do)”</i>. 	Chair
3	<p>Confirmation of minutes</p> <p>Confirmation of the minutes of the December 2021 meeting of the committee was not able to be undertaken as there was not a quorum.</p> <p>Action 1: No quorum available to move that the minutes be confirmed. ESAC recommends minutes be approved at next meeting. Moved John Huff.</p> <p>Noted that the process of confirming minutes will change from this meeting onwards, as per the new endorsed Advisory Committee Policy October 2021 and the draft ESAC Terms of Reference. Minutes will be circulated to ESAC members via email shortly after the meeting for confirmation (and then placed on Council’s Advisory Committee website for viewing). The minutes will be presented to Council at the next available Council Meeting for noting.</p>	<p>Chair</p> <p>Lisa</p>

4	<p>Open Actions</p> <p>No questions</p>	Chair
5	<p>Update on ESAC Motion to Council</p> <p><i>“Provide the six (CEN) recommended climate mitigation actions to Councillors for consideration as part of the implementation of the new Climate Action Plan”</i></p> <p>This motion was presented to Council at the 1 February 2022 Councillor Briefing. The recommendations will be considered as part of the finalisation of the draft Climate Action Plan and development of its annual Implementation Plan.</p> <p>John Brenan registered appreciation to Council regarding how this motion has been considered.</p>	Chair
6	<p>Community transition to Net Zero</p> <p>A facilitated brainstorming session was held, seeking ESAC suggestions on how Council could support each of the below, to help meet the draft CAP objectives of “Having an engaged community that is climate-action active” (2.1); and “Reducing / eliminating Nillumbik community carbon emissions from homes, businesses and buildings” (5.1). Including how to reach the ‘hard to reach’.</p> <ul style="list-style-type: none"> - Support community awareness of the importance of taking climate action and of associated opportunities for action - Build the capacity of community stakeholders to lead and deliver climate action initiatives - Support and participate in collaborative mitigation and adaptation opportunities across the Shire - Celebrate, promote and share community climate-action achievements - Participate in collaborative mitigation opportunities across the Shire - Deliver local initiatives, including education, that will assist the community to increase energy efficiency and reduce carbon emissions - Support the community to incorporate ESD principles in new developments and retrofits - Support and amplify ‘state and federal led’ and ‘community and business led’ zero-emissions initiatives. <p>Those committee members who were not at the meeting are invited to contribute their ideas to the brainstorm via the Miro brainstorming board link provided to them.</p>	Laura
7	<p>Launch of the Climate Action Plan</p> <p>Suggestions were sought on how Council could launch the endorsed CAP to / with the community</p> <p>ESAC suggests launching the CAP in a low emissions way. Could be via a community picnic or as part of festival season (e.g. Wattle Festival); could be online; or could tie in with a CAP implementation action.</p>	Laura
8	<p>Waste update</p> <p>An update was provided to ESAC on the new Circular Economy (Waste Reduction and Recycling) Act 2021; Recycling Victoria policy targets; the</p>	Lisa

	<p>upcoming container deposit scheme; and current Sustainability Victoria grants that Council has received (Small business food waste recovery; and Reusable Nappy Project). See Attachment 2 for summary powerpoint slides.</p>	
9	<p>Other business:</p> <p>a. Urban canopy working group update provided to ESAC via memo.</p> <ul style="list-style-type: none"> - In response to a request from the working group, officers have organised for a statutory planner to attend an upcoming working group meeting to explore how the planning scheme operates in terms of requirements for protection of the tree canopy under planning applications for housing construction and sub division in urban areas. Following that meeting the working group plans to discuss the strengths and weaknesses of the existing planning policy and report back to ESAC. <p>b. Updated ESAC Terms of Reference is an agenda item at the 22 February Council meeting for endorsement.</p> <p>c. Summary of Council environment and sustainability activity tabled (Attachment 1)</p> <p>d. Additional matters arising at the meeting:</p> <ul style="list-style-type: none"> - Query as to whether Council made a submission to the DELWP consultation on <i>Bushfire Planning made clearer: Options for Victoria's Planning System</i>. Action 2 - Officers to enquire and report back. <p>Meeting closed at 8.57pm</p>	
10	<p>Next meeting date: Wednesday 20 April 2022</p> <p>Venue: Council Chambers (unless otherwise notified)</p>	Chair

Table of Open Actions

Meeting date	Action	Owner/s	Status	Comment
16 February 2022	Confirm the minutes of the December 2021 meeting	Chair	New action	April agenda item
16 February 2022	Ascertain whether Council made a submission on DELWP consultation on <i>Bushfire Planning made clearer: Options for Victoria's Planning System</i> and report back to ESAC	Lisa	New action	Advice will be emailed to ESAC
15 December 2021	Establish a Register of standing conflicts of interest	Enviro	Complete	February agenda item
15 December 2021	Local laws team to consider the feedback provided by ESAC on the draft Nillumbik General Local Law	Local Laws	Underway and closed action	Feedback has been considered alongside other community feedback
15 December 2021	Provide the six (CEN) recommended climate mitigation actions to Councillors for consideration as part of the implementation of the new Climate Action Plan.	Enviro	Complete	February agenda item
15 December 2021	ESAC urban canopy working group to continue to meet to progress thinking	Working group	Underway and closed action	Agenda item at future meetings when requested by working group
16 June 2021	Keep ESAC up to date on 2022 Nillumbik planning scheme review	Strategic Planning	Timing to be confirmed	Agenda item at future meeting in 2022
28 April 2021	Officers to provide a report back to ESAC on the progress of the Smart Farms project at a future meeting	Steph Orive	Project to commence in 2022 (when Covid restrictions lift)	Agenda item at future meeting in 2022

Attachment 1 – Summary environment and sustainability update

Biodiversity, Invasive Species & Sustainable Land Management	
<p>LMIP</p>	<p>Officers continue to provide advice to the community on sustainable land management, biodiversity and invasive species matters.</p> <p>Property visits are currently able to be undertaken within the current Covid19 guidelines.</p> <p>Councils LMIP grant program has now transitioned to being managed via the Smarty Grants system.</p>
	<p>World Wildlife Day - Phascogale talk</p> <p>This year's theme for World Wildlife Day is "Recovering key species for ecosystem restoration" and Nillumbik will be hosting a free talk about Phascogales.</p> <p>Thursday 3 March 2022 – 6.15pm – 8pm at St Andrews Community Centre</p>
	<p>City Nature Challenge;</p> <p>Nillumbik will be joining Council's around Greater Melbourne to participate in the City Nature Challenge. Help us compete with cities from around the world by recording wild species between 29 April and 2 May on iNaturalist. By uploading your records you are contributing to science and recording the incredible biodiversity of our area.</p> <p>City Nature Challenge - Nillumbik Shire Council</p>
	<p>Queensland Fruit Fly Training</p> <p>Council is offering a 'Train the Trainer' program for locals who want to upskill and be leaders in community-wide management of QFF.</p> <p>2 April 2022, 10am – 3pm at Hurstridge Community Hub</p> <p>Queensland Fruit Fly Training - Nillumbik Shire Council</p>
Strategies and Policy	

 <p>Draft Climate Action Plan</p>	<p>Climate Action Plan development</p> <p>Verbal submissions were heard at the 8 February 2022 Planning and Consultation Committee meeting.</p> <p>Taking climate action Participate Nillumbik</p> <p>The draft will now be considered in light of the written and verbal submissions received and some amendments made. It is currently scheduled to be considered for endorsement at the April 2022 Council meeting.</p>
<p>Climate Actions (mitigation)</p>	
 <p>Introduction to Community Renewable Energy Starting 21 February 2022</p>	<p>Introduction to Community Renewable Energy course</p> <p>Council is offering a new 6-week course at the Eltham Living and Learning Centre which will introduce learners to understand what community renewable energy is, and how it can be applied, within the context of transitioning to renewable energy due to climate change and the emerging energy economy.</p> <p>It commences on Monday 21 February 2022 from 7pm – 9pm</p> <p>Introduction to Community Renewable Energy - Nillumbik Shire Council</p>
 <p>Australian Energy Foundation</p>	<p>Free, tailored energy advisory service and workshops for residents</p> <p>Residents can continue to phone AEF for individual home energy saving advice any time.</p> <p>Free, tailored, expert advice on modifying behaviour and technical solutions is available from specialist service providers through referrals from AEF.</p> <p>AEF will be participating with Clean Energy Nillumbik (CEN) at a Clean Energy Expo at Edendale on 3 April.</p>
 <p>Solar SAVERS</p>	<p>Residential, renter and business solar and battery bulk buy program and Q&A session</p> <p>Solar Savers is a local government initiative aimed at making solar easy.</p> <p>Registrations are currently open to attend a Solar and battery Q&A by Solar Savers for Nillumbik residents.</p> <ul style="list-style-type: none"> - Webinar 6:30 - 7:30pm, Tuesday 22 March UPCOMING EVENTS Solar Savers

	<p>Clean Energy Nillumbik (CEN) - Practically Green community partnership</p> <p>Many of CEN's activities are supported by a Nillumbik Council grant.</p> <p>CEN offers all residents the opportunity to participate in bulk-buy programs for highly efficient, electric, reverse cycle air-conditioning and hot water heat pump systems.</p> <p>The group is preparing for:</p> <ul style="list-style-type: none"> - Clean Energy Expo, Sunday April 3, Edendale. <p>CEN is also a core Community Energy group component of the Yarra Valley Community Power Hub (YVCPH) who are initiating an EV community bulk-buy program through Good Car Company.</p> <ul style="list-style-type: none"> - EV Information and Field day, 10:30 - 1pm, Saturday 19 Feb, Healesville Memo. <p>The Neighbourhood Battery Initiative (NBI) grant project is being delivered for CEN by Wave consulting with support from council. They are hosting a Community Battery Champion event:</p> <ul style="list-style-type: none"> - Virtual presentation, 3:30 - 5pm, Saturday 19 Feb.
	<p>EV charging stations for Council's electric vehicle fleet and for community use</p> <p><u>EV stations for Council Fleet use:</u> Council recently investigated the capacity to install electric vehicle charging infrastructure at the Operations Centre, Plenty. Preliminary investigations highlighted that electrical supply capacity is limited and well below requirements for transition to electric fleet.</p> <p>Further detailed study is required and a scope of works is being developed, covering multiple sites where fleet vehicles are located.</p> <p><u>EV stations for community/public use:</u> Council is participating in the Northern Council Alliance- EV Infrastructure Plan project. This proposes to engage expert consultants to develop a regional EV infrastructure plan covering Nillumbik, Whittlesea, Banyule, Moreland, Darebin, Hume and Murrindindi with focus on public charging.</p>
	<p>Plenty Solar Farm update</p> <p>LMS Energy, the chosen provider, has supplied council with the 'Preliminary Submission Plenty Landfill Solar Farm Project' for consideration.</p> <p>LMS Energy visited and met with staff and community for the first time since project inception in November 2021.</p> <p>Construction is due to commence August 2022, pending Council's agreement to proceed.</p>

Other Education and Community Engagement	
 International Women's Day	<p>International Women's Day 2022 – climate theme</p> <p>The path to gender equality continues to be impacted by crises, conflict and climate change.</p> <p>The International Women's Day 2022 theme, <i>Changing Climates: equality today for a sustainable tomorrow</i>, recognises the contribution of women and girls around the world who are working to change the climate of gender equality and build a more sustainable future for all.</p> <p>Council will be hosting a panel discussion around this theme in March 2022</p>
	<p>Reusable Nappy Feasibility Study - survey open</p> <p>Nillumbik has joined 11 other Victorian councils to understand how to reduce nappy waste, which currently makes up approximately 10 per cent of waste to landfill.</p> <p>Funding has been provided through Sustainability Victoria's Recycling Victoria Councils Fund to undertake a Feasibility Study of local government reusable nappy programs.</p> <p>As part of this study Nillumbik Shire Council is inviting community members to take part in a survey, which will support our joint study on reusable nappy programs.</p> <p>See our Participate Nillumbik page for more information.</p> <p>The survey is open until 21 February 2022</p>
	<p>Clean Up Australia Day</p> <p>Community Clean Up Australia Day is on Sunday 6 March</p> <p>Nillumbik is currently promoting the event and organising sites that have already registered.</p> <p>Clean up Australia provides collection kits and council organises the collection of waste after the event.</p> <p>Get Involved as a Community - Clean Up Australia (www.cleanup.org.au/community)</p>

	<p>Home Harvest 2022</p> <p>Home Harvest 2022 is currently being promoted. The plan is to make a move to celebrate the local food community in Nillumbik year round, with seed libraries, community gardening, workshops, food swaps and much more. There will also be a community garden open day at the end of March, and a new map of local community gardens will be launched.</p> <p>Workshops and promotion can be found here:</p> <p>Home Harvest - Nillumbik Shire Council</p>
 	<p>Edendale</p> <p>Edendale is open to the public 11am to 3pm every day with entry restricted to the southern pedestrian entrance. COVID vaccination status is checked on entry. This includes the cafe and the indigenous plant nursery.</p> <p>A number of events will be run at Edendale over the coming months.</p> <ul style="list-style-type: none"> ● Wednesday morning Yoga during February for Nillumbik staff on the Homestead lawns ● Friday 4th February to Friday 18th February - Summer picnic series – Friday evening picnics on the lawns from 4pm to 8pm ● Friday 25th February – Twilight BYO Home Harvest Picnic ● Sunday 20th February – Culture Jam – Oops a Daisy festival ● Saturday 19th March– Come Together Festival ● Saturday 26th March – Platypus Celebration (rescheduled) ● Sunday 3rd April – Clean Energy Expo with Clean Energy Nillumbik ● Saturday 9th April - Eltham Jazz, Food and Wine festival <p>While schools can attend Edendale, Term 1 is traditionally a quiet time for the Education program as students settle into classes and the new school year. We are about to start promoting the program for 2022 including the new pricing.</p> <p>The announcement regarding the Victorian Education Department’s Strategic Partnership Program grant has been delayed until approximately the end of February. Edendale has applied for a grant to develop “Climate Resilient Youth” modules as part of the education program, aimed primarily at students in Years 5-9.</p> <p>Edendale was unsuccessful in its shade sails grant application. We are currently identifying other sources of funding to install a shade structure above the amphitheatre to assist in delivering education programs and community events in a sun-smart manner.</p>

Panton Hill Bushland Reserve System User Group Advisory Committee



Minutes

Date: Thursday 17 February 2022
Time: 7.11 – 9.04pm
Venue: Zoom
Chair: Cr Ben Ramcharan
Minute Taker: Lydia Heap, Committee Member
Committee Members: Lydia Heap, Cathy Giles, Rex Niven, Mark Hood, Janice Crosswhite, Sue Penrose, Bob West, Lee Hartman.
Other: Brad Tadday, Lisa Pittle.

Order of business

1. Welcome

Observers are reminded their role is to observe only, unless called upon by the Chairperson to participate.

2. Acknowledgement of Country

We acknowledge the Wurundjeri Woi-wurrung people as the Traditional Owners of the Country on which Nillumbik is located, we pay our respects to Elders past, present and future, and extend that respect to all First Nations People. We respect the enduring strength of the Wurundjeri Woi-wurrung and acknowledge that sovereignty was never ceded.

Notice that Judy Nicholson, of the Wurundjeri Woi-wurrung people, passed away recently. Judy has worked with the Advisory Committee and Nillumbik Shire Council for approximately ten years and has made a significant contribution to the Nillumbik community through sharing Wurundjeri culture through her artwork and cultural events within the PHBRS. Her coffin was decorated with some of the images she created for the reserves.

Attendance: Cr Ben Ramcharan, Lydia Heap, Lisa Pittle, Bob West, Brad Tadday, Cathy Giles, Janice Crosswhite, Mark Hood.

Note: as Cr Ramcharan is a community representative, we have a quorum of 5 members out of nine for the meeting

3. Apologies: Cr Natalie Duffy, Rex Niven, Jeff Saker

4. Conflict of Interest and Informal Meeting of Councillors Record

Conflict of interest provisions are contained in sections 126-131 of the *Local Government Act 2020*, the Councillor Code of Conduct, the Employee Code of Conduct and the Advisory Committee Members Code of Conduct.

An Informal Meeting of Councillors Record must be completed at the meeting in accordance with Item 19 of Council’s Governance Rule - Meeting Procedure.

5. Minutes of previous meeting

In future minutes will be confirmed via email immediately upon being circulated so they can be presented at the next Council meeting without delay rather than being confirmed at the next advisory committee meeting in 4 months’ time.

That the minutes of the meeting held 21 October 2021 are confirmed as a true and accurate record of the meeting:

Moved Janice, Seconded by Bob. carried

6. Outstanding Action Items

Threatened fauna	To photo deer wallow and forward information to the deer management staff	Brad	The wallow was not active so no good photos to take – could not be done. Complete.
Trail maintenance	Share levels of trails maintenance document to group	Lisa	An audit of Nillumbik’s recreational trails has been undertaken. It does not include bushland trails in PHBRs. RTAC have been presented with a brief executive summary only. There is still work to be done on this document before it is ready to present to advisory committees.
Public artwork	Committee to be updated by email as a result of the expression of interest - to be distilled and distributed	Richard	Richard has left Nillumbik. Need to follow up with Arts & Culture team regarding this project. Committee will be updated by email when internal processes finished
Hurstbridge roundabout	Write articles	Janice and Mark	Mark hasn’t done one yet, but will do one wrapping up the MTB treasure hunt. Janice did one for December edition and was published.
Other business	Nillumbio Virtual orchid walk video	Lydia	https://www.youtube.com/channel/UCbcYTPRVnPOSde2RYrah_PA

7. Revised Terms of Reference and extension of current committee – Lisa

Document was attached to the meeting invitation which was circulated for this meeting. Due to be reviewed in June 2022 when the process starts to select the next committee.

Most of the Terms of Reference are standard across all Council Advisory Committees. Lisa quickly talked through the document and answered any questions regarding specific terms.

Previous Terms of Reference allowed proxies of the same interest group to attend if the member cannot. The current Terms of Reference do not specify this.

Action – Lisa to follow up with Governance (re: proxies) and inform the committee via email.

Questions were raised regarding there being only 3 meetings per year. Previously meetings were more frequent. Request for at least 4 meetings to correspond with the seasons. Terms of Reference doesn't prevent combined Zoom, physical meetings.

8. Works update and planned works - Brad

- Annual reserve management program
 - Implemented from last July. Progressing, slightly cut back in terms of resources and budgets as a result of resources going to development of new Bushland Reserve Management System and tender for Environmental Works Contractor. Tender will be advertised this weekend. New contractor will begin works in July 2022. Likely to have one contractor managing all bushland reserves, extending the length of the contract. Working more closely with contractor to manage reserves through setting of high level objectives for contractor to write the works plans for the reserves.
- Threatened orchid management and reintroduction
 - Continuing as usual. Reintroduction of Rosella Spider Orchids late last year are doing well.
- Threatened fauna monitoring – Brush-tailed Phascogale, Southern Toadlet, Powerful Owl.
 - Volunteer programs have been cut back a lot due to Covid. Aiming to get Phascogale monitoring program up and running again this year with added frequency of monitoring.
 - Southern Toadlets will be monitored by a Melbourne Water project this Autumn
 - No current monitoring of the Powerful Owls
- Cultural Burn – Bunjil
 - Brad met with manager of Wurundjeri Narap team in November and looked at the site. Stated that we would be a high priority as it has been postponed for a number of years. Narrap have been building their fire resources and working with the CFA.
- Bushfire Management Plan Review
 - Still working though it with consultants and bushfire management planning committee. Will be finished by end of financial year.
- Deer control pilot project – Yirrip

- Will be looking for impact of less grazing. 485 deer were killed in the Sugarloaf Link project and extended area. Melbourne Water undertaking deer control within the fenced area of the reserve. Installing a solar farm at Sugarloaf and doing deer control at the time. No post project monitoring has been resourced. DELWP have head hunted Nillumbik staff for their state wide project. Need to work out how it will be evaluated, e.g. number killed, or threatened species recovery.
- Community events and programs – Smith’s Gully Mountain Bike group activity, Friends of Bunjil, Paradoxa artwork – ‘Under the Canopy’ community consultation, Volunteers planting for Southern Toadlet
 - Mountain bike group organised a working bee on the trail in December, about 9 people attended. Ground had dried up very quickly after the wet spring. Will need more work done to help compact it. Will be doing more in winter when the work is easier, and the trail can be compacted properly.
 - Friends of Bunjil event in first week in December – woody weed removal in Chinaman’s Gully (Southern Toadlet planting area)
 - Paradoxa got a grant to run a project called ‘Under the Canopy’ which has been postponed to next Thursday.
 - No more planting since the last meeting for Southern Toadlets. Contractors finished off the work the volunteers started
- Trail works – surface upgrade and repairs 2022
 - Still some capital works budget, will be looking at Bunjil reserve (as many of the other reserves have already had works done this financial year).

9. Interpretation Design Plan Implementation – Brad

Update on Interpretation Design (Public Artworks), Indigenous Lead Artist and Paradoxa projects

- Two projects running in parallel. Waiting on final design proposals. Will be discussing with committee via email.
- Mandy Nicholson - Indigenous lead artist. Delayed partly due to Judy being sick and then passing away.
- Paradoxa project – discussions regarding materials to be used. Wood may not be suitable and may be replaced with steel.

10. Review achievements of current PHBRs Management Plan and future focus areas – All

- Time to review the plan as a few things have been finished. Also have some capital works budget
- Brad shared screen of plan in order to discuss certain items, this document was attached to the agenda. Actions for all reserves. Top 3 priorities for capital works funding over next 5-10 years – Brad's selection (couldn't actually limit it to 3)
 - 1. Cultural heritage protection. Action about engaging archaeologist for aboriginal cultural heritage survey. Haven't had funding for in the past, also for surrounding reserves such as Motschall's and Long Gully. Much of this recorded in Robert Marshals work.
 - 2 Soil conservation. Bishops Road entrance Bunjil trail gully crossing tunnel erosion. Chinamans Gully gully head erosion. Investigate erosion from discharge and stormwater drains entering into reserves and rectify similar to Rodger Rd drains installed with new sealing..
 - 7 Fire risk management. Repair of fire access tracks, particularly track in Bunjil from Rodger Rd to Chinaman's Gully.
 - 10. Recreation and access. Remove and replace wire fences which have degraded - Clintons Rd Bulwidj and Rodger Rd Bunjil. Need to have fences in good condition to control pedestrian entry and prevent injury to wildlife.
 - 10 Recreation and access. Bunjil Bishops Rd entry can be quite slippery and needs more accessibility and safety, down the hill to the terraced area and down to the gully at the food fibre medicine area. May need more water bars or steps, possibly a handrail, generally making it more accessible and inviting. Steps would probably restrict users of the trail, so not recommended. May be worth considering realigning trail in that section to reduce the steepness of that section. Area is fairly degraded so may be an opportunity to realign.

The Northern Ridge to Long Gully section of trail which is quite steep requires upgrade as the wooden log steps have become degraded and some have dislodged. These could be replaced with stone steps at the same intervals. There is less scope for realigning this section due to the high quality vegetation in the area.
 - 13 Rubbish dumping. Removal of historic rubbish dumps such as in Bulwidj, Wimbi and Bunjil (Bakehouse Rd) including ad hoc fencing wire.

- Committee to review and provide feedback on priorities (listed above) recommended by Brad. **Action:** Brad to send around PHBRS Management Plan actions for feedback.
- Janice raised concerns regarding a “drinking party” at the (2nd) seating circle near Rodger Rd which left rubbish and a fire burning in the reserve late last year. Residents have a concern and are questioning if the cool burn will occur as it has been delayed for 3 years.

11. Action planning for 2022 - All

- NAIDOC week Indigenous cultural event (3-10 July)
 - Request for ideas/ collaboration from Panton Hill Living and Learning centre as they are putting in for a grant and suggesting there could be a connection with the reserve. Hopefully cultural burn will be completed by then and we will be able to talk about it. Reconciliation group running other events and probably don't have capacity to do an event in the reserves.
- Other ideas – Ben reviewed areas discussed at the last meeting.
 - Fungi autumn walk still need a fungi expert. **Action:** Brad to follow up with Helen. Brad to update via email
 - Mountain bike group were able to do some work in the reserve. Will probably do more pruning until the ground softens up. Will use it as part of an induction. Mark and Brad to confer outside of meeting. Low cost method of improving trails. Cathy suggest that horse people would be able to help out with pruning too. Generally aim for winter trail works and summer pruning. **Action:** Mark and Brad to organise trail pruning working bee
 - Mark suggested a historic/heritage themed bike ride. Have knowledgeable people in the community who could facilitate. Aim to meet at a few specific points along a set trail. Mark to suggest it through the Facebook page and judge if there would be interest.

12. Other Business

- Out of time

13. Next meeting date and location

Thursday 16 June 2022, Panton Hill Living and Learning Centre

14. Attachments

- Minutes – PHBRS User Group Advisory Committee - October 2021

- Terms of Reference - PHBRS User Group Advisory Committee – 2021 to 2022
- Management Plan - Panton Hill Bushland Reserve System - Section One 2012

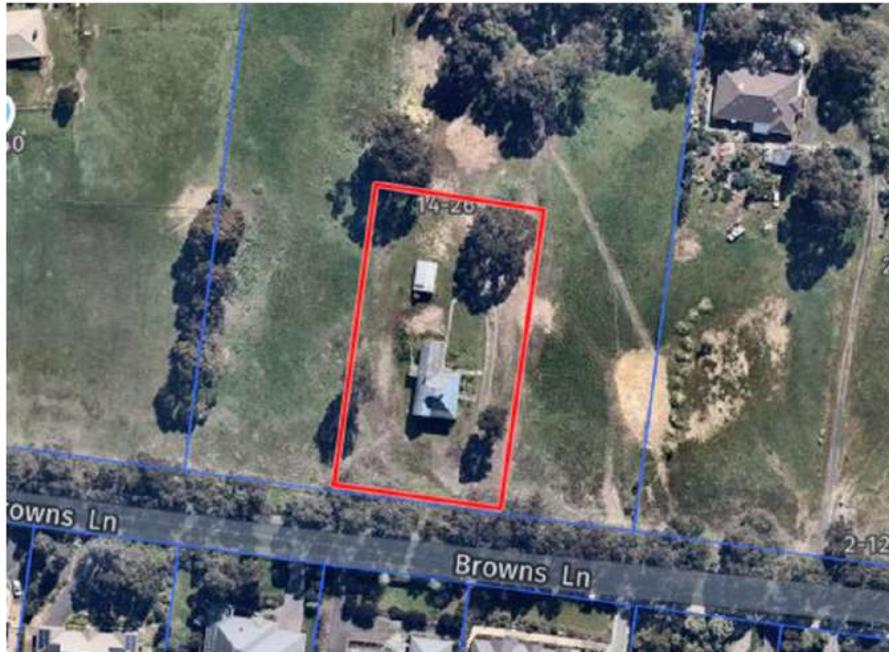
Confirmation of Minutes – Moved by Janice, Seconded by Lydia 4/3/2022

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NILLUMBIK PLANNING SCHEME

14-26 Browns Lane, Plenty Precinct Statement of Significance

Heritage Place:	14-26 Browns Lane, Plenty	PS ref no:	HO270
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What is significant?

14–26 Browns Lane, Plenty, built in 1924

Elements that contribute to the significance of the place include:

- original single-storey built form and scale, including hip and gable roof that extends down over the return verandah;
- original pattern of openings; and
- materiality that includes weatherboard cladding, double-hung sash windows (some with vertical glazing bars), decorative timber front door surround with side lites and over lites, turned timber verandah posts, timber gable-end roof vents, window hood, gablet with two small air vents, and red brick chimneys.

The 1969–70 rear extension is not significant.

How is it significant?

The house at 14–16 Browns Lane, Plenty, is of local historical and representative significance to the Shire of Nillumbik.

Why is it significant?

The house at 14–26 Browns Lane, Plenty, is historically significant for its association with the development of Plenty in the interwar years. As an intact timber bungalow built for Marion and Fred Osmond in 1924, originally on a 20 acre lot, it provides tangible evidence of the interwar subdivision pattern in which large rural landholdings in the Plenty area were divided for sale in allotments of 10 or 30 acres. These allotments were advertised as being equally suited to farming and fruit-growing as

CM.017/22 Planning Scheme Amendment C138nill - Applying the Heritage Overlay on a Permanent Basis to 14-26 Browns Lane, Plenty
Attachment 1. Statement of Significance for 14-26 Browns Lane

they were to residential purposes. In response to an increasing population in the area, this development coincided with and supported a growing Plenty town centre. Established in the 1920s, the town centre included a Primary School (HO213), Methodist Church (HO250), Store and Hall (HO248).

Arthurs Creek, Doreen, Hurstbridge, Strathewen, Plenty, Diamond Creek, Yarrambat and Research became important centres for a fruit-growing industry that was based at Diamond Creek. Smaller orchardists, however, often struggled to make a living from their trees and often turned to other activities such as raising chickens, selling firewood or even working for other landowners or in goldmines, as well as tending their fruit trees. In 1927 a poultry farm was operating on the subject site. 14–16 Browns Lane thus provides evidence of these early agricultural activities in the area. The significance of the place is enhanced by its rural setting, which maintains its street frontage to Browns Lane (Criterion A).

The house at 14–26 Browns Lane, Plenty, is a largely intact representative example of a timber interwar bungalow. It has had very few changes made to the original or early built fabric across its principal elevations. Key characteristics include its asymmetric built form with projecting front room below a dominant hip and gable roof, extensive wrap-around verandah under the sweep of the main roof line, and a box bay window that sits under its own skillion roof with a window hood (Criterion D).

Primary source

Nillumbik Shire Stage B Heritage Review/ Citation for 14-26 Browns Lane, Plenty.

This document is an incorporated document in the Nillumbik Planning Scheme pursuant to section 6(2)(j) of the *Planning and Environment Act 1987*

Planning and Environment Act 1987

NILLUMBIK PLANNING SCHEME
AMENDMENT C138
EXPLANATORY REPORT

Who is the planning authority?

This amendment has been prepared by the Nillumbik Shire Council, which is the planning authority for this amendment.

The amendment has been made at the request of Nillumbik Shire Council.

Land affected by the amendment

The amendment applies to part of 14-26 Browns Lane, Plenty 3090.

A mapping reference table is attached at Attachment 1 to this Explanatory Report.

What the amendment does

Specifically the amendment:

- Amends the Schedule to Clause 43.01 (Heritage Overlay) to apply the heritage overlay (HO270) to part of 14-26 Browns Lane, Plenty on a permanent basis.
- Amends Planning Scheme Map No 009 to apply the new Heritage Overlay.
- Amends the Schedule to Clause 72.04 (Schedule to the Documents Incorporated in this Planning Scheme) to include a Statement of Significance for 14-26 Browns Lane, Plenty
- Amends the Schedule to Clause 72.08 (Backgrounds Documents) to include the citation for 14-26 Browns Lane, Plenty.

Why is the amendment required?

The amendment places a Heritage Overlay over part of the site known as 14-26 Browns Lane, Plenty.

The house at 14-26 Browns Lane, is historically significant for its association with the development of Plenty in the interwar years. As an intact timber bungalow built for Marion and Fred Osmond in 1924, originally on a 20 acre lot, it provides tangible evidence of the interwar subdivision pattern in which large rural landholdings in the Plenty area were divided for sale in allotments of 10 of 30 acres. These allotments were advertised as being equally suited to farming and fruit growing as they were to residential purposes. In response to an increasing population in the area, this development coincided with and supported a growing Plenty town centre. Established in the 1920's, the town centre included a Primary School (HO213), Methodist Church (HO 250), Store and Hall (HO 248).

Arthurs Creek, Doreen, Hurstbridge, Strathewen, Plenty, Diamond Creek, Yarrambat and Research became important centres for a fruit growing industry that was based at Diamond Creek. Smaller orchardists, however, often struggled to make a living from their trees and often turned to other activities such as raising chickens, selling firewood or even working for other landowners or in the goldmines, as well as tending their fruit trees. In 1927 a poultry farm was operating on the subject site. 14-26 Browns Lane thus provides evidence of these early agricultural activities in the area. The significance of the place is enhanced by its rural setting, which maintains street frontage to Browns Lane.

The house at 14-26 Browns Lane, Plenty, is a largely intact representative example of a timber interwar bungalow. It has very few changes made to the original or early built fabric across its principal elevations. Key characteristics include its asymmetric built form with projecting front room below a dominant hip and gable roof, extensive wrap-around verandah under the sweep of the main roof line, and a bay box window that sits under its own skillion roof with a window hood.

The significance of the property was assessed against the standard criteria contained in Practice Note 01 Applying the Heritage Overlay (August 2018) and is considered to meet the requirements and threshold for local protection through application of the Heritage Overlay. Consequently, Amendment C138nill is required to implement these findings by including the property in the Heritage Overlay.

The Heritage Overlay is the appropriate planning mechanism to protect the heritage values of the property as the Heritage Overlay requires a permit to be granted for building and works, including demolition that could affect the significance of the property.

How does the amendment implement the objectives of planning in Victoria?

The amendment implements the objectives of planning in Victoria as set out in Section 4 (1) and 12 (1) of the *Planning and Environment Act 1987* (the Act). The following objectives in Section 4 (1) are particularly relevant to the amendment:

- 4(1d) - to conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value
- 4(1g) - to balance the present and future interests of all Victorians

The following objectives in Section 12 (1) are relevant to the amendment:

- 12(1) A planning authority must—
 - (a) implement the objectives of planning in Victoria

How does the amendment address any environmental, social and economic effects?

The amendment will provide assured protection for a significant heritage site within the Shire of Nillumbik.

The amendment is not expected to have any adverse environmental or economic effects.

Does the amendment address relevant bushfire risk?

The Amendment will not increase the risk of life, property, community infrastructure and the natural environment from bushfire.

Does the amendment comply with the requirements of any Minister's Direction applicable to the amendment?

The amendment is consistent with the *Ministerial Direction 1 on the Form and Content of Planning Schemes* under section 7(5) of the Act and *Ministerial Direction 11: Strategic Assessment Guidelines* under Section 12(2) of the Act.

The amendment has been prepared with regard to *Ministerial Direction 9: Metropolitan Planning Strategy*, which refers to Plan Melbourne 2017-2050. The amendment is particularly consistent with the following direction in *Plan Melbourne 2017-2050*, as outlined below:

Direction 4.4 Respect Melbourne's heritage as we build for the future

- Policy 4.4.1 Recognise the value of heritage when managing growth and change

The amendment recognises the need for require careful management of the ongoing processes of change to the urban environment and that decisions must be based on an appreciation of Melbourne's past as well as an understanding of its future needs.

How does the amendment support or implement the Planning Policy Framework and any adopted State policy?

The amendment supports or implements the following clauses of the Planning Policy Framework:

Clause 15 Built Environment and Heritage

Clause 15.03-1S Heritage conservation

- Objective: To ensure the conservation of places of heritage significance.
- Strategies:
 - Provide for the conservation and enhancement of those places that are of aesthetic, archaeological, architectural, cultural, scientific or social significance.
 - Identify, assess and document places of natural and cultural heritage significance as a basis for their inclusion in the planning scheme.
 - Ensure an appropriate setting and context for heritage places is maintained or enhanced.
 - Retain those elements that contribute to the importance of the heritage place.
 - Encourage the conservation and restoration of contributory elements of a heritage place.

How does the amendment support the Municipal Planning Strategy?

The amendment supports the Municipal Planning Strategy of the Nillumbik Planning Scheme:

*Clause 02.03-5 Built environment
Heritage*

Council seeks to:

- Protect and enhance places of heritage significance, including sites of Aboriginal heritage significance.
- Ensure new use and development do not impede on or detract from sites and features of Aboriginal cultural heritage and archaeological significance.

Does the amendment make proper use of the Victoria Planning Provisions?

The amendment seeks to ensure that the Victorian Planning Provisions are correctly applied through the application of Heritage Overlay to reflect the current and future intended use of the land.

The Heritage Overlay is the most appropriate mechanism for recognising and protecting the cultural heritage significance of the identified place.

The Amendment is consistent with Planning Practice Note 01 in regard to the amendment mapping. The mapping identifies the dwelling and the remaining outbuilding and extends the overlay to the significant area.

The Amendment is consistent with Planning Practice Note 01 in regard to applying the Heritage Overlay. The schedule to the overlay will be updated and annotated with regard to the extent of the curtilage.

How does the amendment address the views of any relevant agency?

The views of relevant agencies will be sought during the public exhibition process of this amendment C138.

Does the amendment address relevant requirements of the Transport Integration Act 2010?

The Transport Integration Act 2010 requires that a planning authority have regard to transport system objectives and decision-making principles where a planning scheme amendment is likely to have a 'significant impact on the transport system'. There are no statements of policy principles relevant to the amendment.

Resource and administrative costs

The amendment will have minimal impact on the resource and administrative costs of the responsible authority.

Where you may inspect this amendment

The amendment can be inspected free of charge at the Nillumbik Council website at www.participate.vic.gov.au/amendment-c138

The amendment is also available for public inspection, free of charge, during office hours at the following places:

Nillumbik Shire Council Offices

Civic Drive

Greensborough 3088

The amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection.

Submissions

Any person who may be affected by the amendment may make a submission to the planning authority about the amendment. Submissions must be made in writing giving the submitter's name and contact address, clearly stating the grounds on which the amendment is supported or opposed and indicating what changes (if any) the submitter wishes to make.

Name and contact details of submitters are required for council to consider submissions and to notify such persons of the opportunity to attend council meetings and any public hearing held to consider submissions. The closing date for submissions is 27th January 2022. A submission must be sent to:

Amendment C138nill

Leigh Northwood

Strategic Planning Lead

Nillumbik Shire Council

Civic Drive (PO Box 476)

Greensborough VIC 3088

Alternatively, a submission can be sent electronically via email to:

strategic.planning@nillumbik.vic.gov.au

Submissions made in accordance with section 21 of the Act will be made available in accordance with the public availability requirements for inspection at Council offices and on the Participate Nillumbik website to inspect for 2 months after the amendment comes into operation or lapses. Submissions published online will have personal information redacted.

We will not accept submissions without the mandatory information.

You have the right to access and correct your personal information. Enquiries should be made to privacy@nillumbik.vic.gov.au.

Panel hearing dates

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- directions hearing: 22/04/2022
- panel hearing: 22/05/22

ATTACHMENT 1 - Mapping reference table

Location	Land /Area Affected	Mapping Reference
Plenty	14-26 Browns Lane	Nillumbik C138 001hoMap9 Exhibition

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Planning and Environment Act 1987

NILLUMBIK PLANNING SCHEME

AMENDMENT C138

INSTRUCTION SHEET

The planning authority for this amendment is the Nillumbik Shire Council.

The Nillumbik Shire Council Planning Scheme is amended as follows:

Planning Scheme Maps

The Planning Scheme Maps are amended by a total of one (1) attached map sheet.

Overlay Maps

1. Amend Planning Scheme Map No 09 in the manner shown on the attached map marked Nillumbik C138nill 001ho Map 09 Exhibition.

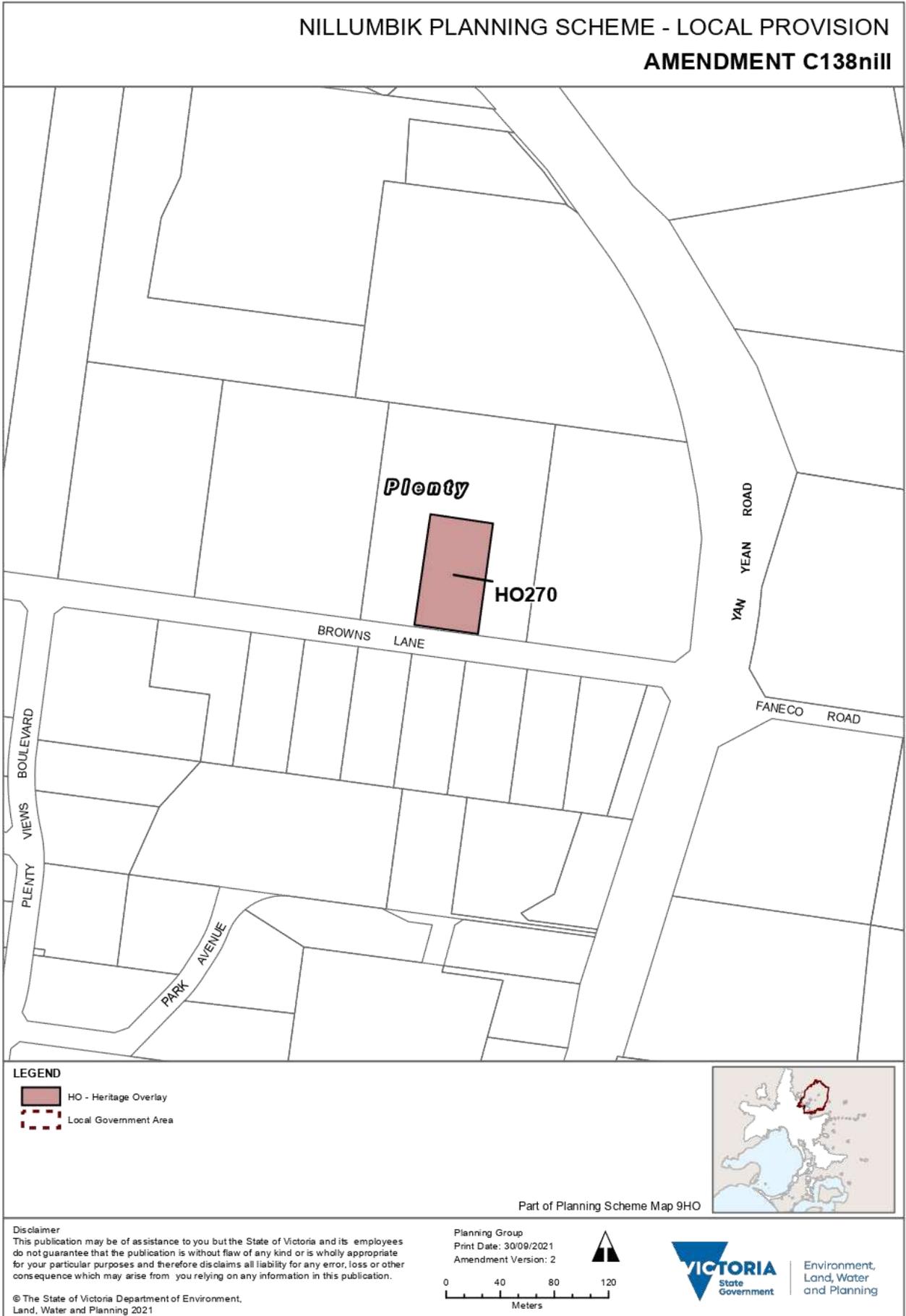
Planning Scheme Ordinance

The Planning Scheme Ordinance is amended as follows:

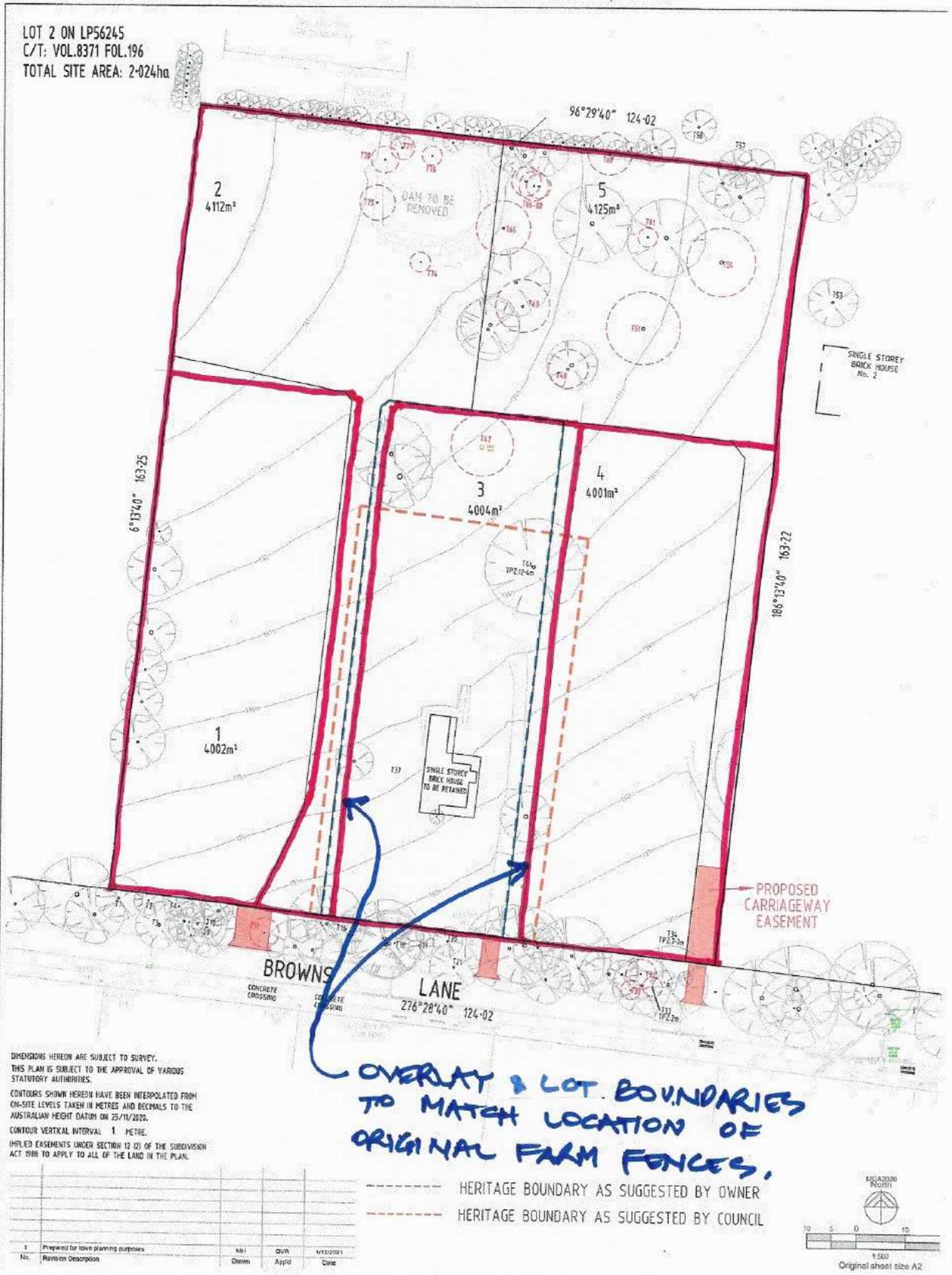
2. In Overlays – Clause 43.01, replace Schedule 1 with a new Schedule 1 in the form of the attached document.
3. In Incorporated Documents – Clause 72.04, replace Schedule 1 with a new Schedule 1 in the form of the attached document.
4. In Background Documents – Clause 72.08, replace Schedule 1 with a new Schedule 1 in the form of the attached document.

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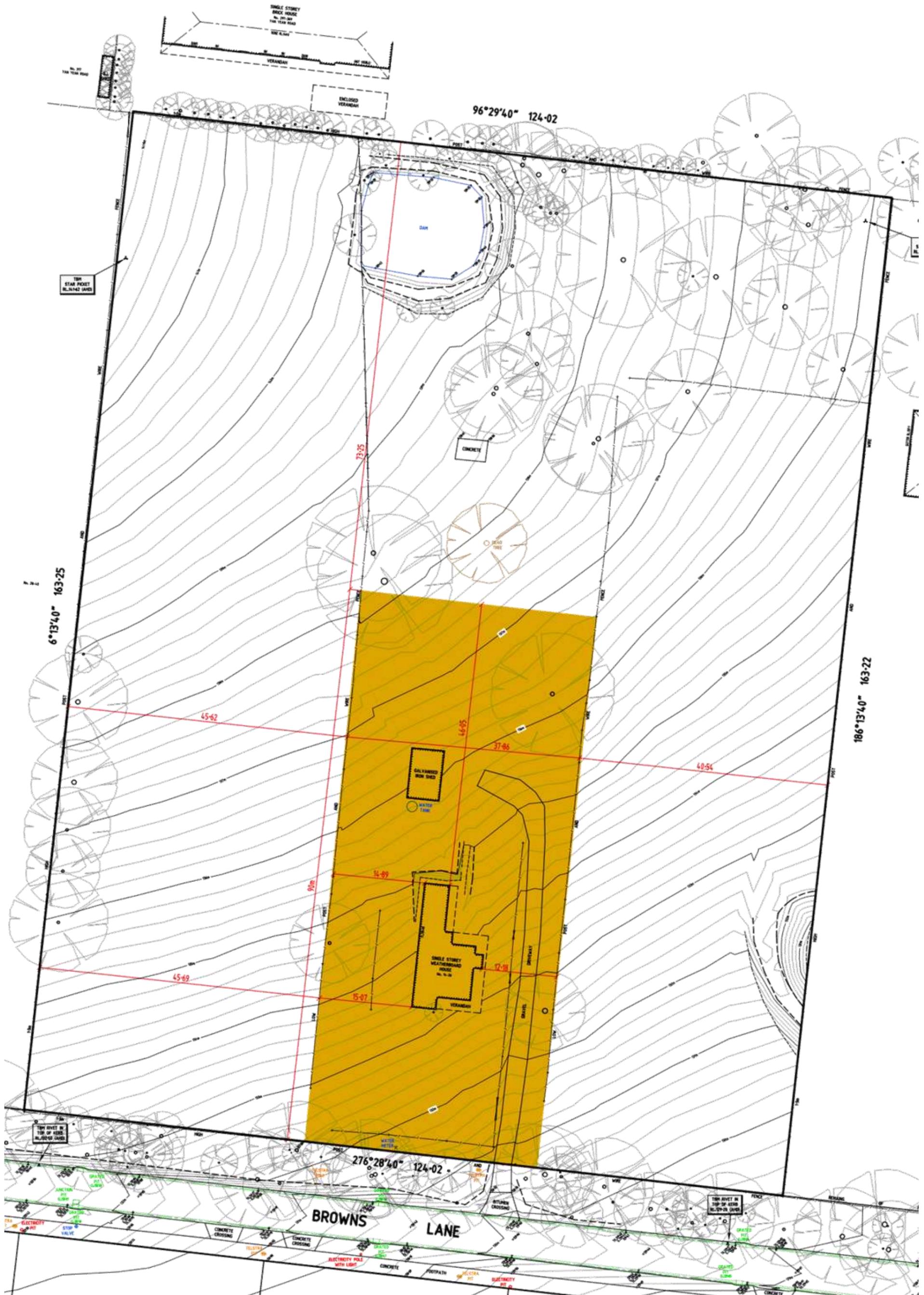
CM4 Engineering
 Land Surveying
 Landscape Architecture
 Project Management
 Town Planning

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 Regional: 150 Commercial Road, Thornhill 3046
 Mail: PO Box 247 Clayton Victoria 3168
 Miro 03 9594 0000. Miro 03 9594 0001

PROPOSED HERITAGE OVERLAY PI

14-26 BROWNS LANE, F
 MULLUMBIMBY SHIRE CC

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CM.017/22 Planning Scheme Amendment C138nill - Applying the Heritage Overlay on a Permanent Basis to 14-26 Browns Lane, Plenty
Attachment 7. Submitter Confirmation - Acceptance of Statement of Significance and Citation for 14-26 Browns Lane (subject to the agreed revision of curtilage to Heritage Overlay Mapping)

From: [Edward Mahony](#)
To: [Leigh Northwood](#); [Julie Paget](#)
Cc: [Governance](#); [John Cicero](#)
Subject: Browns Lane 14, Plenty VIC 3090 (BH 211732)
Date: Thursday, 3 March 2022 8:25:51 PM
Attachments: [image001.png](#)
[image002.png](#)
[Millar Merrigan 26648M.pdf](#)
[March Submission C138.pdf](#)

Dear Sir/Madam,

See **attached** our client's submission to Amendment C138 along with Merrigan and Merrigan plan 26648M dated 3 March 2022 referred to therein?

Could you please confirm via reply email that Council accepts this late submission pursuant to Section 22(2) of the *Planning and Environment Act 1987 (Vic)* (Act).

Regards,

Edward Mahony Senior Associate

T (03) 9691 0228

E EMahony@besthooper.com.au

A Level 12, 10 Queen Street
Melbourne, Victoria, 3000



<p>Victoria's Property, Planning and Land Development Advisory Law Firm</p>	<p>Latest News Edward Mahony Green Gold Energy v Minister of Planning - Renewable Energy Facilities in Declared Irrigation Districts</p>
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Contact: Edward Mahony
Direct line: 03 9691 0228
Email: emahony@besthooper.com.au
Principal: John Cicero
Our Ref: JDC:EJM:211732



3 March 2022

By email only: Leigh.Northwood@nillumbik.vic.gov.au
strategic.planning@nillumbik.vic.gov.au
Julie.Paget@nillumbik.vic.gov.au
Governance@nillumbik.vic.gov.au

Dear Sir/Madam,

**Planning Scheme Amendment C138 to Nillumbik Planning Scheme
14 Browns Lane, Plenty VIC 3090 (subject site)**

We act on behalf of Greencor Holding No5 Pty Ltd, being the owner of 14 Browns Lane, Plenty (subject site).

Amendment C138 to the Nillumbik Planning Scheme seeks to introduce a permanent heritage overlay over the subject site. Prior to the exhibition of C138, an interim heritage overlay was introduced over the subject site via planning scheme amendment C137.

Our client was originally advised of the interim heritage protection by way of letter dated 2 July 2021. This letter was received after our client had already submitted a planning permit application to Council to subdivide the subject site.

Our client has sought the advice of a heritage consultant to, among other things, review the:

- Heritage report by Context (dated 2016); and
- Proposed heritage citation;

Our client's heritage consultant did not agree with the conclusions reached by Context. However, without limiting our client's rights, it would not oppose the introduction of the heritage overlay in accordance with the exhibited statement of significance (**annexed herein**) so long as the extent of the heritage overlay is limited to the curtilage of the yellow highlighted area detailed on the Millar and Merrigan survey plan 26648M dated 3 March 2022 (**Annexed**).

Please do not hesitate to contact us with any questions.

Yours faithfully

Edward Mahony
Senior Associate.

Best Hooper Lawyers Pty Ltd

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Melbourne VIC 3000

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Collins Street West VIC 8007

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F +61 3 9670 2954

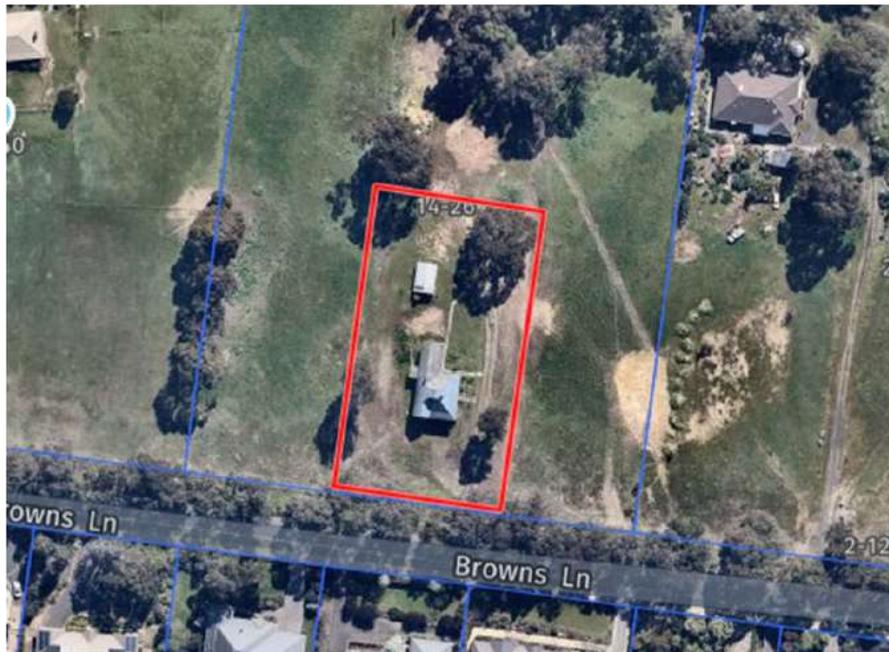
www.besthooper.com.au
ACN 137 307 692

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NILLUMBIK PLANNING SCHEME

14-26 Browns Lane, Plenty Precinct Statement of Significance

Heritage Place:	14-26 Browns Lane, Plenty	PS ref no:	HO270
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What is significant?

14–26 Browns Lane, Plenty, built in 1924

Elements that contribute to the significance of the place include:

- original single-storey built form and scale, including hip and gable roof that extends down over the return verandah;
- original pattern of openings; and
- materiality that includes weatherboard cladding, double-hung sash windows (some with vertical glazing bars), decorative timber front door surround with side lites and over lites, turned timber verandah posts, timber gable-end roof vents, window hood, gablet with two small air vents, and red brick chimneys.

The 1969–70 rear extension is not significant.

How is it significant?

The house at 14–16 Browns Lane, Plenty, is of local historical and representative significance to the Shire of Nillumbik.

Why is it significant?

The house at 14–26 Browns Lane, Plenty, is historically significant for its association with the development of Plenty in the interwar years. As an intact timber bungalow built for Marion and Fred Osmond in 1924, originally on a 20 acre lot, it provides tangible evidence of the interwar subdivision pattern in which large rural landholdings in the Plenty area were divided for sale in allotments of 10 or 30 acres. These allotments were advertised as being equally suited to farming and fruit-growing as

CM.017/22 Planning Scheme Amendment C138nill - Applying the Heritage Overlay on a Permanent Basis to 14-26 Browns Lane, Plenty
Attachment 7. Submitter Confirmation - Acceptance of Statement of Significance and Citation for 14-26 Browns Lane (subject to the agreed revision of curtilage to Heritage Overlay Mapping)

they were to residential purposes. In response to an increasing population in the area, this development coincided with and supported a growing Plenty town centre. Established in the 1920s, the town centre included a Primary School (HO213), Methodist Church (HO250), Store and Hall (HO248).

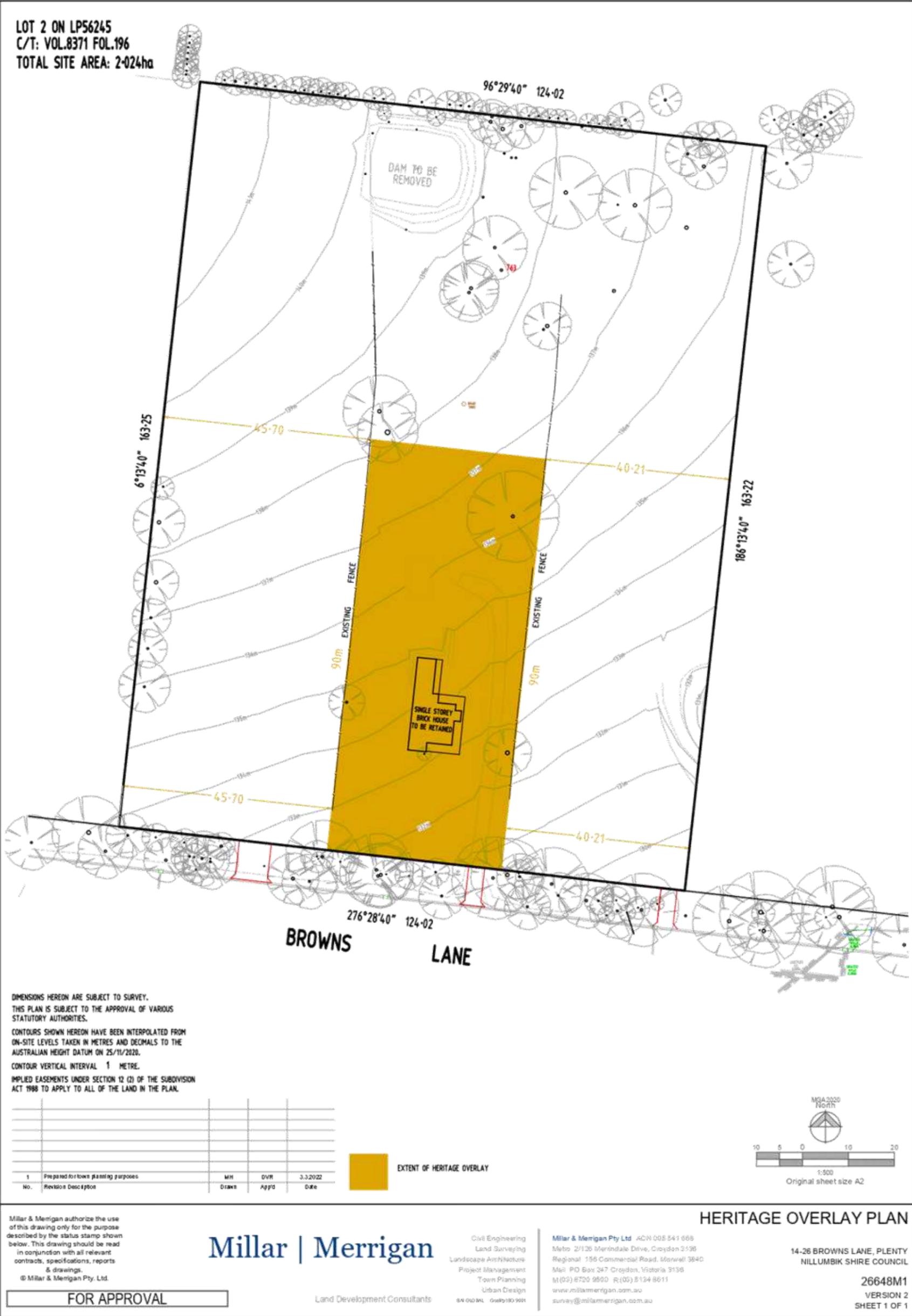
Arthurs Creek, Doreen, Hurstbridge, Strathewen, Plenty, Diamond Creek, Yarrambat and Research became important centres for a fruit-growing industry that was based at Diamond Creek. Smaller orchardists, however, often struggled to make a living from their trees and often turned to other activities such as raising chickens, selling firewood or even working for other landowners or in goldmines, as well as tending their fruit trees. In 1927 a poultry farm was operating on the subject site. 14–16 Browns Lane thus provides evidence of these early agricultural activities in the area. The significance of the place is enhanced by its rural setting, which maintains its street frontage to Browns Lane (Criterion A).

The house at 14–26 Browns Lane, Plenty, is a largely intact representative example of a timber interwar bungalow. It has had very few changes made to the original or early built fabric across its principal elevations. Key characteristics include its asymmetric built form with projecting front room below a dominant hip and gable roof, extensive wrap-around verandah under the sweep of the main roof line, and a box bay window that sits under its own skillion roof with a window hood (Criterion D).

Primary source

Nillumbik Shire Stage B Heritage Review/ Citation for 14-26 Browns Lane, Plenty.

This document is an incorporated document in the Nillumbik Planning Scheme pursuant to section 6(2)(j) of the *Planning and Environment Act 1987*



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AMENDMENTS C143 AND C144 TO THE NILLUMBIK PLANNING SCHEME - TABLE OF KEY PROPOSED CHANGES

No.	Change Proposed by Amendment C143 (Eltham)	Change Proposed by Amendment C144 (Diamond Creek)	Explanation
1	Rezone land in the Industrial 3 Zone (IN3Z) in Eltham to Schedule 1 to the Activity Centre Zone (ACZ1) - Eltham Activity Centre. See the map of the proposed rezoning to ACZ1, which is provided as Appendix A below.		Extends the ACZ1 to the Bridge Street Business Area (BSBA), which will apply land use and urban design provisions to the BSBA that are tailored to support the objectives of the Eltham MAC Structure Plan (2020).
2	To modify the content of the ACZ1 provision (also known as an ordinance) at Clause 37.08 of the Scheme.	To modify the content of the ACZ2 provision (also known as an ordinance) at Clause 37.08 of the Scheme.	To particularly modify the content to: <ul style="list-style-type: none"> • To set front setbacks from the property boundary and not the kerb. • To provide more urban design guidance within the ACZ schedule. • To cite the relevant 2020 Structure Plan as the primary reference document. • To improve the table of uses, including to address some errors, inconsistencies and allow some potentially significant uses to be better regulated. • Make minor changes to existing height controls, whilst still making extensive use of mandatory height controls and applying modest height limits. • Better acknowledge and support the role of vegetation in providing urban cooling, particularly in public areas.

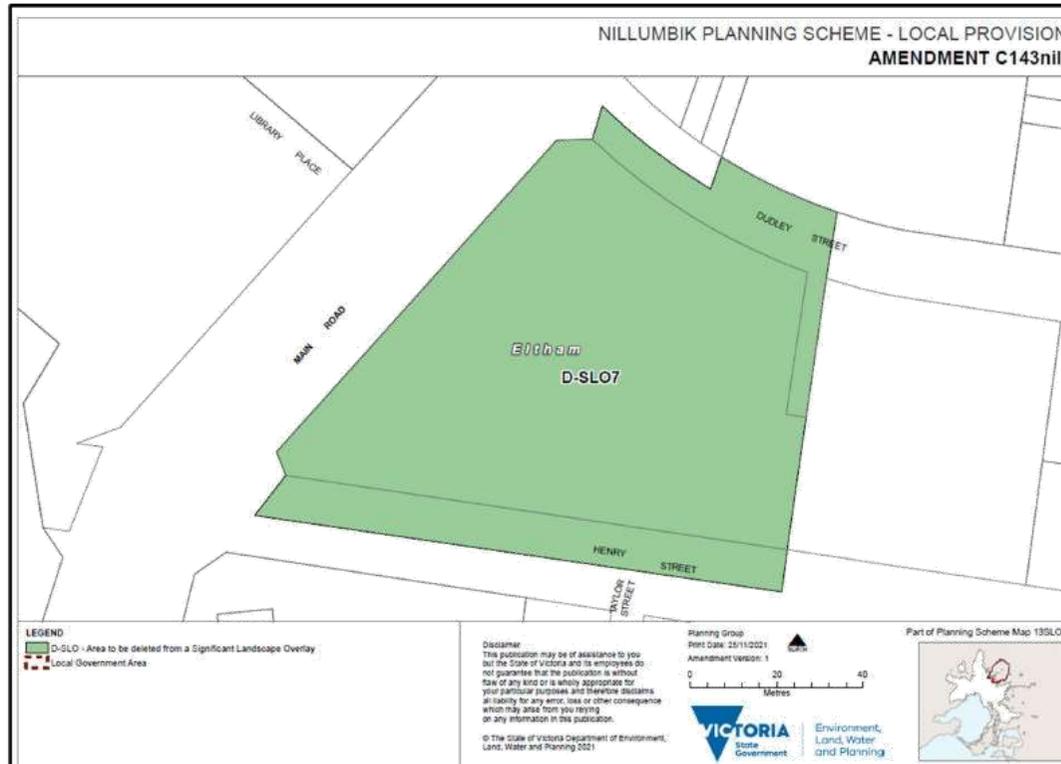
CM.018/22 Proposed Planning Scheme Amendments C143 (Eltham Major Activity Centre) and C144 (Diamond Creek Major Activity Centre)
Attachment 1. Amendments C143 and C144 - Table of Proposed Key Changes

No.	Change Proposed by Amendment C143 (Eltham)	Change Proposed by Amendment C144 (Diamond Creek)	Explanation
			<ul style="list-style-type: none"> For Eltham only – apply urban design and land use settings for the BSBA (discussed further above)
3	To modify the content of the Significant Landscape Overlay: Schedule 1 (Eltham Town Centre)	To modify the content of the Significant Landscape Overlay: Schedule 6 (Diamond Creek MAC)	To update the schedules to reference and properly reflect the relevant 2020 Structure Plan.
4	To remove Schedule 7 (Eltham Gateway) to the Significant Landscape Overlay from 1-13 Henry Street, Eltham. See the map provided as Appendix B below.		Two schedules to the SLO are applied to 1-13 Henry Street, Eltham. These are the SLO1 (Eltham Town Centre) and SLO7 (Eltham Gateway). This is an error, as only one schedule to the SLO should be applied. The site is within the Eltham Town Centre and within the area to which the SLO1 is applied. For example, the SLO1 is applied to the abutting properties, rather than the SLO7. The SLO1 is the correct overlay that should be applied to 1-13 Henry Street. It is proposed to remove the SLO7 from the site, which will leave the SLO1 in place on the site.
5	Modify Clause LPP 11.03-1L-01 (Activity Centres in Nillumbik)		It is proposed to modify the clause to reflect the new structure plans and to remove content that is now addressed through the proposed ACZ1 and ACZ2.
6	Delete Clause LPP 11.03-1I-02 (Bridge Street Business Area) from the Planning Policy Framework		The policy is superseded by the proposed extension of the ACZ1 to the BSBA.

APPENDIX A: PROPOSED REZONING IN ELTHAM'S BRIDGE STREET BUSINESS AREA OF THE INDUSTRIAL 3 ZONE (IN3Z) TO SCHEDULE 1 TO THE ACTIVITY CENTRE ZONE (ACZ1)



APPENDIX B: PROPOSED REMOVAL OF SCHEDULE 7 TO THE SIGNIFICANT LANDSCAPE OVERLAY (SLO7) FROM 1-13 HENRY STREET, ELTHAM (THE SLO1 WILL BE RETAINED ON THE SITE)



NILLUMBIK PLANNING SCHEME

11.03-1L-01 Activity centres in Nillumbik

22/07/2021
C135nill

Strategies

Concentrate major retail activities in the Eltham and Diamond Creek Major Activity Centres.

Encourage development that facilitates opportunities for meeting and community interaction in the Eltham and Diamond Creek Major Activity Centres.

Plan for the Eltham Major Activity Centre in accordance with The Eltham Major Activity Centre Structure Plan (July 2020)

Plan for the Diamond Creek Major Activity Centre in accordance with the Diamond Creek Major Activity Centre (September 2020)

CM.018/22 Proposed Planning Scheme Amendments C143 (Eltham Major Activity Centre) and C144 (Diamond Creek Major Activity Centre)
Attachment 2. Proposed Clause 11.03-1L-01 Activity Centres in Nillumbik with changed text highlighted

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Planning and Environment Act 1987

**NILLUMBIK PLANNING SCHEME
 AMENDMENT C143nill
 EXPLANATORY REPORT**

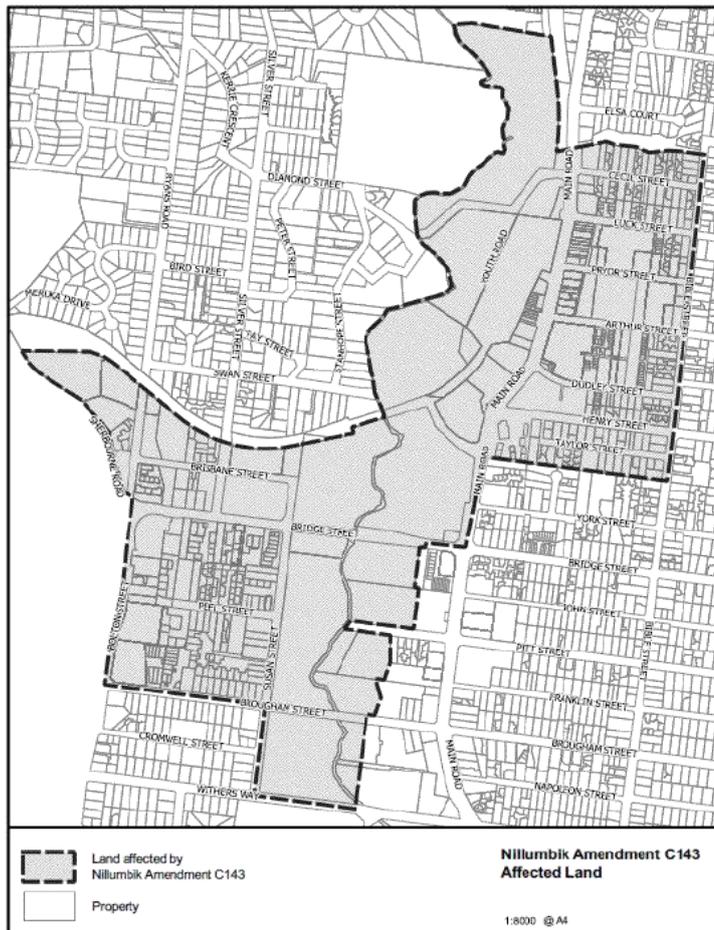
Who is the planning authority?

This amendment has been prepared by the Nillumbik Shire Council which is the planning authority for this amendment.

The amendment has been made at the request of Nillumbik Shire Council.

Land affected by the amendment

The land affected by the amendment is all land within the Eltham Major Activity Centre. The affected land is shown in the following map:



A mapping reference table is attached at Attachment 1 to this Explanatory Report.

What the amendment does

The amendment will implement the Eltham Major Activity Centre Structure Plan (July 2020) into the Nillumbik Planning Scheme and give it statutory effect, particularly by doing the following:

- Amending planning scheme map Nillumbik 13ZN by rezoning land in the Industrial 3 Zone (IN3Z) in Eltham to Schedule 1 to the Activity Centre Zone (ACZ1), as shown in the map referred to in Attachment 1.
- Modifying the following ordinances in the Nillumbik Planning Scheme to reflect and implement the Eltham Major Activity Centre Structure Plan (July 2020):
 - The ACZ1
 - Schedule 1 to the Significant Landscape Overlay (SLO1) – Eltham Town Centre
 - Clause 11.03-1L-01 (Activity Centres in Nillumbik) of the Planning Policy Framework
- Deleting Clause 11.03-1L-02 (Bridge Street Business Area) of the Planning Policy Framework
- Removing application of Schedule 7 to the Significant Landscape Overlay (SLO7) from 1-13 Henry Street, Eltham.

Strategic assessment of the amendment

Why is the amendment required?

The amendment is required to update the Nillumbik Planning Scheme to implement the current adopted structure plan for the Eltham Major Activity Centre. The Nillumbik Planning Scheme currently implements the Eltham Major Activity Centre Structure Plan (2004). However, Nillumbik Shire Council adopted a new structure plan for the Eltham Major Activity Centre in July 2020 and this new structure plan needs to be implemented through the planning scheme.

Implementation of the Eltham Major Activity Centre Structure Plan (2020) particularly requires changes to the Nillumbik Planning Scheme which will:

- Correctly reference and reflect the 2020 Structure Plan as the reference document for relevant provisions in the scheme.
- Make changes to the ACZ1 which will implement particular recommendations of the Eltham MAC Structure Plan (2020). For example, to:
 - Extend application of the ACZ1 to the Bridge Street Business Area.
 - Remove an existing mandatory requirement in the ACZ1 for a top storey to be in the roof.
 - Modify the ACZ1 to require front setbacks to be measured from the property boundary, rather than the kerb.
- Make administrative improvements and/or corrections to the suite of relevant planning provisions. For example:
 - To remove inefficiencies in the table of uses in the ACZ1. For example, to remove unnecessary listings of uses, such as “saleyard” and “tramway”.
 - To streamline the content in the Planning Policy Framework. For example, to delete Clause 11.03-1L-01, which is made redundant by application of the ACZ1 to the Bridge Street Business Area.

- To remove application of the SLO7 to 1-13 Henry Street, Eltham. The SLO1 is already applied to the site and is the correct schedule to be applied.

The proposed changes to the Nillumbik Planning Scheme can only be conducted by a planning scheme amendment.

The amendment is consistent with Planning Practice Note 56: Activity Centres (PPN56) which identifies the Activity Centre Zone as the appropriate statutory tool to implement its strategic directions. Amendment C143 seeks to apply the Activity Centre Zone (ACZ1) to the Bridge Street Business Area within the Eltham Major Activity Centre to guide appropriate future development of the precinct. The Activity Centre Zone has been drafted to provide greater clarity and direction for land use and development in that location.

How does the amendment implement the objectives of planning in Victoria?

The amendment implements the following objectives as set out in Section 4 of the *Planning and Environment Act 1987*:

- Section 4(1) (a) - To provide for the fair, orderly, economic and sustainable use and development of land.
- Section 4(1) (c) - To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.
- Section 4(1) (fa) - To facilitate the provision of affordable housing in Victoria
- Section 4(1) (g) - To balance the present and future interests of all Victorians.

How does the amendment address any environmental, social and economic effects?

The amendment supports the implementation of State activity centre planning policy in the Eltham Major Activity Centre. Activity centre planning policy aims to provide outcomes which address and respond to a range of current environmental, social and economic effects. Examples of these desired outcomes include to:

- Reduce car dependency by consolidating housing, employment, public transport and shops and services in close walking distance of each other.
- Plan for our ageing population by consolidating housing diversity in close walking distance to shops and public transport.
- Support housing affordability and diversity.
- Strengthen the local economy by consolidating commercial activity and providing more local employment.
- Promote an active, inclusive, engaged and healthy community.
- Reflect a preferred local character for a Major Activity Centre.
- Reduce pressure to extend the Urban Growth Boundary (UGB) by strategically consolidating within the boundary.

Does the amendment address relevant bushfire risk?

The amendment is not expected to have any implications regarding bushfire risk. No land affected by the amendment is within the Bushfire Management Overlay. However, the views of the relevant fire authority will be sought through exhibition of the amendment.

Does the amendment comply with the requirements of any Minister's Direction applicable to the amendment?

The amendment is consistent with:

- Ministerial Direction - The Form and Context of Planning Schemes – under section 7(5) of the Planning and Environment Act 1987.

- Ministerial Direction No. 9 (Metropolitan Planning Strategy), as explained in the following dot points:
 - The relevant metropolitan planning strategy is Plan Melbourne 2017-2050.
 - The strategy supports the role of activity centres in the planning and development of Melbourne. For example, it is stated that “metropolitan and major activity centres will ensure employment growth occurs outside of the central city”.
 - The strategy denotes Eltham as a Major Activity Centre.
 - The amendment supports continued planning for development of the Eltham Major Activity Centre Structure Plan in accordance with Plan Melbourne 2017-2050.
- Ministerial Direction 11 (Strategic Assessment of Amendments), which seeks to ensure comprehensive strategic assessment of planning scheme amendments.
- Ministerial Direction 19 (Information requirements for amendments that may result in impacts on the environment, amenity and human health), which seeks the views of the Environment Protection Authority in preparation of planning scheme amendments.

How does the amendment support or implement the Planning Policy Framework and any adopted State policy?

The amendment supports and implements relevant state provisions within the Planning Policy Framework. For example, it supports:

- The objective of Clause 11.02-2S (Structure Planning), which is to facilitate the orderly development of urban areas.
- The objective of Clause 11.03-1S (Activity Centres), which is to encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres that are highly accessible to the community.
- All strategies contained within Clause 11.03-1S (Activity Centres), such as:
 - Concentrate major retail activities in the Eltham and Diamond Creek Major Activity Centres.
 - Encourage development that facilitates opportunities for meeting and community interaction in the Eltham and Diamond Creek Major Activity Centres.
- The amendment supports the objectives of Clause 11.03-1L-02 (Bridge Street Business Area), which are:
 - To facilitate a shift from a primarily industrial area to one that includes restricted retail, light industry, commercial offices, health and fitness centres, indoor sports and recreation centres.
 - To enhance the visual amenity, functionality and accessibility of the Bridge Street Business Area.
 - To maximise the development potential of sites within the Bridge Street Business Area.
- The amendment addresses Clause 16.01-3S (Housing Diversity) which increases residential density in the activity centre which will support the provision of a diverse range of housing.
- The amendment addresses Clause 17.01-1S (Diversified Economy) and Clause 17.02-1S (Business) by providing for a range of opportunities for commercial – including retail, entertainment, office and other commercial facilities - and business growth and provides a framework for the location and management of growth.
- The amendment addresses Clause 18.01-1S (Land use and transport planning) and Clause 18.02-2S (Public Transport) by encouraging and facilitating growth, including

increased residential density and development within the Eltham Major Activity Centre that is well serviced and in close proximity to public transport.

How does the amendment support or implement the Municipal Planning Strategy?

The amendment supports and is consistent with relevant directions from the Municipal Planning Strategy (MPS). For example, it supports and is consistent with the following content within the MPS:

- The Eltham Major Activity Centre is one of the primary community and commercial focal points within Nillumbik, providing a diverse range of commercial activities, community services, recreational facilities and housing opportunities, as well as containing a substantial public transport hub.
- It is envisioned that the Eltham and Diamond Creek Major Activity Centres will continue to be the focus of community life, providing a wide range of shopping and professional services and places to meet and recreate. They will also have an increased role in providing for a diversity of housing and in particular, medium density housing.
- The locations considered most suited to medium density development are those that are close to infrastructure, including public transport scheduled stops, commercial areas, public open space and other community facilities. The Eltham and Diamond Creek Major Activity Centres and the Hurstbridge Shopping Centre provide such facilities.
- The main employment locations, the Eltham and Diamond Creek Major Activity Centres, Hurstbridge Neighbourhood Activity Centre and the industrial land at Research, need to be maintained to continue to provide opportunities for local employment.
- The existing industrial precincts in Eltham, Research and Diamond Creek are close to full capacity. To facilitate new industrial uses, these precincts should be retained for industrial uses and protected from the encroachment of other uses. This is unless Council has identified the land to be redeveloped with other uses, as is the case for the Bridge Street Business Precinct in the Eltham Major Activity Centre.
- Council seeks to:
 - Promote Eltham and Diamond Creek Major Activity Centres as the main commercial and community activity areas of the Shire, supported by Neighbourhood Activity Centres, small local convenience centres, rural townships, and rural stores
 - Facilitate an expansion in the range of commercial and community services available in the major activity centres, including those that cater for a local/regional clientele and special interest area.
 - Facilitate increased diversity and amount of housing in the major activity centres that are sustainable and scaled to respect the surrounding topography.
 - Support the economic and employment viability of Activity Centres, Town Centres and the industrial land at Research.

Does the amendment make proper use of the Victoria Planning Provisions?

The amendment makes proper use of the Victoria Planning Provisions, noting:

- It retains, updates and improves application of the Activity Centre Zone to the Eltham Major Activity Centre. The Activity Centre Zone is the appropriate zone to be applied to a major activity centre.
- It appropriately retains and improves use of the Significant Landscape Overlay to protect particular trees within the Eltham Major Activity Centre.

How does the amendment address the views of any relevant agency?

The views of relevant agencies will be sought during the public exhibition process.

Does the amendment address relevant requirements of the Transport Integration Act 2010?

The amendment is consistent with and supports all the stated transport system objectives contained within the Transport Integration Act (2010).

Resource and administrative costs

• What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?

The Amendment will have limited impact on the Responsible Authority's resource and administrative costs, particularly as:

- The proposed extension of the ACZ1 to the Bridge Street Business Area is to only a modest sized area of land and thus, is not expected to generate an appreciable increase in the number of planning permit applications.
- The proposed revisions to the content of the ACZ should assist in streamlining the assessment of planning permit applications triggered by the zone, primarily because:
 - The changes provide more urban design guidance for applicants and planners; and
 - Remove some complicated requirements (e.g. mandatory top storey in the roof).

Where you may inspect this amendment

The Amendment can be inspected free of charge at the Nillumbik Shire Council's public engagement website at <https://participate.nillumbik.vic.gov.au/>

The amendment is available for public inspection, free of charge, during office hours at the following places:

Nillumbik Shire Council Offices
Civic Drive
Greensborough 3088

The amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection.

Submissions

Any person who may be affected by the amendment may make a submission to the planning authority. Submissions about the amendment must be received by **XXXXTBCXXXX**.

A submission must be sent to:

Leigh Northwood
Lead Strategic Planning
Nillumbik Shire Council
Civic Drive (PO Box 476)
Greensborough 3088

Alternatively, a submission can be sent electronically via email to strategic.planning@nillumbik.vic.gov.au

Panel hearing dates

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- directions hearing: **TBC**

- panel hearing: TBC

ATTACHMENT 1 - Mapping

Location	Land /Area Affected	Mapping Reference
Eltham	All land within the Industrial 3 Zone	Nillumbik C143nill 001zn Map13 Exhibition
Eltham	1-13 Henry Street, Eltham	Nillumbik C143nill 002 d-SLO Map13 Exhibition

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NILLUMBIK PLANNING SCHEME

11/08/2016
C106

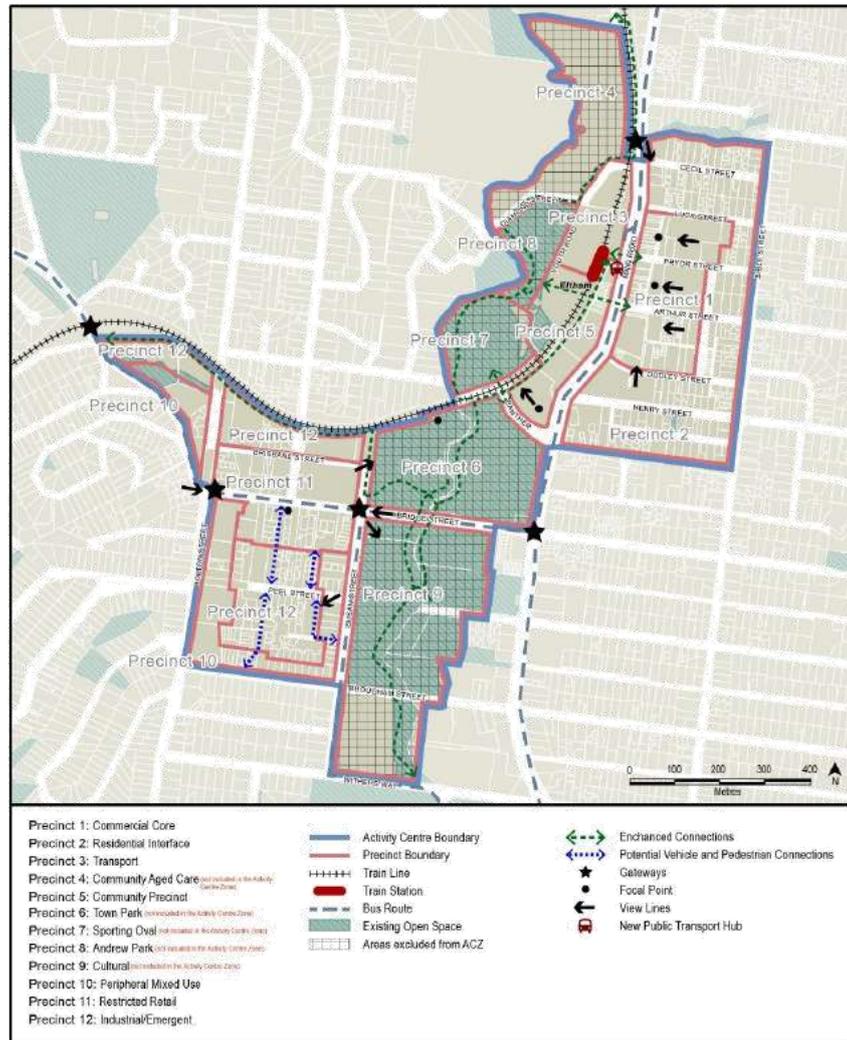
SCHEDULE 1 TO THE ACTIVITY CENTRE ZONE

Shown on the planning scheme map as **ACZ1**.

ELTHAM ACTIVITY CENTRE

1.0
11/08/2016
C106

Eltham Activity Centre Framework Plan



NILLUMBIK PLANNING SCHEME

2.0 Land use and development objectives to be achieved

11/08/2016
C106

Land use

- To achieve the vision, objectives and strategies of the Eltham Major Activity Centre Structure Plan (July 2020).
- To encourage a land use mix that services local residents, supports local businesses, while attracting ongoing investment to the centre.
- To encourage mixed-use developments in the Activity Centre as specified in the Eltham Major Activity Centre Structure Plan (July 2020).
- To provide more employment opportunities by intensifying and expanding the range of commercial and community activities in the centre, particularly the amount of office development.
- To promote the provision of convenience and comparison shopping in a compact core east of Main Road between Luck and Dudley Street.
- To encourage the development of leisure and social opportunities such as retail, dining and entertainment, which operate day and night, and at weekends.
- To create a lively and people-based centre with civic and community spaces that enhance community.

Built form and character

- To encourage more intensive development in a variety of high quality forms and design responses that respond to the Eltham form and character and create a safe, stimulating and enjoyable experience for people in the Activity Centre.
- To ensure that elements that contribute to the form and character of Eltham such as timber in buildings, simple, robust design elements, verandahs with timber colonnades on the outer edge and art on the façade of buildings is incorporated in developments.
- To ensure that the built form of the town centre responds to, enhances and links to the Eltham Activity Centre's 'green spine' of Alistair Knox Park and other parkland along the Diamond Creek.
- To ensure building heights, setbacks and form have regard to and seek to be compatible with the surrounding development and the character of the locality in which the development is situated.
- To ensure the exterior of buildings fit the character of the area by utilising earthy toned colours and materials such as stone, wood, render and mud brick.
- To ensure that building setbacks achieve spatial proportion to the street and define the street edge, providing a high amenity for uses of the street.
- To maintain appropriate levels of solar access to existing and proposed public spaces.
- To avoid underdevelopment of land within the Activity Centre.
- To ensure development mitigates detrimental off-site amenity impacts.
- To create a transition in uses and built form scale between the Activity Centre and adjacent residential areas (outside the Activity Centre).
- To reduce the visual dominance of car parking and ensure the design of parking and access areas is safe, practical and attractive.

NILLUMBIK PLANNING SCHEME

- To enhance the continuity of pathways within the Activity Centre and improve the connection to surrounding neighbourhoods.
- To provide significant opportunities for deep rooted landscaping around the perimeter of buildings, including by ensuring basements are designed to support and provide for this outcome.

Landscape and place activation

- To create a lively and people-based centre, accommodating a wide variety of place based activities, including pop up parks, playgrounds, markets, festivals and events.
- To encourage public artwork in suitable locations to contribute to the 'art character' of Eltham.
- To increase activity, interaction and passive surveillance in the Activity Centre, particularly in main retail and mixed use areas, along pedestrian routes and open spaces by the incorporation of active frontages and large display windows at ground level.
- To ensure pedestrian entrances into buildings are located at the same level as the footpath, clearly visible from the street, well lit, and allow for mobility-impaired access.
- To reinforce the theme and role of indigenous vegetation within the Eltham Activity Centre, including by protecting and planting, where appropriate, indigenous vegetation.
- To protect and enhance the contribution provided by canopy trees to the existing and preferred character of Eltham.
- To ensure that the front, side and rear setbacks of development sites are extensively and effectively landscaped with canopy trees and other vegetation, particularly indigenous where appropriate.
- To ensure that the health of existing canopy trees is not unnecessarily jeopardised by buildings and works.
- To visually connect to the surrounding ridges and tree lines surrounding the town centre.
- To use vegetation to mitigate against the heat-island effect within the activity centre, particularly in key public areas.
- To ensure new car parking areas are provided with landscaping with canopy trees where appropriate.

Movement and access

- To facilitate the development of a new public transport hub (railway station and bus interchange), including providing adequate well-designed and integrated commuter parking.
- To connect the eastern and western sides of the rail crossing on Diamond Street and improve the Centre's walkable catchment, including by removing the rail crossing.
- To ensure the design of parking and access areas is safe, practical and attractive.
- To improve car park management and design including designated accessible bays and sufficient bicycle facilities.
- To establish the commercial and retail precincts of the centre as 'pedestrian priority areas'.
- To provide for and strengthen circulation networks and linkages between the Eltham Town Centre (Precincts 1-5) and the Bridge Street Business Area (BSBA) (Precinct 10-12) and other destinations in and around the Activity Centre.

NILLUMBIK PLANNING SCHEME

- To improve visual and physical connections for pedestrians and cyclists (including by the use of wayfinding signage) between the Diamond Creek Trail and key destinations within the Activity Centre.
- To create a network that encourages people to walk and cycle safely to, and within the Activity Centre.
- To create new and improved pedestrian and/or cyclist connectivity:
 - across the railway line,
 - along and across Main Road, while adequately maintaining traffic flow.

Community and leisure

- To provide for a network of spaces and facilities as required for leisure and recreation to meet projected community needs.
- To provide more unstructured recreational spaces.
- To encourage better connectivity between community uses.
- To provide a multi-purpose community hub in the Activity Centre.
- To encourage community art.

Land configuration and ownership

- To discourage subdivision that fragments existing land holdings and reduces development opportunities and active frontages.
- To encourage the consolidation of land to create lots of a size sufficient to accommodate the visual and amenity impacts associated with more intense development.

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Table of uses

Section 1 - Permit not required

USE	CONDITION
Accommodation (other than Corrective institution, Dependent Person's Unit, Dwelling, Residential aged care facility)	Must be in Precinct 1, 3 or 4A. Any frontage at ground floor level must not exceed 2 m.
Bed and breakfast	Must be in Precinct 1, 2, 3 or 5. In Precinct 2: <ul style="list-style-type: none"> ▪ no more than 10 persons may be accommodated away from their normal place of residence ▪ at least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.
Convenience shop	Must be in Precinct 10, 11 or 12.
Dwelling (other than Bed and breakfast)	Must be in Precinct 1, 2, 3 or 5. In Precincts 1, 3 5A, 5D or 5E any frontage at ground floor level must not exceed 2 metres (other than Caretaker's house).
Food and drink premises (other than Convenience restaurant, Hotel, Bar)	Must be in Precinct 1, 3 or 5A.

NILLUMBIK PLANNING SCHEME

USE	CONDITION
Home occupation	
Informal outdoor recreation	
Medical centre	Must be in Precinct 1, 3 or 5A.
Minor utility installation	
Office (other than Medical centre)	Must be in Precinct 1, 3 or 5A or 10.
Place of worship	Must be in Precinct 1, 2, 3 or 5. The gross floor area of all buildings must not exceed 250 square metres. In Precinct 2 the site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
Railway	
Railway station	Must be in Precinct 3 or 5D. The total leasable floor area for the selling of food, drink and other convenience goods and services must not exceed 50 square metres.
Residential aged care facility	Must be in Precinct 1, 3 or 5A. Any frontage at ground floor level must not exceed 2 metres.
Restricted retail premises	Must be in Precinct 11.
Retail premises (other than Shop, Food and drink premises)	Must be in Precinct 1, 3 or 5A.
Shop (other than Adult sex product shop, Convenience Shop, Restricted Retail Premises)	Must be in Precinct 1, 3 or 5A.

NILLUMBIK PLANNING SCHEME

USE	CONDITION
Warehouse (other than Fuel depot, Mail centre or Shipping container storage)	<p>Must be in Precinct 10, 11 or 12.</p> <p>Must not be a purpose listed in the table to Clause 53.10 with no threshold distance specified.</p> <p>The land must be at least the following distances from land (not a road) which is in a Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution:</p> <ul style="list-style-type: none"> ▪ The threshold distance, for a purpose listed in the table to Clause 53.10. ▪ 30m, for a purpose not listed in the table to Clause 53.10. <p>Must not:</p> <ul style="list-style-type: none"> ▪ Exceed a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012. ▪ Require a notification under the Occupational Health and Safety Regulations 2017. ▪ Require a licence under the Dangerous Goods (Explosives) Regulations 2011. ▪ Require a licence under the Dangerous Goods (HCDG) Regulations 2016. <p>Must not adversely affect the amenity of the neighbourhood, including through the:</p> <ul style="list-style-type: none"> ▪ Transport of materials, goods or commodities to or from the land. ▪ Appearance of any stored goods or materials. ▪ Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.
Any use listed in Clause 62.01	Must meet requirements of Clause 62.01.

Section 2 - Permit required

USE	CONDITION
Accommodation (other than Corrective institution, Residential aged care facility)	Must be in Precinct 1, 2, 3 or 5.
Adult sex product shop	<p>Must be in Precinct 1, 3, 5A, 10, 11 or 12.</p> <p>Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from Precinct 2, a residential zone or, land used for a Hospital, Primary school or Secondary school or land in a Public Acquisition Overlay to be acquired for a Hospital, Primary school or Secondary school.</p>

NILLUMBIK PLANNING SCHEME

Amusement parlour	Must be in Precinct 1, 3, 5A, 10, 11 or 12. In Precinct 10 the site must not adjoin or have access to Brougham Street.
Bottle shop	Must be in Precinct 1, 3 or 5A.
Brothel	Must be in Precinct 1, 3, 5A, 10, 11 or 12. Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from Precinct 2, a residential zone or, land used for a Hospital, Primary school or Secondary school or land in a Public Acquisition Overlay to be acquired for a Hospital, Primary school or Secondary school.
Car park	In Precinct 2 must be used in conjunction with another use in Section 1 or 2.
Car wash	In Precinct 2 the site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
Child care centre	
Cinema	Must be in Precinct 1, 3 or 5.
Cinema based entertainment facility	
Convenience restaurant	Must be in Precinct 1, 2, 3, 5A, 10, 11 or 12. In Precinct 2, the site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
Convenience shop	
Education centre	In Precinct 10, 11 or 12 it must not be a Primary or Secondary school.
Food and drink premises (other than Convenience restaurant, Hotel, Take away food premises)	
Hotel	In Precinct 2 the site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
Industry (other than Car wash)	Must be in Precinct 1, 3, 5A, 10, 11 or 12. In Precinct 1, 3 or 5A must not be a purpose listed in the table to Clause 53.10.
Leisure and recreation (other than Informal outdoor recreation, Motor racing track)	
Nightclub	Must be in Precinct 1, 3, 5, 10, 11 or 12. In Precinct 10 the site must not adjoin or have access to Brougham Street.
Office (other than Medical centre)	In Precinct 2: <ul style="list-style-type: none"> • the land must be located within 100 m of Precinct 1, 3 or 5A • the land must have the same street frontage as the land in Precinct 1, 3 or 5A • leasable floor area must not exceed 250 m².

NILLUMBIK PLANNING SCHEME

Place of assembly (other than Amusement parlour, Carnival, Cinema, Cinema based entertainment facility, Circus, Nightclub)	
Plant nursery	
Residential aged care facility	Must be in Precinct 1, 2, 3 or 5.
Restricted retail premises	Must be in Precinct 1, 3, 5A, 10 or 12.
Retail premises (other than Food and drink premises, Plant nursery, Shop)	Must be in Precinct 1, 3, 5A, 10, 11 or 12.
Service station	In Precinct 2 the site must either: <ul style="list-style-type: none"> ▪ adjoin land in Precinct 1, 3 or 5 ▪ adjoin or have access to a road in a Transport Zone 2 or a Transport Zone 3. In Precinct 2 the site must not exceed either: <ul style="list-style-type: none"> ▪ 3000 square metres ▪ 3600 square metres if it adjoins on two boundaries of a road in a Transport Zone 2 or a Transport Zone 3.
Shop (other than Adult sex product shop, Bottle shop, Restricted Retail Premises, Convenience Shop)	Must be in Precinct 1, 2, 3 or 5. In Precinct 2: <ul style="list-style-type: none"> ▪ the land must be located within 100 metres of Precinct 1, 3, 5A, or a Mixed Use Zone. ▪ the land must have the same street frontage as the land in Precinct 1 or Mixed Use Zone.
Store	Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.
Take away food premises	The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
Telecommunications facility – if the requirements of Clause 52.19 are not met	
Utility installation (other than Minor utility installation, Telecommunications facility)	
Warehouse (other than minor utility installation, Telecommunications facility, Store)	Must be in Precinct 1, 3, 5A, 10, 11 or 12. In Precinct 1, 3 or 5A must not be for a purpose listed in the table to Clause 53.10.
Any other use not in Section 1 or 3	

Section 3 – Prohibited

USE

- Corrective institution
- Intensive animal husbandry
- Motor racing track

NILLUMBIK PLANNING SCHEME

4.0 Centre-wide provisions

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Use of land

A permit is not required to use land for the purpose of local government, recreation, education, transport, police or health providing the use is undertaken by, or on behalf of, the public land manager.

Amenity of the neighbourhood

A use must not adversely affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any stored goods or materials.
- Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

Application requirements

An application to use land for an industry or warehouse must be accompanied by the following information, as appropriate:

- The purpose of the use and the types of processes to be utilised.
- The type and quantity of goods to be stored, processed or produced.
- How land not required for immediate use is to be maintained.
- Whether a Development Licence, Operating Licence, Permit or Registration is required from the Environment Protection Authority.
- Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the Dangerous Goods Act 1985 is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.
- The likely effects, if any, on the neighbourhood, including:
 - Noise levels.
 - Air-borne emissions.
 - Emissions to land or water.
 - Traffic, including the hours of delivery and despatch.
 - Light spill or glare.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.
- The effect that nearby industries may have on the proposed use.
- The drainage of the land.

NILLUMBIK PLANNING SCHEME

- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.
- The effect on nearby industries.

4.2 Subdivision

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In Precinct 2, an application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- Must meet all of the objectives included in the clauses specified in the following table.
- Should meet all of the standards included in the clauses in the following table.

Class of subdivision	Objectives and standards to be met
60 or more lots	All except Clause 56.03-5.
16-59 lots	All except Clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.
3-15 lots	All except Clauses 56.02-1, 56.03-1 to 56.03-4, 56.05-2, 56.06-1, 56.06-3, 56.06-6.
2 lots	Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.08 to 56.09-2.

4.3 Buildings and works

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A permit is not required for buildings and works for railway purposes including signals (and related control buildings), new tracks, track-work and realignment, train stabling, overhead power lines, gantries, buildings and works related to railway power requirements and any work required under the Disability Discrimination Act-Disability Standards for Accessible Public Transport 2002.

In Precincts 1, 3 and 5A a permit is not required for:

- The installation of an automatic teller machine unless it occupies more than 10% of the frontage.
- Alter an existing commercial building façade provided that:
 - the alteration does not include installation of an external roller shutter,
 - at least 80 per cent of the building façade at ground floor level is maintained as an entry or window with clear glazing.
- Construct an awning that projects over a road if it is authorised by the relevant public land manager.

Construction and extension of one dwelling on a lot

In Precinct 2 a permit is not required to:

- Construct or extend one dwelling on a lot of more than 300 square metres and not on common property.
- Construct or carry out works normal to a dwelling
- Construct or extend an outbuilding (other than a garage or carport) on a lot provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.

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- Construct one dependent person's unit on a lot.

A development must meet the requirements of Clause 54, unless otherwise stated in this schedule.

Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings

In Precinct 2:

- A permit is not required to construct a front fence within 3 metres of a street associated with two or more dwellings on a lot or a residential building provided it does not exceed the maximum height specified in Clause 55.06-2.
- A development must meet the requirements of Clause 55, unless otherwise stated in this schedule. This does not apply to a development of five or more storeys, excluding a basement

(NB: A building height limit of greater than 3 storeys or 10.5 metres is only allowed in Precinct 2B, which applies to very limited areas within Precinct 2 and is subject to a discretionary height limit of 4 storeys or 14 metres).

All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

Buildings on lots that abut a residential zone

Any buildings or works constructed on a lot that abuts land which is in a General Residential Zone or Neighbourhood Residential Zone must meet the requirements of Clauses 55.04-2, 55.04-3, 55.04-5 and 55.04-6 along that boundary, unless otherwise stated in this schedule.

4.4 Design and development

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In Precincts 10-12, Buildings should include flat, low pitch or skillion roof forms and incorporate water harvesting features.

Building height

A permit cannot be granted to vary any 'Mandatory Height' specified in the precinct provisions of this schedule.

Permit applications which seek to exceed any 'Discretionary Height' specified in the precinct provisions of this schedule, should demonstrate that:

- The objectives listed in Part 2.0 of this schedule are satisfied, particularly those listed under Built form and character and Landscape and place activation.
- The objectives and guidelines of the relevant precinct of this schedule are satisfied.
- Increased setbacks are provided for landscaping which includes additional canopy trees to assist in visually softening the development at street level and providing increased permeable surfaces.
- Design principles are included which provide landscaping beyond the ground level and green facades.
- The development substantially contributes to the appearance of the Activity Centre through high architectural quality appropriate to the character of the centre.

NILLUMBIK PLANNING SCHEME

For the purposes of this Schedule, building height excludes service equipment including plant rooms, lift overruns, solar collectors and other such equipment provided the following criteria are met:

- The features are no more than 4 metres above the maximum height of the building;
- The top floor area of the features is no more than 20 per cent of the floor area of the top building level;
- The equipment is located in a position on the roof so as to minimise additional overshadowing of neighbouring properties and public spaces;
- The equipment is designed, screened and finished in a non-reflective material and of a colour to the satisfaction of the responsible authority.

Building setbacks

Minor works including verandahs, architectural features, balconies, sunshades, screens and artworks may be constructed within any setback area specified at Part 5.0, provided they are designed and located to the satisfaction of the responsible authority.

Basement levels should be designed to provide deep rooted landscaping around the perimeter.

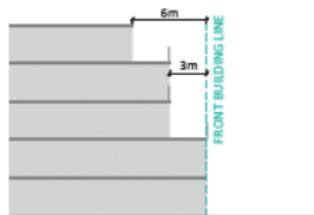
Where the precinct provisions specify a front setback, that setback is measured from the property boundary.

Precinct design guidelines

Precincts 1-5

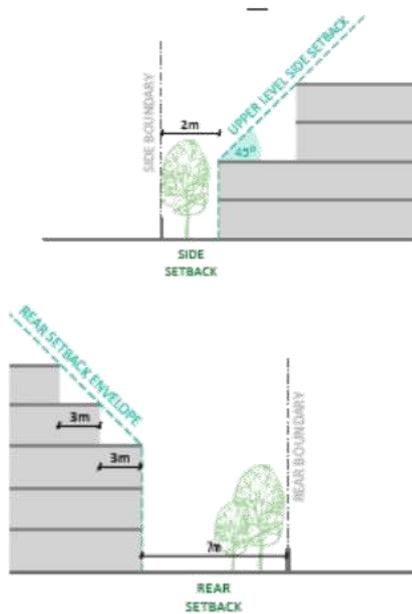
The following design guidelines apply to development within Precincts 1-5 in the Activity Centre, unless otherwise specified in Precinct provisions in Part 5.0 of this schedule.

1. Development should include a front setback as specified in the Precinct provisions in Part 5.0 of this schedule.
2. Any part of the building above 2 storeys should be:
 - Setback at least 3 metres from the front building line. Above 4 storeys the building should be setback a further 3 metres.



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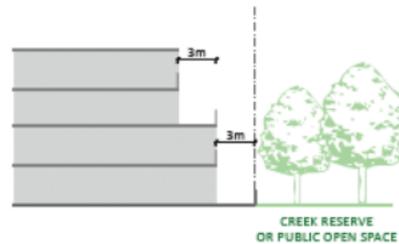
- Setback beyond a 45 degree plane from the sides of the level below (Precinct 2 properties only).
3. Rear setbacks to direct residential zones should be designed to manage visual bulk and overshadowing impacts to adjacent residential properties by:
- Applying a 7m rear landscape setback; and
 - Apply a 1m setback for every metre of height over 10.9m.



4. Rear setbacks to other zones above the street wall should be:
- 4.5m from the common boundary, where a habitable room window or balcony is proposed; or
 - 3.0m from the common boundary where a commercial or non-habitable window is proposed.
5. Development on lots directly interfacing with a creek reserve or public open space should:
- Be designed to address the creek reserve/ open space with entries, windows and balconies.
 - Provide a 4 metre upper level setback above the street wall to the creek reserve/open space.
 - Include a 3 metre landscaped setback from the property boundary facing the creek reserve/ open space.

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- Incorporate a low, visually permeable fence to clearly define the public realm while retaining the potential for visual interaction.



Bridge Street Business Area Design Guidelines (Precincts 10-12)

The following design guidelines apply to development within Precincts 10-12 (Bridge Street Business Area) in the Activity Centre:

1. Building setbacks should be applied as per the precinct plans in Part 5.0 of this schedule.
2. Building envelopes should be proportionate in scale to surrounding buildings.
3. Buildings should incorporate modulated and articulated facades to provide visual interest to the overall development.
4. Locate office/ display in front of industrial shed or warehouse to street elevations. Include windows with displays and doors to the street frontage. The building entrance must be located on street frontage to ensure it is visible and easily recognised.
5. Service areas, storage yards, loading docks and site car parking should be located at the side or the rear to reduce their visual prominence.
6. Any part of the building above 2 storeys should be:
 - Setback at least a 1:1 ratio from the second storey wall.
 - Well-articulated to provide visual interest.
7. Development should include a front setback that follows the prevailing building frontage line of neighbouring buildings and the streetscape, or the front setback specified in the precinct provisions at Part 5.0 of this schedule, whichever is lesser.
8. Where buildings are setback, entry features should extend to street edges and the front setback should be well landscaped, including with canopy trees where possible.
9. Development located on street corners should address both frontages and have regard to prevailing setback distances to both streets.
10. Building materials and colour palette should reflect the existing character through lightweight cladding, timber, render, on-masonry sheeting, glazing, brick, mud-brick and iron roofing.
11. Site development should respect major view lines from public vantage points.
12. Clearly delineate pedestrian and vehicular entries to the site.
13. Incorporate water efficient, energy sensitive and water sensitive urban design into the development.
14. Retain canopy trees wherever possible, in both the private and public realm.
15. Provide landscaping in the front and side setbacks with plants/species that are drought tolerant and where appropriate, indigenous to the local area.
16. Provide canopy trees in the front setback and car parking areas to soften the built form and provide shading opportunities.

NILLUMBIK PLANNING SCHEME

17. Front fencing along the street boundary is discouraged. If required, fencing should be permeable and should have a maximum height of 1.5m.
18. Side and rear fences should not exceed 1.8m in height
19. Extensive chain and wire cyclone mesh fencing is discouraged within areas that are visible from the street.

Landscape design

Landscape design should:

- Create private and public open space areas that are accessible, safe, attractive and functional.
- Retain established indigenous vegetation within all streets that contributes to the 'green and leafy' appearance of the area, in both the private and public realm.
- Limit the removal of vegetation to the minimum required to allow the land to satisfy its development potential.
- Provide high standard landscape treatment in the front setback where buildings are setback from the street with a focus on indigenous planting where appropriate, including the use of indigenous canopy trees.

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5.0 Precinct provisions

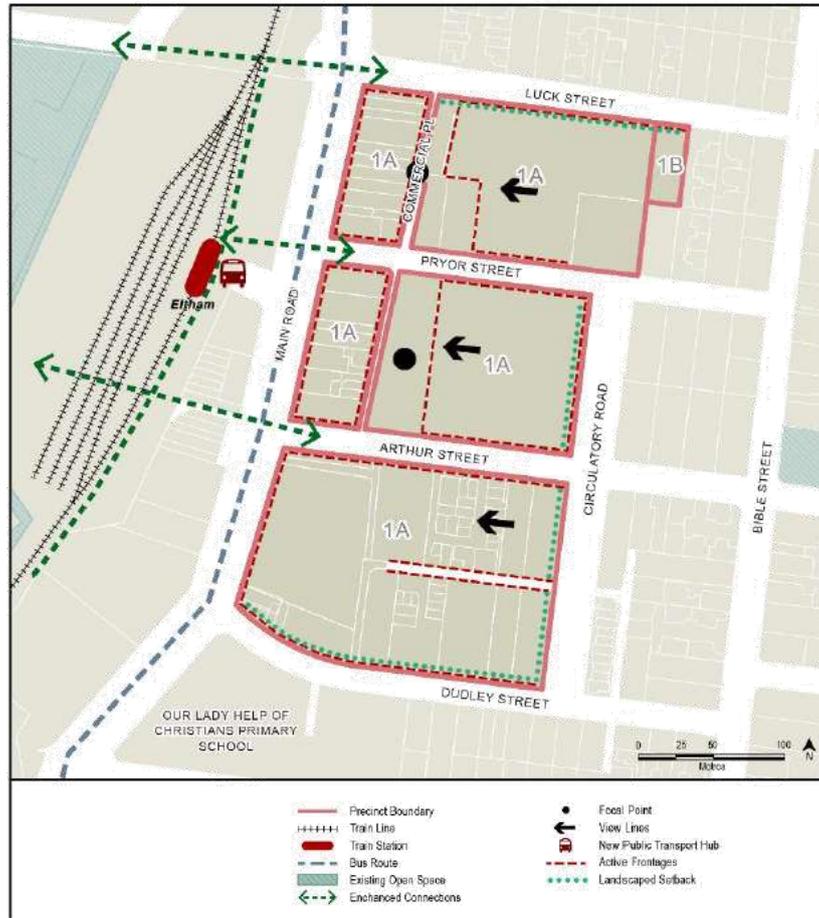
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5.1 Precinct 1 – Commercial Core

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5.1-1 Precinct map

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5.1-2 Precinct objectives

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- To create a lively and people-based commercial centre with the town square and Commercial Place forming a ‘food precinct’, a place to meet, rest, eat and play.
- To promote active street frontages.
- To provide a safe, attractive and convenient commercial centre.
- To encourage buildings that present a cohesive appearance which relates to the current modest scale of the precinct, emphasises key entrances to the town centre and reflects the Eltham form and character.
- To promote active and accessible street frontages, and ensure that streets throughout the area will be a focus for pedestrian activity and the buildings will relate positively to the public realm.

NILLUMBIK PLANNING SCHEME

- To provide and improve pedestrian linkages throughout the precinct, particularly:
 - between the Town Square and Main Road.
 - across Main Road to the train station.
 - in the 'pedestrian priority area' of the commercial core where there are various accessible seating options.
- To ensure that new development does not unreasonably interrupt the canopy ridge line of Eltham and views available to the west.
- To ensure the precinct is one of the preferred locations in the Activity Centre for one or more employment anchors.
- To create more employment opportunities by intensifying and expanding the range of commercial and retail activity, including office development, retail, dining and entertainment, and night time activities.
- To encourage mixed use developments with office and residential uses at the upper levels.
- To create a transition in uses and built form scale between the town centre and the nearby residential precinct.
- To maintain appropriate levels of solar access to existing and proposed public spaces.
- To encourage traffic calming measures on the precinct's local road network, including to Main Road to improve conditions for pedestrians and cyclists.

5.1-3

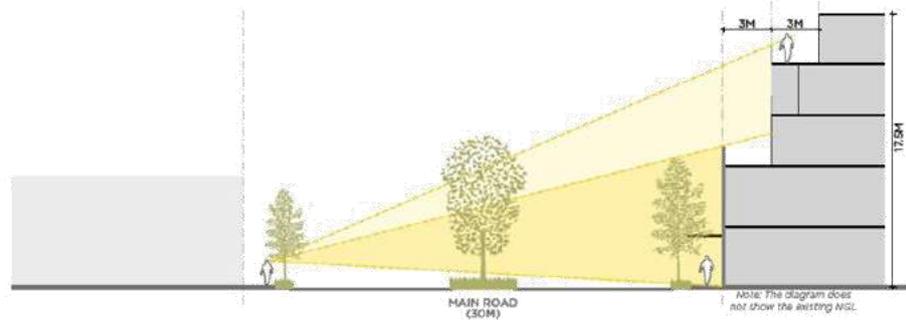
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Precinct Requirements

Sub-precinct	Discretionary height (excluding basement)	Mandatory height (excluding basement)	Preferred Minimum Setbacks
1A	5 storeys (17.5m).	None specified.	2 storey street wall with 0m front setback along Main Road, Pryor Street, Commercial Place, and Arthur Street. 2 storey street wall with 3m front setback along Luck Street, Dudley Street, and Circulatory Road. Landscaped setback along Luck Street, Dudley Street, and Circulatory Road. A 3m upper setback above the 2 storey street wall. A further 3m front setback above the fourth storey.
1B	4 storeys (14m).	None specified.	2 storey street wall with 5.5m front setback along Luck Street. Landscaped setback along Luck Street. A 3m upper setback above the 2 storey street wall. A further 3m front setback above the fourth storey.

NILLUMBIK PLANNING SCHEME

- The preferred built form character for Precinct 1 includes a 2 storey street wall, with levels above setback to reduce their visibility from the public realm. Section Diagram 1 (below) shows indicative minimum setbacks along Main Road.



Section Diagram 1: Indicative minimum setbacks along Main Road in Precinct 1

5.1-4 Precinct guidelines

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- Encourage retail development in Pryor Street, Commercial Place, Arthur Street and Dudley Street.
- Encourage restaurants and active uses near the Town Square and on Commercial Place between Luck and Pryor Streets.
- Encourage the development of offices throughout the precinct, particularly on sites abutting the west side of the Circulatory Road.
- Blank walls and reflective glazing is to be avoided.
- New development should provide active frontages to the street at ground level including facade articulation, inclusion of windows, entries and verandahs.
- Encourage small shops and other retail activities at ground level.
- Encourage the creation of a new pedestrian link between the Town Square and Main Road by converting one of the retail premises fronting Main Road into an open plaza.
- Upper levels of new developments should be articulated with building recesses and balcony treatments.
- Continuous weather protection for pedestrians should be provided along the Main Road, Pryor Street, Arthur Street and Commercial Place building frontages, subject to protecting existing tree canopies.
- Buildings on the corners of Dudley Street and Main Road and Luck Street and Main Road should be of high architectural quality with expressed corner building forms to create a sense of entry into this precinct.
- Shade trees should be planted in at grade car parks offering greater than 10 car spaces.
- Buildings fronting Main Road, Pryor Street, Arthur Street and Commercial Place should:
 - Provide 65-80% clear glazing (non-reflective) between a height of 0.5m and 2.4m above the footpath offering unobstructed views into the building.
 - Provide pedestrian entries at least every 15m.

NILLUMBIK PLANNING SCHEME

- Utilise the front wall to provide informal bench seating (can be low window sills).
- Include a street wall that includes both a fine grain and strong vertical articulation to deliver visual interest.
- Medium density mixed-use developments should provide basement or podium car parking sleeved with other uses that provide active frontages.
- Buildings on corner allotments should address both street frontages with commercial/ shop front windows at street level.
- Design new buildings with the ground floor located responding to the natural ground level (NGL) to promote a strong connection with the public street space and ensure access to all.
- The scale of built form in Commercial Place should respond to the narrowness of the street ensuring upper levels are sufficiently setback.
- Redevelopment of properties fronting Main Road between Arthur Street and Luck Street will require basement access from the side street, rather than Commercial Place.
- The building materiality should consist of a mix of timber, stone, mudbrick (or textured render), steel, glass and other natural materials and colours that are in character with the natural environment/ vegetation. The palette of materials may also include recycled, recyclable and/ or renewable materials and elements.

5.1-5 Any other requirements

- Refer to Part 4.4 of this schedule for interface setback guidelines and requirements.

NILLUMBIK PLANNING SCHEME

5.2 Precinct 2 – Residential Interface

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 5.2-1
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Precinct map



5.2-2 Precinct objectives

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- Encourage medium density housing, while also providing some small to medium scale office use.
- To provide a transition in built form scale between the core commercial area and adjoining residential areas.
- To ensure non-residential development is consistent with the preferred residential character and role of the precinct.
- To encourage landscaping in the front, side and rear setbacks.
- To protect and enhance the amenity within the Activity Centre and surrounding established residential neighbourhoods. For example, by providing significant use of landscaping, including canopy trees and well vegetated setbacks.
- To ensure development adequately responds to flooding constraints at the northern end of the precinct (identified by application of the Special Building Overlay).

NILLUMBIK PLANNING SCHEME

5.2-3 Precinct requirements

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Sub-precinct	Discretionary height (excluding basement)	Mandatory height (excluding basement)	Preferred Minimum Setbacks
2A	None specified.	3 storeys (10.5m).	<p>2 storey street wall with 5.5m front setback along all street frontages.</p> <p>Landscaped setback along all street frontages.</p> <p>Minimum 4m side setbacks to allow for landscaping including trees that contribute to the landscape character.</p> <p>Minimum 7m rear setback to respond to the existing backyard character.</p> <p>A 3m upper setback above the 2 storey street wall.</p>
2B	4 storeys (14m).	None specified.	<p>2 storey street wall with 5.5m front setback along all street frontages.</p> <p>Landscaped setback along all street frontages.</p> <p>Minimum 4m side setbacks to allow for landscaping including trees that contribute to the landscape character.</p> <p>Minimum 7m rear setback to respond to the existing backyard character.</p> <p>A 3m upper setback above the 2 storey street wall. A further 3m front setback above the fourth storey.</p>

5.2-4 Precinct guidelines

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- Use and development of non residential uses should:
 - be compatible with surrounding residential use, scale and intensity
 - generally serve local community needs
 - reflect the pattern of existing building siting and massing within the precinct.
- Consideration will be given to increased residential density on sites with larger footprints of 1500 square metres or greater, on which development should be designed with split levels to respond to the natural topography.
- Main pedestrian entrances should be clearly legible from the street and demarcated with strong architectural and landscape features including wayfinding signage.
- New development should appear to have domestic quality and respond to the treed residential character of the area through appropriate building siting that allows for

NILLUMBIK PLANNING SCHEME

provision for open landscaped front yards, canopy tree planting, and avoiding high solid fencing.

- Developments sited alongside boundaries should be massed in a staggered manner to avoid overlooking of adjacent properties and reduce overshadowing impacts.
- Building siting should provide the opportunity for open space areas and allow for canopy tree landscaping to be integrated with the total development.
- On-site car parking should be sited underground, or alternatively to the side and rear of dwellings to minimise visibility from the public realm.
- Crossovers and driveways to access car parking garages from the front should be limited.
- Building materiality should consist of a selection of timber, stone, mudbrick, galvanised corrugated sheet metal and other natural materials and colours that are in character with the natural environment/ vegetation. The palette of materials may also include recycled, recyclable and/ or renewable materials and elements.

5.2-5 Any other requirements

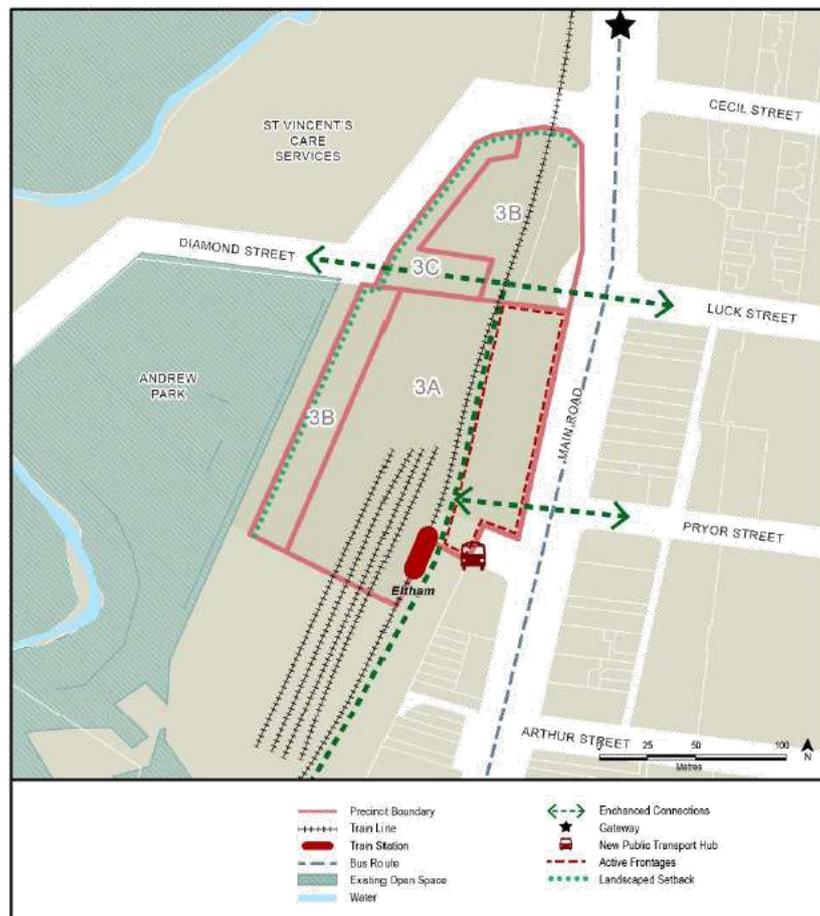
Refer to Part 4.4 of this schedule for interface setback guidelines and requirements.

NILLUMBIK PLANNING SCHEME

5.3 Precinct 3 – Transport

11/08/2016
 C106
 5.3-1
 11/08/2016
 C106

Precinct map



5.3-2 Precinct objectives

11/08/2016
 C106

- To encourage improved public transport services through progressive upgrades of Eltham Station and the Hurstbridge line, and provide adequate commuter parking.
- To facilitate the development of a new public transport hub (railway station and bus interchange).
- To encourage the creation of safe and convenient access along active edges fronting Main Road and on key edges of the public transport interchange, and to the community facilities to the south and nearby sporting facilities.
- To ensure the strong presence of native canopy trees will be maintained through careful siting and design of development.
- To promote the role of the station as a sustainable transport hub, to provide for improved pedestrian, cycle and public transport connections and facilities.

NILLUMBIK PLANNING SCHEME

- To encourage for removal of the level crossing to create better pedestrian and cyclist connectivity between the eastern and western sides of the rail line and Main Road, and improve the centre’s walkable catchment.
- To encourage traffic calming measures on Main Road to improve conditions for pedestrians and cyclists on Main Road, while appropriately maintaining traffic flow.
- To encourage car parking in basements or alternatively, with limited views from the public realm.
- To improve car park management and design by providing landscaping, high levels of accessibility, safe pedestrian connections and by ensuring car parking structures are not visually dominating.
- To encourage transit oriented development (TOD) including integrated residential, retail and office.

5.3-3

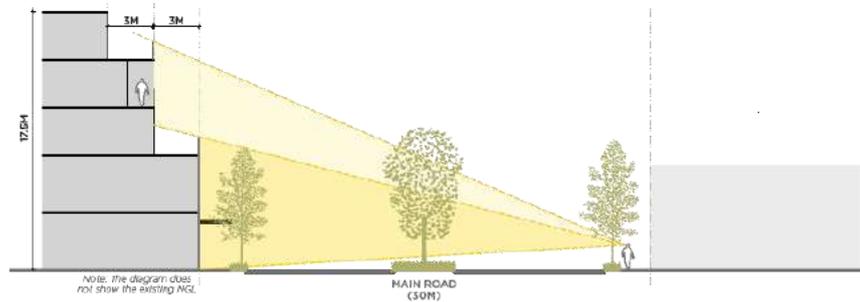
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C106

Precinct requirements

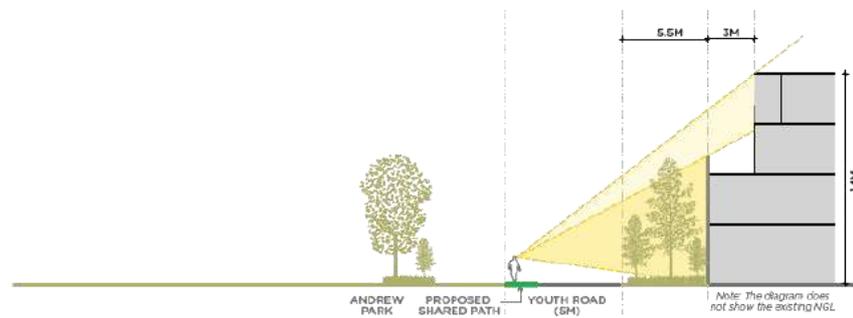
Sub-precinct	Discretionary height (excluding basement)	Mandatory height (excluding basement)	Preferred Minimum Setbacks
3A	5 storeys (17.5m).	None specified.	2 storey street wall with 0m front setback front setback along Main Road. A 3m upper setback above the 2 storey street wall. A further 3m front setback above the fourth storey.
3B	4 storeys (14m).	None specified.	2 storey street wall with 0m front setback front setback along Main Road. 2 storey street wall with 5.5m front setback along Youth Road Landscaped setback along northeastern edge along Main Road frontage, and along Youth Road frontage. A 3m upper setback above the 2 storey street wall. A further 3m front setback above the fourth storey.
3C	None specified.	3 storeys (10.5m).	2 storey street wall with 5.5m front setback along Youth Road and Diamond Street. Landscaped setback along Youth Road and Diamond Street frontage. A 3m upper setback above the 2 storey street wall.

- The preferred built form character for Precinct 3 includes a 2 storey street wall, with levels above setback to reduce their visibility from the public realm. Section Diagrams 2 and 3 (below) show indicative minimum setbacks along Main Road and at Youth Road.

NILLUMBIK PLANNING SCHEME



Section Diagram 2: Indicative minimum setbacks at Main Road in Precinct 3



Section Diagram 3: Indicative minimum setbacks at Youth Road in Precinct 3

5.3-4

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C106

Precinct guidelines

- Ensure that future use and development maintains and enhances the functionality of the precinct as a public transport hub, and accommodates the anticipated growth in demand for public transport services and the corresponding need to upgrade the Eltham Station and Hurstbridge line.
- Subject to the use and anticipated further development of Precinct 3 for public transport infrastructure and provision of adequate commuter car parking:
 - Encourage mixed-use developments (any combination of retail, office and car parking) with active frontages on land between Main Road and the railway line, including land in front of the railway station and bus interchange, and with convenient access to nearby sporting facilities and community facilities.
 - Encourage a mix of residential, office and car parking uses on land between the railway line and Youth Road.
- Built form should present an attractive and articulated façade to provide visual interest.
- Buildings should be designed with active frontages (greater than 60% non-reflective glazing) at ground level to provide a safe and lively environment.
- Development fronting Youth Road and Diamond Street should have landscaped front building setbacks.
- Development should incorporate existing large native trees where possible.
- New developments should incorporate feature architectural or landscape features at exposed locations as viewed from Main Road and axial views available from east-west running streets, namely Luck Street, Pryor Street and Diamond Street.

NILLUMBIK PLANNING SCHEME

- Developments to the western side of the railway line should provide a transition with community uses along Diamond Street and Youth Road.
- The design of any buildings backing onto the railway line and the train station car park should present interesting façade treatments, allow for passive surveillance and incorporate vegetative or architectural screening devices.
- Where relevant, new development should incorporate acoustic treatments responding to the railway environment to minimise adverse amenity impacts.
- Car parking entryways should be located to the edge of sites, shared with other car parking entries.
- Redevelopment of existing at-grade car parking (e.g. for mixed use development) should deck any commuter parking into the building or sleeved with other uses that provides active frontages, or passive surveillance at a minimum
- Support the preferred character and optimise passive surveillance by minimising the use of roller shutters.

5.3-5 Any other requirements

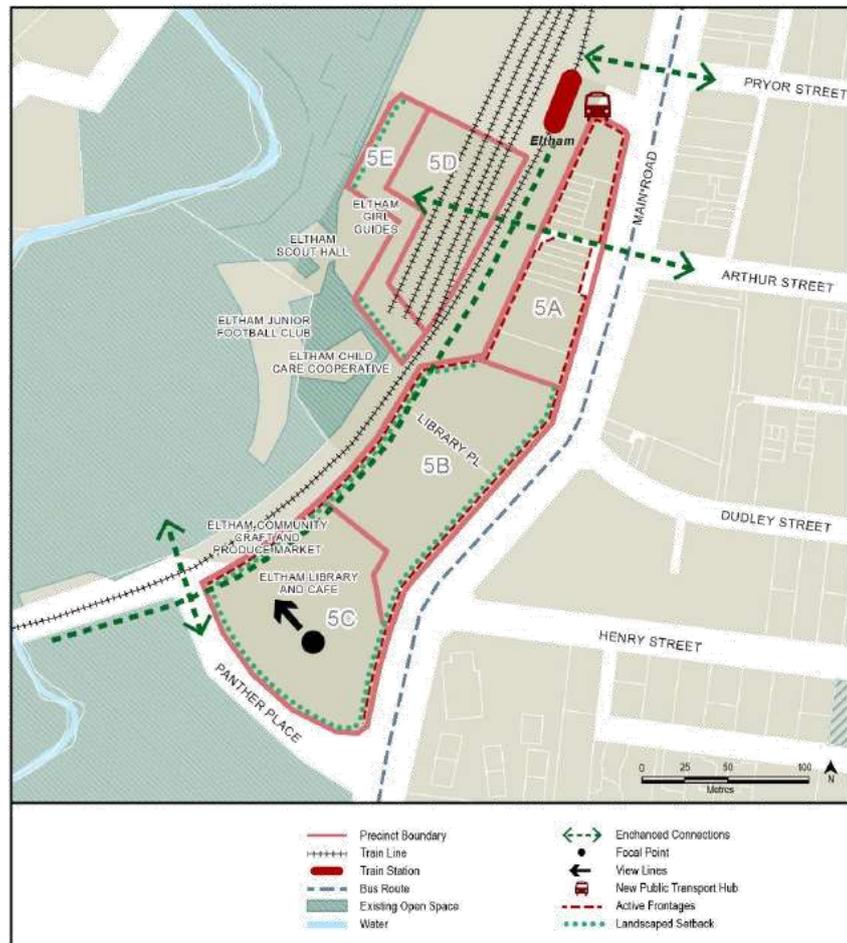
Refer to Part 4.4 of this schedule for interface setback guidelines and requirements.

NILLUMBIK PLANNING SCHEME

5.4 Precinct 5 – Community Precinct

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 E196
 5.4-1
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 C106

Precinct map



5.4-2 Precinct objectives

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 C106

- To create an active, vibrant heart for the Eltham Activity Centre by providing a range of community, residential and professional services.
- On land within Precinct 5A and 5D encourage:
 - mixed use development (any combination of retail, office, medium density housing and community services)
 - active frontages to Main Road and the railway line by providing either retail or office uses on the ground floor.
- To encourage an activated pedestrian environment to the rear of Main Road buildings to provide safe and convenient access between the community facilities to the south and the public transport facilities.

NILLUMBIK PLANNING SCHEME

- To ensure that development is designed to provide passive observation of the car park beside the railway line.
- To encourage a new landmark/iconic building at the former Eltham Shire Office site at 895 Main Road.
- To promote the consolidation of community halls along Youth Road.
- To ensure buildings transition in height and scale from the north end of the precinct to the Eltham Library.
- To ensure buildings are of a high quality design, with a commitment to universal access for everyone.
- To be the preferred location for one or more major employment anchors to support local non-tradeable activity (e.g. health, education or civic).
- To reimagine and reconnect community uses.
- To improve pedestrian and cycling amenity between the precinct and the train station.
- To provide a multi-purpose Community Hub.

5.4-3

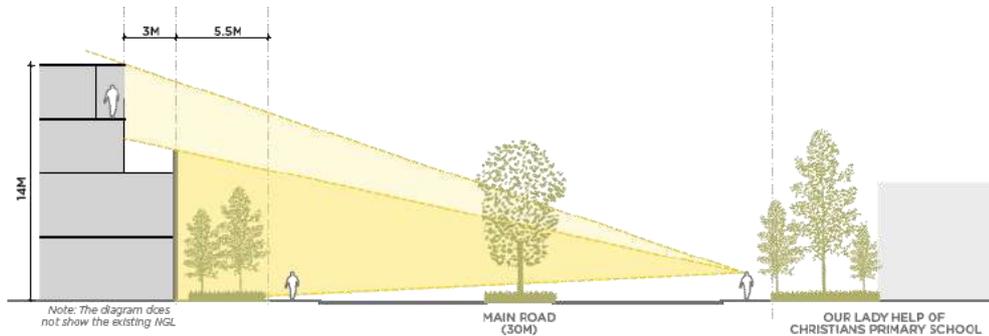
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C106

Precinct requirements

Sub-precinct	Discretionary height (excluding basement)	Mandatory height (excluding basement)	Preferred Minimum Setbacks
5A and 5D	5 storeys (17.5m).	None specified.	2 storey street wall with 0m front setback along Main Road frontage. A 3m upper setback above the 2 storey street wall. A further 3m front setback above the fourth storey.
5B and 5E	4 storeys (14m).	None specified.	2 storey street wall with 5.5m front setback along Main Road frontage. A 3m upper setback above the 2 storey street wall. A further 3m front setback above the fourth storey. Landscaped setback along frontages.
5C	None specified.	3 storeys (10.5m)	2 storey street wall with 5.5m front setback along Main Road frontage. A 3m upper setback above the 2 storey street wall. Landscaped setback along frontages.

- The preferred built form character for Precinct 5 includes a 2 storey street wall, with levels above setback to reduce their visibility from the public realm. Section Diagram 4 (below) shows indicative minimum setbacks along Main Road. The setbacks will be varied as required to respond to community assets and heritage values (e.g. heritage cypress trees, the cenotaph precinct and the buildings associated with the Eltham War Memorial Complex on 903-907 Main Road).

NILLUMBIK PLANNING SCHEME



Section Diagram 4: Indicative minimum setbacks at Main Road in Precinct 5

5.4-4 Precinct guidelines

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C106

- Development fronting to Main Road and the railway line should provide safe and convenient access to the adjacent public transport facilities.
- Buildings fronting Main Road including and to the north of 909 Main Road should:
 - Include mixed use development (any combination of retail, office, medium density housing and community services).
 - Be designed with active frontages to the street at ground level including facade articulation, inclusions of windows and entries.
 - Provide 65-80% clear glazing (non-reflective) between a height of 0.5m and 2.4m above the footpath offering unobstructed views into the building.
 - Provide pedestrian entries at least every 15m.
 - Provide continuous weather protection (such as cantilevered canopies/verandahs) over footpaths.
 - Include a street wall that includes both a fine grain and strong vertical articulation to deliver visual interest.
 - Provide upper levels that are articulated with building recesses and balcony treatments.
- Investigate opportunities north of 903-907 Main Road to:
 - redevelop indented car parking to support a more active and engaging pedestrian environment.
 - create an engaging pedestrian zone in St Laurence Lane.

The above investigations should particularly be conducted as part of any redevelopment of adjacent sites.

- Development to the south of 909 Main Road (including the former Eltham Shire Office site) should include landscaped front setbacks and retain established vegetation.
- Development on the former Eltham Shire Office site (895 Main Road) should provide a boundary treatment and interface with the Eltham Library site which is sympathetic and responsive to that site.
- Development on the former Eltham Shire Office site should maintain generous landscaped setbacks from the street and retain established vegetation, including the heritage nominated Italian Cypress trees.

NILLUMBIK PLANNING SCHEME

- Development backing onto the railway car park should provide internal pedestrian connections through to Main Road.
- Development fronting Library Place and the car park should include active frontages.
- Development adjacent to the Eltham Girl Guide Hall (Youth Road) should manage the sensitive interface by:
 - Providing a minimum 4.0m side setback to allow for small, slender trees that contribute to the landscape character. Any part of the building above 2 storeys should setback beyond a 45 degree plane from the sides of the level below.
 - Complying with the rear setback requirements outlined in the Part 4.4 of this schedule.
- Development backing onto the railway line and station should provide for a variation and articulation in façade treatments and allow for passive surveillance by incorporating active areas and glazing to the rear wall facing the railway line and car park.
- Thick and robust building elements such as colonnades should be incorporated into the design of new buildings.
- Service areas and car parking should be located at the rear of buildings or serviced from laneways and concealed from the public realm.
- Avoid the excessive use of roller shutters.
- Where relevant, new development should incorporate acoustic treatments responding to the railway environment to minimise adverse amenity impacts.
- Built form should achieve a general stepping of the building in a westerly direction from the high point along Main Road.
- Development should respect and respond to heritage elements within the precinct.

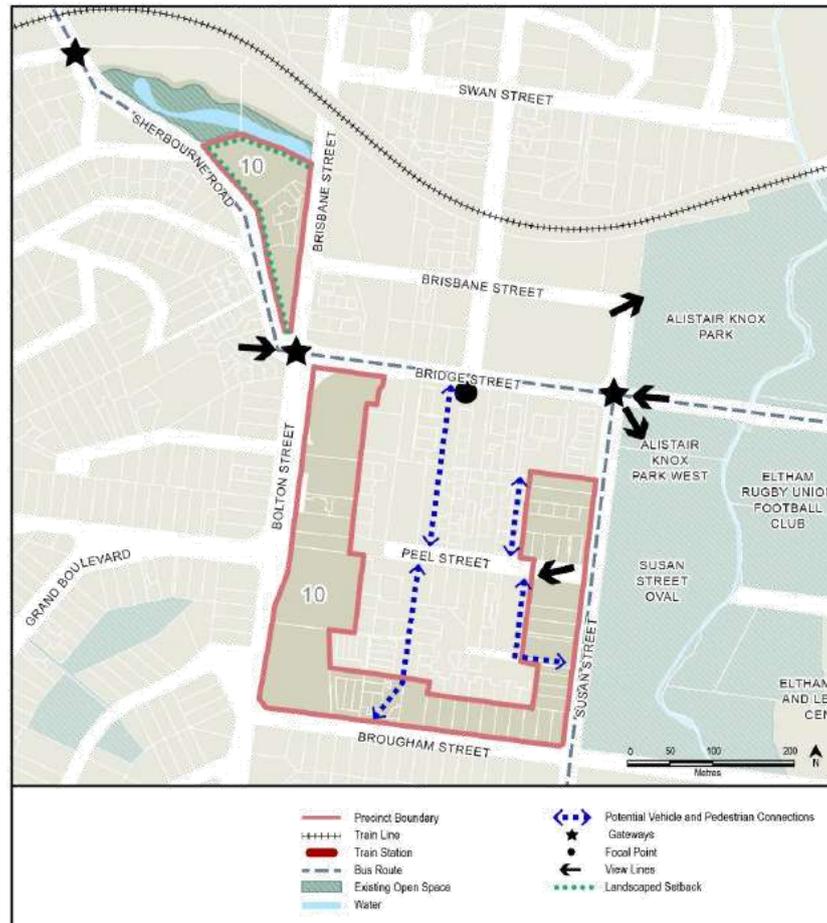
5.4-5 Any other requirements

Refer to Part 4.4 of this schedule for interface setback guidelines and requirements.

NILLUMBIK PLANNING SCHEME

5.5 Precinct 10 – Peripheral Mixed Use

5.5-1 Precinct map



5.6-2 Precinct objectives

- To support medium and small scale offices and indoor recreation/health facilities supported by limited retail and food premises.
- Provide a wide range of employment opportunities and services to local residents.
- To encourage visually interesting built form and promote a positive image for both the BSBA and the broader Activity Centre.
- To minimise off-site amenity impacts to sensitive residential interfaces. For example, on Brougham Street by discouraging uses that will not be appropriately sensitive to the close residential interface along the south side of the street.

NILLUMBIK PLANNING SCHEME

5.5-3 Precinct requirements

Precinct	Discretionary height (excluding basement)	Mandatory height (excluding basement)	Preferred Minimum Setbacks
10	3 storeys (12m).	None specified.	2 storey street wall height with: <ul style="list-style-type: none"> ▪ 0m front setback along Brisbane Street and 5.5m setback from Sherbourne Road. ▪ 4m front setback along Brougham Street and Bolton Street. ▪ 0m along Susan Street. Landscaped setback along Sherbourne Street and railway frontage. A 3rd storey (and above) should be setback a 1:1 ratio from 2 storey street wall.

5.5-4 Precinct guidelines

- Buildings should be either at the street edge or have a shallow front setback (4.0-5.5m) to allow for some landscaping in response to adjacent residential character.
- There should be minimal gaps between adjacent buildings.
- Development should respond to the sloping topography to minimise the need for cut and fill.
- Retail frontages should incorporate:
 - 65-80% clear-glazing between a height of 0.5m and 2.4m above the footpath offering unobstructed views into the building;
 - pedestrian entries at least every 15m; and
 - footpath trading or outdoor dining where possible (taking care to avoid obstructing then footpath)
 - continuous weather protection (such as cantilevered canopies/ verandahs) over footpaths.
- Office frontages should incorporate:
 - 50-80% clear glazing between a height of 1m and 2.4m above the footpath, offering unobstructed views into the building; and
 - Pedestrian entries at least every 30m.

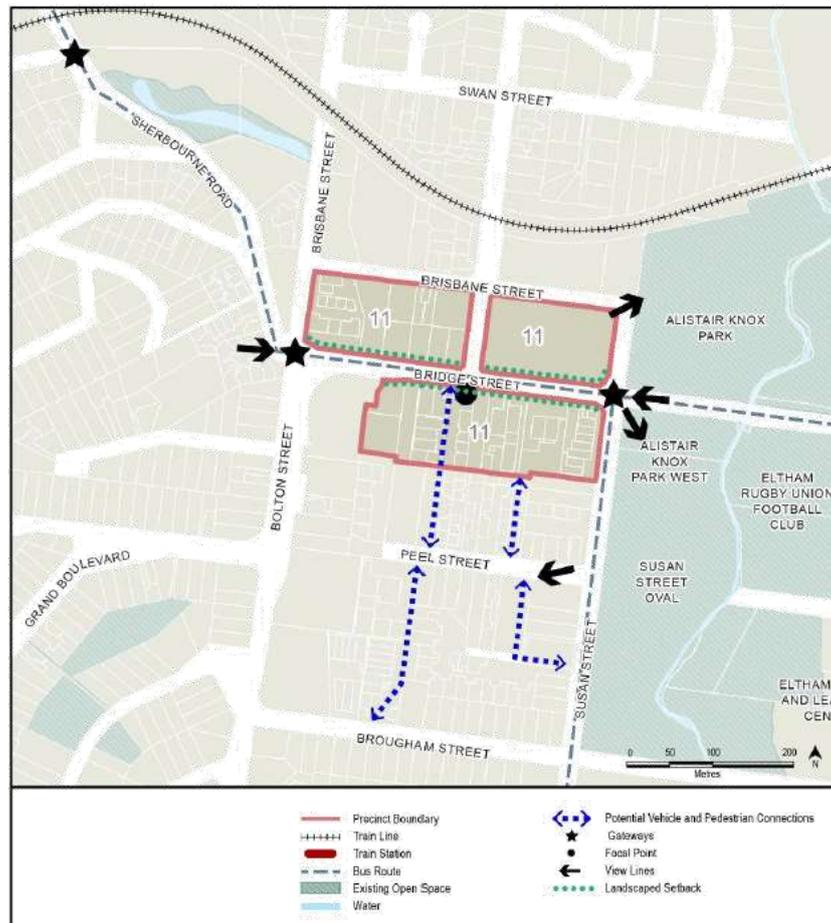
5.5-5 Any other requirements

Refer to Part 4.4 of this schedule for interface setback guidelines and requirements.

NILLUMBIK PLANNING SCHEME

5.6 Precinct 11 – Restricted retail

5.6-1 Precinct map



5.6-2 Precinct objectives

- Encourage the precinct to be the preferred location for restricted retailing.
- Provide a small civic space that is well connected to the balance of the Activity Centre.
- Recognise and improve Bridge Street as a significant Gateway to Eltham.
- Encourage high quality and visually interesting contemporary forms using materiality which reflect the grain and quality of traditional ‘shed’ forms as well as the township’s bush character and landscape
- Establish a civic focal point opposite the T-intersection of Bridge Street and Silver Street.
- Encourage the urban form to emphasise key entrances, the civic focal point and intersections in the Centre.
- Create a safe pedestrian and cycle environment with reconfiguration of vehicle access and car parking along Bridge Street in an organised and continuous manner.

NILLUMBIK PLANNING SCHEME

- Encourage the use of environmentally sustainable design principles for the built form and surrounding land.

5.6-3 Precinct requirements

Precinct	Discretionary height (excluding basement)	Mandatory height (excluding basement)	Preferred Minimum Setbacks
11	4 storeys (16m)	None specified.	2 storey street wall with: <ul style="list-style-type: none"> ▪ 0m front setback along Bolton Street, Brisbane Street, Silver Street, and Susan Street. ▪ 4m front setback from Bolton Street. ▪ 0m front setback along Susan Street. 3 storey street wall with 22m landscaped setback from Bridge Street. A 3rd storey (and above) should be setback a 1:1 ratio from the street wall.

5.6-4 Precinct guidelines

- Buildings fronting Bridge Street should be setback 22m which contains two facing rows of right-angle parking off a single access way, with landscaping separating the parking area and a pedestrian path on each side of the accessway.
- Frontages should incorporate:
 - 50-80% clear glazing between a height of 1m and 2.4m above the footpath, offering unobstructed views into the building;
 - Pedestrian entries at least every 30m; and
 - Provide continuous weather protection (such as cantilevered canopies/ verandahs) over footpaths.

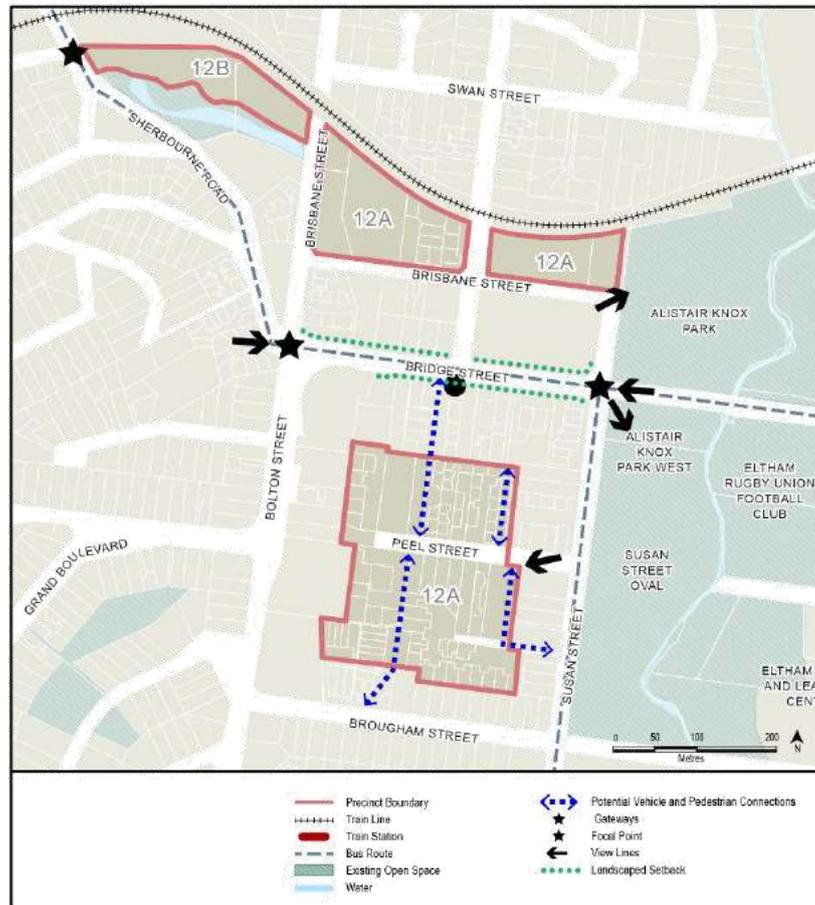
5.6-5 Any other requirements

Refer to Part 4.4 of this schedule for interface setback guidelines and requirements.

NILLUMBIK PLANNING SCHEME

5.7 Precinct 12 – Industrial/Emergent

5.7-1 Precinct map



5.7-2 Precinct objectives

- To continue to support light industrial uses, supported by emergent industries.
- To encourage ancillary office spaces with active uses and passive surveillance opportunities to the front of industrial sheds and warehouses.
- To encourage design and façade treatment which demarcates building entries.
- To avoid pedestrian and vehicle conflict by separating access points and ensuring that car parking does not impinge on or erode the quality of pedestrian areas.
- To encourage improvements to streets with provision of direct, connected and well maintained public footpaths which create an attractive environment for pedestrians.
- To encourage the use of environmentally sustainable design principles for the built form and surrounding land.

NILLUMBIK PLANNING SCHEME

5.7-3 Precinct requirements

Precinct	Discretionary height (excluding basement)	Mandatory height (excluding basement)	Preferred Minimum Setbacks
12A	3 storeys (12m)	None specified.	2 storey street wall with 0m front setback from all street frontages. A 3rd storey (and above) should be setback a 1:1 ratio from the 2 storey street wall.
12B	4 storeys (16m)	None specified.	

5.7-4 Any other requirements

Refer to Part 4.4 of this schedule for interface setback guidelines and requirements.

6.0 Application requirements

None specified.

7.0 Notice and review

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An application to use land under Clause 37.08-2 is not exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

An application for buildings and works is not exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act if the development exceeds the 'Discretionary Height' or the 'Preferred Minimum Setbacks' specified in the relevant precinct requirements contained within this schedule.

To remove any doubt, where the preferred height limit is specified in both storeys and metres, if the proposal would exceed either of those figures, then the application is not exempt from the notice requirements of Section 52(1) (a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

8.0 Decision guidelines

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C106

Before deciding on an application, in addition to the decision guidelines in Clause 65 the responsible authority must consider, as appropriate:

Design and built form

Whether the proposed development:

- Provides a high standard of urban design and well designed site responsive architecture.
- Does not present a blank façade to a pedestrian activity area or street.
- Provides for appropriate setbacks which respect the siting of adjacent developments where the schedule promotes landscaped setbacks to the street frontage.

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- Incorporates any signs as an integral part of the architecture. The construction and design of signs should be of a high quality and should maintain and enhance the Eltham form and character.

Access

Whether the proposed development limits the number of vehicle crossings to each development.

Subdivision

Whether the subdivision is associated with a development proposal that supports the objectives promoted by this Schedule.

9.0

11/08/2016
C106

Advertising signs

Advertising sign requirements are at Clause 52.05. All land located within Precinct 2 is in Category 3 and all land within Precincts 5B, 5C are in Category 4. All remaining land is in Category 1.

10.0

11/08/2016
C106

Reference documents

Eltham Major Activity Centre Structure Plan July 2020

Eltham Major Activity Centre Car Parking Strategy Report 2013

Nillumbik Major Activity Centres Sustainable Transport Study and Strategy, 2010

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C51

SCHEDULE 1 TO THE SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as SLO1.

ELTHAM TOWN CENTRE

1.0

25/09/2014
C51

Statement of nature and key elements of landscape

The *Eltham Major Activity Centre Structure Plan (July 2020)* recognises that the Eltham Town Centre has a distinctive character which in part is defined by the integration of the built form and vegetation, particularly canopy trees, which should be preserved and enhanced. The Eltham Town Centre is also a designated area of substantial change, where the development potential of sites is to be realised in accordance with the *Eltham MAC Structure Plan*. Future development should thus seek to strike a balance between the retention and planting of vegetation and the accommodation of higher intensity development.

In the future, new development will contribute to a strong sense of place by reflecting the special qualities of the Eltham Town Centre through the achievement of the following preferred character:

- New development will employ earthy muted tones, natural building materials and innovative design.
- Buildings will not exceed the predominant tree canopy height and while visible from the street, their appearance will be softened through landscaping.
- Building forms will be modest and compact in scale and avoid excessive bulk through the use of articulation, low roof pitches, and other design elements.
- Vegetation, both native and exotic canopy trees, will dominate long distance views, the skyline of streetscape views, and front gardens.
- There will be little physical evidence of the boundary between private and public property at the front of buildings, and no solid fences.

2.0

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C51

Landscape character objectives to be achieved

- To recognise, protect and enhance the contribution provided by canopy trees, particularly native trees, to the existing and preferred character of the Eltham Town Centre.
- To ensure that the health of existing canopy trees is not unnecessarily jeopardised by buildings and works.
- To restrict removal of vegetation to the minimum required to allow land to satisfy its development potential in accordance with the *Eltham Major Activity Centre Structure Plan (July 2020)*.
- To ensure that new development contributes to the achievement of the preferred character through additional landscaping, particularly canopy trees.
- To reinforce the indigenous planting regime within the Eltham Town Centre.

3.0

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C51

Permit requirement

A permit is not required to construct a building or carry out works more than five (5) metres from the base of any substantial tree.

A permit is not required for buildings and works for railway purposes including signals (and related control buildings), new tracks, track-work and realignment, train stabling, overhead power lines, gantries, buildings and works related to railway power requirements and any work required under the Disability Discrimination Act-Disability Standards for Accessible Public Transport 2002.

A permit is required to remove, destroy or lop any substantial tree. This does not apply to:

- The pruning of a tree for regeneration or ornamental shaping

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- The removal of dead trees or dead limbs, or
- The partial removal of limbs and branches directly overhanging buildings.

For the purpose of this clause a substantial tree is defined as vegetation that has a trunk circumference greater than 0.5m at one metre above ground level, and/or a height greater than 6 metres.

4.0

25/09/2014
C51

Decision guidelines

Before deciding on an application, the responsible authority must consider, as appropriate:

- Whether the site is being restricted from realising its development potential in accordance with the *Eltham Major Activity Centre Structure Plan (July 2020)* by the retention of the vegetation.
- Whether the removal or lopping of the vegetation will detract from the achievement of the preferred character of the Eltham Town Centre.
- Whether the design of any proposed buildings and works has been adequately responsive to the objective of avoiding and/or minimising the extent of vegetation removal, destruction or lopping.
- Whether the proposed location or design of any buildings or works will impair the appearance or health of the vegetation.
- The need for additional landscaping and screen planting to contribute to the achievement of the preferred, landscape qualities of the Eltham Town Centre.
- In the event that an adverse impact on vegetation cannot be avoided, the need for a comprehensive landscape plan which provides an adequate proposal to provide and manage replacement vegetation.
- The extent to which the proposed landscaping complements the landscape treatments of adjoining public realm areas.
- Whether the proposed landscaping is of a high quality and uses indigenous species, including canopy trees.
- The extent to which front setbacks are landscaped to reinforce the appearance of vegetation dominating private allotments when viewed from the street.

5.0

25/09/2014
C51

Reference Documents

Eltham Major Activity Centre Structure Plan (July 2020)

Planning and Environment Act 1987

NILLUMBIK PLANNING SCHEME
AMENDMENT C144nill
EXPLANATORY REPORT

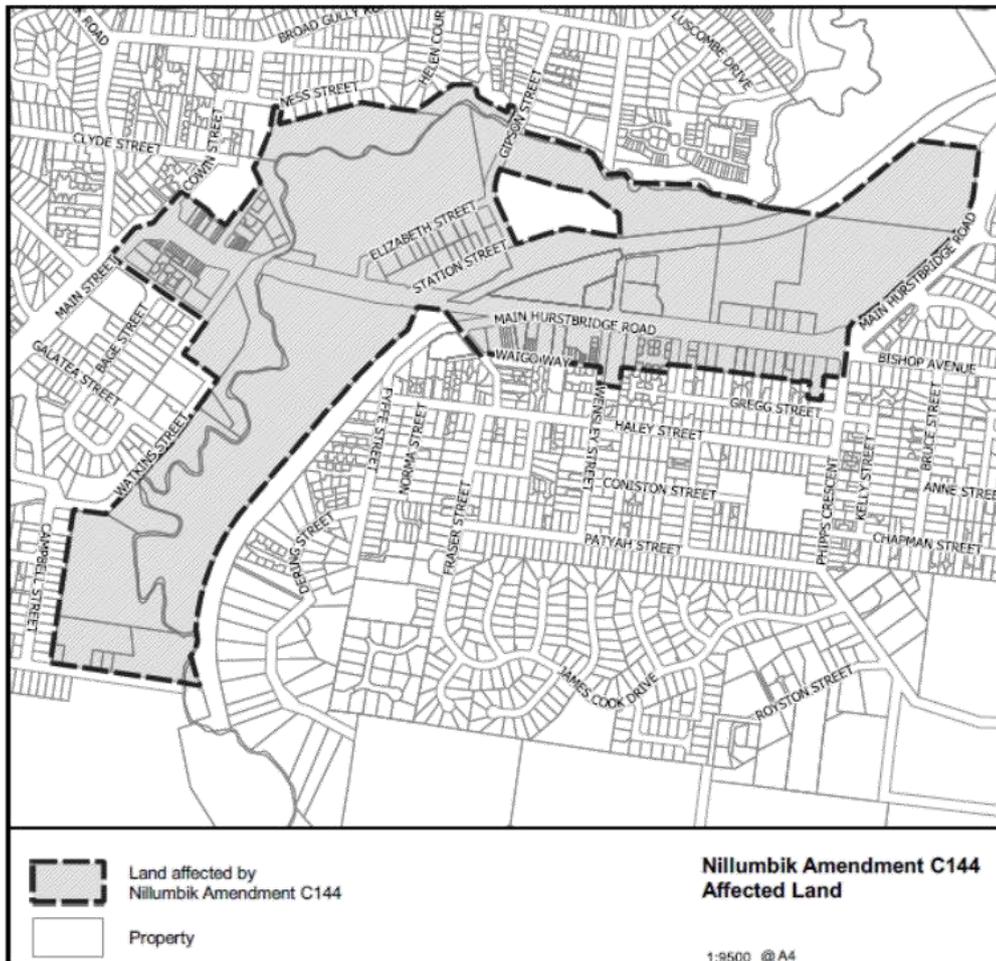
Who is the planning authority?

This amendment has been prepared by the Nillumbik Shire Council which is the planning authority for this amendment.

The amendment has been made at the request of Nillumbik Shire Council.

Land affected by the amendment

The land affected by the amendment is all land within the Diamond Creek Major Activity Centre. The affected land is shown in the following map:



What the amendment does

The amendment will implement the Diamond Creek Major Activity Centre Structure Plan (September 2020) into the Nillumbik Planning Scheme and give it statutory effect, particularly by doing the following:

- Modifying the following ordinances in the Nillumbik Planning Scheme to reflect and implement the Diamond Creek Major Activity Centre Structure Plan (September 2020):
 - Schedule 2 to the Activity Centre Zone (ACZ2) - Diamond Creek Activity Centre
 - Schedule 6 to the Significant Landscape Overlay (SLO6) – Diamond Creek Activity Centre
 - Clause 11.03-1L-01 (Activity Centres in Nillumbik) of the Planning Policy Framework

Strategic assessment of the amendment

Why is the amendment required?

The amendment is required to update the Nillumbik Planning Scheme to implement the current adopted structure plan for the Diamond Creek Major Activity Centre. The Nillumbik Planning Scheme currently implements the Diamond Creek Major Activity Centre Structure Plan (2006). However, Nillumbik Shire Council adopted a new structure plan for the Diamond Creek Major Activity Centre in September 2020 and this new structure plan needs to be implemented through the planning scheme.

Implementation of the Diamond Creek Major Activity Centre Structure Plan (2020) particularly requires changes to the Nillumbik Planning Scheme which will:

- Correctly reference and reflect the 2020 Structure Plan as the reference document for relevant provisions in the scheme.
- Make changes to the ACZ2 which will implement particular recommendations of the Diamond Creek MAC Structure Plan (2020). For example, to:
 - Remove an existing mandatory requirement in the ACZ2 for a top storey to be in the roof
 - Modify the ACZ2 to require front setbacks to be measured from the property boundary, rather than the kerb.
- Make administrative improvements and/or correction to the suite of relevant planning provisions. For example:
 - To remove inefficiencies in the table of uses in the ACZ2. For example, to remove unnecessary listings of uses.
 - To update the Planning Policy Framework to reflect the Diamond Creek Major Activity Centre Structure Plan (September 2020).

The proposed changes to the Nillumbik Planning Scheme can only be conducted by a planning scheme amendment.

The Amendment is consistent with Planning Practice Note 56: Activity Centres (PPN56) which identifies the Activity Centre Zone as the appropriate statutory tool to implement its strategic directions. Amendment C144nill seeks to retain, update and improve the role of Schedule 2 to the Activity Centre Zone (ACZ2) to guide appropriate future development of the Diamond Creek Major Activity Centre. The ACZ2 has been drafted to provide greater clarity and direction for land use and development in that location.

How does the amendment implement the objectives of planning in Victoria?

The Amendment implements the following objectives as set out in Section 4 of the *Planning and Environment Act 1987*:

- Section 4(1) (a) - To provide for the fair, orderly, economic and sustainable use and development of land.
- Section 4(1) (c) - To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.
- Section 4(1) (fa) - To facilitate the provision of affordable housing in Victoria
- Section 4(1) (g) - To balance the present and future interests of all Victorians.

How does the amendment address any environmental, social and economic effects?

The amendment supports the implementation of State activity centre planning policy in the Diamond Creek Major Activity Centre. Activity centre planning policy aims to provide outcomes which address and respond to a range of current environmental, social and economic effects. Examples of these outcomes include to:

- Reduce car dependency by consolidating housing, employment, public transport and shops and services in close walking distance of each other.
- Plan for our ageing population by consolidating housing diversity in close walking distance to shops and public transport.
- Support housing affordability and diversity.
- Strengthen the local economy by consolidating commercial activity and providing more local employment.
- Promote an active, inclusive, engaged and healthy community.
- Reflect a preferred local character for a Major Activity Centre.
- Reduce pressure to extend the Urban Growth Boundary (UGB) by strategically consolidating within the boundary.

Does the amendment address relevant bushfire risk?

The amendment is not expected to have any implications regarding bushfire risk. No land affected by the amendment is within the Bushfire Management Overlay. However, the views of the relevant fire authority will be sought through exhibition of the amendment.

Does the amendment comply with the requirements of any Minister's Direction applicable to the amendment?

The amendment is consistent with:

- Ministerial Direction - The Form and Context of Planning Schemes – under section 7(5) of the Planning and Environment Act 1987.
- The amendment is consistent with Ministerial Direction No. 9 (Metropolitan Planning Strategy), as explained in the following dot points:
 - The relevant metropolitan planning strategy is Plan Melbourne 2017-2050
 - The strategy supports the role of activity centres in the planning and development of Melbourne. For example, it is stated that “metropolitan and major activity centres will ensure employment growth occurs outside of the central city”.
 - The strategy denotes Diamond Creek as a Major Activity Centre.
 - The amendment supports continued planning for development of the Diamond Creek Major Activity Centre Structure Plan in accordance with Plan Melbourne 2017-2050.

- Ministerial Direction 11 – Strategic Assessment of Amendments – which seeks to ensure comprehensive strategic assessment of planning scheme amendments.
- Ministerial Direction 19 – information requirements for amendments that may result in impacts on the environment, amenity and human health – which seeks the views of the Environment Protection Authority in preparation of planning scheme amendments.

How does the amendment support or implement the Planning Policy Framework and any adopted State policy?

The amendment supports and implements relevant state provisions within the Planning Policy Framework. For example, it supports:

- The objective of Clause 11.02-2S (Structure Planning), which is to facilitate the orderly development of urban areas.
- The objective of Clause 11.03-1S (Activity Centres), which is to encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres that are highly accessible to the community.
- All strategies contained within Clause 11.03-1S (Activity Centres), such as:
 - Concentrate major retail activities in the Eltham and Diamond Creek Major Activity Centres.
 - Encourage development that facilitates opportunities for meeting and community interaction in the Eltham and Diamond Creek Major Activity Centres.
- The amendment addresses Clause 16.01-3S (Housing Diversity) which increases residential density in the activity centre which will support the provision of a diverse range of housing.
- The amendment addresses Clause 17.01-1S (Diversified Economy) and Clause 17.02-1S (Business) by providing for a range of opportunities for commercial – including retail, entertainment, office and other commercial facilities - and business growth and provides a framework for the location and management of growth.
- The amendment addresses Clause 18.01-1S (Land use and transport planning) and Clause 18.02-2S (Public Transport) by encouraging and facilitating growth, including increased residential density and development within the Diamond Creek Major Activity Centre which is well serviced and in close proximity to public transport.

How does the amendment support or implement the Municipal Planning Strategy?

The amendment supports and is consistent with relevant directions from the Municipal Planning Strategy (MPS). For example, it supports and is consistent with the following content within the MPS:

- The Diamond Creek Major Activity Centre is a shopping, service and community centre for Diamond Creek and adjoining areas. It contains a range of retail, commercial, community and leisure activities and facilities that are serviced by the Hurstbridge railway, limited bus services and a road network dominated by Main Hurstbridge Road, which forms the 'spine' of the centre.
- It is envisioned that the Eltham and Diamond Creek Major Activity Centres will continue to be the focus of community life, providing a wide range of shopping and professional services and places to meet and recreate. They will also have an increased role in providing for a diversity of housing and in particular, medium density housing.
- The locations considered most suited to medium density development are those that are close to infrastructure, including public transport scheduled stops, commercial areas, public

open space and other community facilities. The Eltham and Diamond Creek Major Activity Centres and the Hurstbridge Shopping Centre provide such facilities.

- The main employment locations, the Eltham and Diamond Creek Major Activity Centres, Hurstbridge Neighbourhood Activity Centre and the industrial land at Research, need to be maintained to continue to provide opportunities for local employment.
- The existing industrial precincts in Eltham, Research and Diamond Creek are close to full capacity. To facilitate new industrial uses, these precincts should be retained for industrial uses and protected from the encroachment of other uses. This is unless Council has identified the land to be redeveloped with other uses, as is the case for the Bridge Street Business Precinct in the Eltham Major Activity Centre.
- Council seeks to:
 - Promote Eltham and Diamond Creek Major Activity Centres as the main commercial and community activity areas of the Shire, supported by Neighbourhood Activity Centres, small local convenience centres, rural townships, and rural stores
 - Facilitate an expansion in the range of commercial and community services available in the major activity centres, including those that cater for a local/regional clientele and special interest area.
 - Facilitate increased diversity and amount of housing in the major activity centres that are sustainable and scaled to respect the surrounding topography.
 - Support the economic and employment viability of Activity Centres, Town Centres and the industrial land at Research.

Does the amendment make proper use of the Victoria Planning Provisions?

The amendment makes proper use of the Victoria Planning Provisions, noting:

- It retains, updates and improves application of the Activity Centre Zone to the Diamond Creek Major Activity Centre. The Activity Centre Zone is the appropriate zone to be applied to a major activity centre.
- It appropriately retains and improves use of the Significant Landscape Overlay to protect particular trees within the Diamond Creek Major Activity Centre.

How does the amendment address the views of any relevant agency?

The views of relevant agencies will be sought during the public exhibition process.

Does the amendment address relevant requirements of the Transport Integration Act 2010?

The amendment is consistent with and supports all the stated transport system objectives contained within the Transport Integration Act (2010).

Resource and administrative costs

- **What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?**

The Amendment will have limited impact on the Responsible Authority's resource and administrative costs, particularly as the proposed revisions to the content of the ACZ should assist in streamlining the assessment of planning permit applications triggered by the zone, noting:

- The changes provide more urban design guidance for applicants and planners and further
- Remove some complicated requirements (e.g. mandatory top storey in the roof).

Where you may inspect this amendment

The Amendment can be inspected free of charge at the Nillumbik Shire Council's public engagement website at <https://participate.nillumbik.vic.gov.au/>

The amendment is available for public inspection, free of charge, during office hours at the following places:

Nillumbik Shire Council Offices
Civic Drive
Greensborough 3088

The amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection.

Submissions

Any person who may be affected by the amendment may make a submission to the planning authority. Submissions about the amendment must be received by **XXXXTBCXXXX**.

A submission must be sent to:

Leigh Northwood
Lead Strategic Planning
Nillumbik Shire Council
Civic Drive (PO Box 476)
Greensborough 3088

Alternatively, a submission can be sent electronically via email to strategic.planning@nillumbik.vic.gov.au

Panel hearing dates

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- directions hearing: **TBC**
- panel hearing: **TBC**

NILLUMBIK PLANNING SCHEME

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SCHEDULE 2 TO CLAUSE 37.08 ACTIVITY CENTRE ZONE

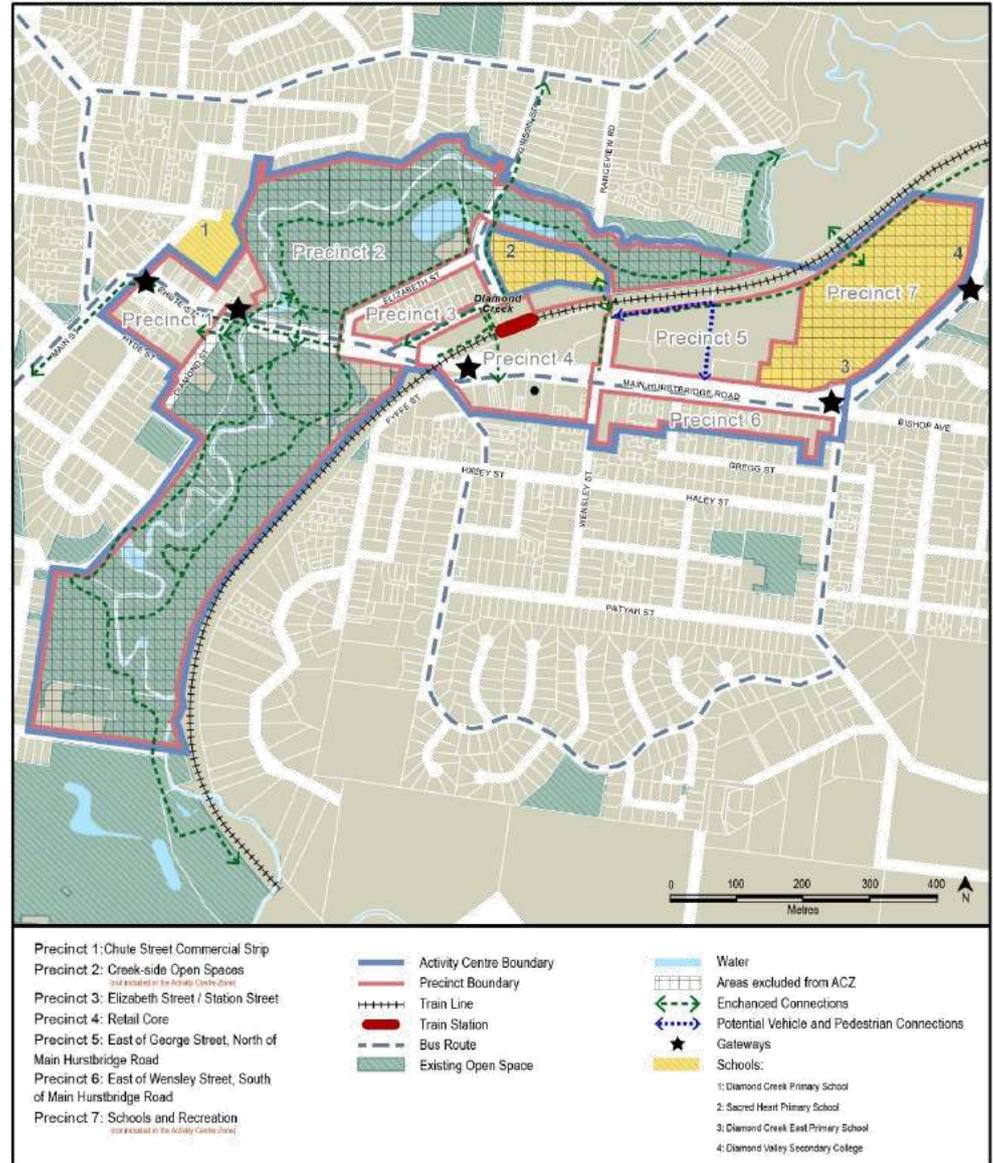
Shown on the planning scheme map as **ACZ2**

DIAMOND CREEK ACTIVITY CENTRE

1.0

Diamond Creek Activity Centre Framework Plan

11/08/2016
 C106



2.0

Land use and development objectives to be achieved

11/08/2016
 C106

Land use

- To achieve the vision, objectives and strategies of the Diamond Creek Major Activity Centre Structure Plan (September 2020).

NILLUMBIK PLANNING SCHEME

- To develop shopping, services, facilities, employment and meeting places which complement those available in the regional network of activity centres and facilities.
- To expand employment floor-space, particularly emergent industries, to meet an increased proportion of projected demand and reduce 'escape expenditure' and travel to nearby centres.
- To focus retail activity in a compact core east of the railway, on the 'landscaped civic spine' of Main Hurstbridge Road, with a retail node in Clute Street.
- To enable employment anchors in the Diamond Creek Activity Centre, particularly in the civic or health sectors.
- To provide accessible and affordable housing options close to public transport.
- To improve access to and integrate greater diversity and density of retail, commercial and housing development with the railway station and its surrounds.

Built form and character

- To retain the semi-rural township character of Diamond Creek by clustering new development and activity in existing key locations that remain visually segregated by open spaces and vegetation.
- To develop a local Diamond Creek architectural style that complements and reflects its natural landscape setting, and ensure new or redeveloped buildings are of high architectural quality appropriate to the character of the centre.
- To design new buildings with well articulated facades and a fine grain to provide interest at street level and reinforce the human scale of shopping areas.
- To guide development to meet the township's character and natural landscape setting with architectural design, and medium scale buildings that are respectful to existing buildings, materials that complement the setting and a treed landscape of predominantly local indigenous trees.
- To maintain appropriate levels of solar access to existing and proposed public spaces.
- To protect and enhance the amenity within the Activity Centre and surrounding established residential neighbourhoods and ensure new development mitigates detrimental offsite amenity impacts.
- To avoid underdevelopment of land within the activity centre.
- To increase activity and passive surveillance in the main retail and mixed use areas.
- To reduce the visual dominance of car parking and ensure the design of parking and access areas is safe, practical and attractive.
- To ensure that pedestrian routes, streets, footpaths and open spaces interact with and are overlooked by buildings, and for these routes to be continuously accessible.

Environmental sustainability

- To improve the ecological integrity of environmental features within the centre.
- To promote sustainable development including water sensitive urban design.
- To establish energy efficient developments that are appropriate to local conditions.

Movement and access

- To optimise the potential to reduce car dependency within the community by developing a network of local and regional shared paths for recreational and functional use, and by encouraging upgrades to the railway station and Hurstbridge line to increase the frequency of public transport services.
- To create better pedestrian and cyclist connectivity through the centre, including across the railway line, while protecting the opportunity for the removal of the level crossing.

NILLUMBIK PLANNING SCHEME

- To improve car park management and design and improve pedestrian connectivity, safety and amenity through existing at grade car parks.
- To establish the commercial and retail precincts of the township as 'pedestrian priority areas'.
- To improve access to the Activity Centre for all modes of travel, link the precincts of the Activity Centre physically with clear pedestrian/cycle paths and visually with landscape treatments.
- To expand the range of public transport linking the centre and the role of the railway station as a multi-modal interchange.
- To encourage traffic calming measures to Main Hurstbridge Road to improve conditions for pedestrians and cyclists.

Landscape and place activation

- To promote the creation of a public space/plaza in the retail core of the Activity Centre.
- To develop more attractive public spaces to enhance social interaction and the image of the Activity Centre.
- To incorporate references to European and indigenous heritage in the landscape and use art in public spaces.
- To retain and develop the open spaces within the Activity Centre and the links to parkland and to create a 'landscaped civic spine' along Main Hurstbridge Road as a key connecting feature of the Activity Centre.
- To ensure that the front, side and rear setbacks of development sites are extensively and effectively landscaped with canopy trees and other vegetation, particularly indigenous where appropriate.
- To maintain the visual dominance of the well vegetated natural landscape throughout the residential, commercial and open space areas of Diamond Creek.
- To use vegetation to mitigate against the heat-island effect within the centre, particularly in key public areas.

Community and leisure

- To provide for a network of spaces and facilities to meet projected community needs.
- To ensure community and leisure facilities are accessible to everyone, regardless of age or ability.
- To provide a multi-purpose community facility in the Activity Centre.
- To facilitate the location of a civic building (Council Offices or the like) within the Activity Centre.

Land configuration and ownership

- To discourage subdivision that fragments existing land holdings and reduces development opportunities and active frontages.
- To encourage the consolidation of land to create lots of a size sufficient to accommodate the visual and amenity impacts associated with more intense development.

NILLUMBIK PLANNING SCHEME

3.0 Table of uses

07/02/2019
C116nill

Section 1 - Permit not required

Use	Condition
Accommodation (other than Corrective institution, Dependent person's unit, Dwelling, Residential aged care facility)	Must be in Precinct 1, 3A, 4 or 6. In Precinct 1, 3A or 4, any frontage at ground floor level must not exceed 2 metres.
Bed and breakfast	Must be in Precinct 1, 3A, 4 or 6. No more than 10 persons may be accommodated away from their normal place of residence. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.
Convenience shop	Must be in Precinct 1, 3, 4 or 5. In Precinct 1B, the leasable floor area must not exceed 150 square metres.
Food and drink premises (other than Convenience restaurant, Hotel)	Must be in Precinct 1B, 3A or 4. In Precinct 1B, the leasable floor area must not exceed 150 square metres.
Home occupation	
Informal outdoor recreation	
Medical centre	Must be in Precinct 1, 3A, 4 or 6. The gross floor area of all buildings must not exceed 250 square metres. In Precinct 1, 4 and 6: <ul style="list-style-type: none"> ▪ The site must adjoin or have access to a road in a Transport Zone 2 or a Transport Zone 3. ▪ must not require permit under clause 52.06-3.
Minor utility installation	
Office (other than Medical centre)	Must be in Precinct 1B, 3A, 4A and 4C. In Precinct 1B, the leasable floor area must not exceed 250 square metres.
Place of worship	Must be in Precinct 1, 3A, 4 or 6. The gross floor area of all buildings must not exceed 250 square metres. The site must adjoin or have access to a road in a Transport Zone 2 or Transport Zone 3.
Railway	

NILLUMBIK PLANNING SCHEME

Use	Condition
Railway station	Must be in Precinct 4B or 4C. The total leasable floor area for the selling of food, drink and other convenience goods and services must not exceed 50 square metres.
Residential aged care facility	Must be in Precinct 1, 3A, 4 or 6. Any frontage at ground level must not exceed 2 metres.
Restricted retail premises	Must be in Precinct 3, 4C or 5.
Retail premises (other than Shop, Food and drink premises)	Must be in Precinct 1, 3A, 4 or 5.
Shop (other than Adult sex product shop, Convenience shop, Restricted retail premises, Supermarket)	Must be in Precinct 1, 3A, 4 or 5.
Any use listed in Clause 62.01	Must meet requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Accommodation (other than Caretaker's house)	Must be in Precinct 1, 3A, 4 or 6.
Adult sex product shop	Must be in Precinct 1B, 3A, 4 or 5A. Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from Precinct 6, a residential zone or, land used for a Hospital, Primary school or Secondary school or land in a Public Acquisition Overlay to be acquired for a Hospital, Primary school or Secondary school.
Amusement parlour	
Brothel	Must be in Precinct 3B, 3C or 5. Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from Precinct 6, a residential zone or, land used for a Hospital, Primary school or Secondary school or land in a Public Acquisition Overlay to be acquired for a Hospital, Primary school or Secondary school.

NILLUMBIK PLANNING SCHEME

Use	Condition
Car park	In Precinct 1A or 6 must be used in conjunction with another use in Section 1 or 2.
Car wash	In Precinct 1, 4B or 6 the site must adjoin or have access to a road in a Transport Zone 2 or a Transport Zone 3.
Childcare centre	
Cinema	Must be in Precinct 1B, 3, 4 or 5.
Cinema based entertainment facility	
Convenience restaurant	The site must adjoin or have access to a road in a Transport Zone 2 or a Transport Zone 3.
Education centre	In Precinct 3B, 3C or 5 must not be a Primary or Secondary school.
Exhibition centre	
Food and drink premises (other than Convenience restaurant, Take away food premises)	
Hospital	Must be in Precinct 3, 4 or 5.
Industry (other than Car wash)	Must be in Precinct 3B, 3C or 5. Must not be a purpose listed in the table to Clause 53.10.
Leisure and recreation (other than Informal outdoor recreation, Motor racing track)	
Nightclub	Must be in Precinct 1B, 3, 4 or 5.
Place of assembly (other than Amusement parlour, Cinema, Cinema based entertainment facility, Exhibition centre, Nightclub, Place of worship)	
Plant nursery	
Restricted retail premises	Must be in Precinct 1, 3, 4 or 5.

NILLUMBIK PLANNING SCHEME

Use	Condition
Retail premises (other than Food and drink premises, Shop, Plant nursery)	
Service station	Must be in Precinct 5B.
Shop (other than Adult sex product shop, Restricted retail premises, Supermarket)	
Store	
Supermarket	Must be in Precinct 1B, 3A, 4 or 5.
Take away food premises	Must be in Precinct 1B, 3A, 4 or 5.
Utility installation (other than Minor utility installation, Telecommunications facility)	
Warehouse (other than Mail centre, Store)	Must be in Precinct 3 or 5. Must not be for a purpose listed in table to Clause 53.10.
Any other use not in Section 1 or 3	

Section 3 – Prohibited

Use
Corrective institution
Intensive animal husbandry
Motor racing track

4.0 Centre-wide provisions

11/08/2016
C106

4.1 Use of land

11/08/2016
C106

A permit is not required to use land for the purpose of local government, recreation, education, transport, police or health providing the use is undertaken by, or on behalf of, the public land manager.

Amenity of the neighbourhood

A use must not adversely affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any stored goods or materials.

NILLUMBIK PLANNING SCHEME

- Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

Application requirements

An application to use land for an industry or warehouse must be accompanied by the following information, as appropriate:

- The purpose of the use and the types of processes to be utilised.
- The type and quantity of goods to be stored, processed or produced.
- How land not required for immediate use is to be maintained.
- Whether a Development Licence, Operating Licence, Permit or Registration is required from the Environment Protection Authority.
- Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the Dangerous Goods Act 1985 is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.
- The likely effects, if any, on the neighbourhood, including:
 - Noise levels.
 - Air-borne emissions.
 - Emissions to land or water.
 - Traffic, including the hours of delivery and despatch.
 - Light spill or glare.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework
- The effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.
- The effect that nearby industries may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.
- The effect on nearby industries.

4.2

11/08/2016
C106

Subdivision

An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- Must meet all of the objectives included in the clauses specified in the following table.
- Should meet all of the standards included in the clauses in the following table.

Class of subdivision	Objectives and standards to be met
60 or more lots	All except Clause 56.03-5.

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Class of subdivision	Objectives and standards to be met
16-59 lots	All except Clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.
3-15 lots	All except Clauses 56.02-1, 56.03-1 to 56.03-4, 56.05-2, 56.06-1, 56.06-3, 56.06-6.
2 lots	Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.08 to 56.09-2.

4.3 Buildings and works

11/08/2016
C106

A permit is not required for buildings and works for railway purposes including signals (and related control buildings), new tracks, track-work and realignment, train stabling, overhead power lines, gantries, buildings and works related to railway power requirements and any work required under the Disability Discrimination Act-Disability Standards for Accessible Public Transport 2002.

No permit is required for:

- The installation of an automatic teller machine unless it occupies more than 10% of the frontage.
- Alter an existing commercial building façade, provided that:
 - the alteration does not include installation of an external roller shutter;
 - at least 80 per cent of the building façade at ground floor is maintained as an entry or window with clear glazing.
- Construct an awning that projects over a road if it is authorised by the relevant public land manager.

Construction and extension of one dwelling on a lot

In Precincts 1A and 6, a permit is not required to:

- Construct or extend one dwelling on a lot of more than 300 square metres and not on common property.
- Construct or carry out works normal to a dwelling.
- Construct or extend an outbuilding (other than a garage or carport) on a lot provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than three metres above ground level.
- Construct one dependent person’s unit on a lot.
- A development must meet the requirements of Clause 54, unless otherwise stated in this Schedule.

Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings

In Precinct 1A and 6:

- A permit is not required to construct a front fence within three metres of a street associated with two or more dwellings on a lot or a residential building provided it does not exceed the maximum height specified in Clause 55.06-2.
- A development must meet the requirements of Clause 55, unless otherwise stated in this Schedule. This does not apply to a development of five or more storeys, excluding a basement.

All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

NILLUMBIK PLANNING SCHEME

Buildings on lots that abut a residential zone

Any buildings or works constructed on a lot that abuts land which is in a General Residential Zone or Neighbourhood Residential Zone must meet the requirements of Clauses 55.04-2, 55.04-3, 55.04-5 and 55.04-6 along that boundary.

4.4

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C.106

Design and development

Building height

A permit cannot be granted to vary the 'Mandatory Height' provisions specified at Part 5.0 of this Schedule (where applicable).

Permit applications which seek to exceed any 'Discretionary Height' specified in Part 5.0 of this Schedule, should demonstrate that:

- The objectives listed in Part 1.0 of this Schedule are satisfied, particularly those listed under Built form and character and Landscape and place activation.
- The objectives and guidelines of the relevant precinct of this Schedule are satisfied.
- Increased setbacks are provided for landscaping which includes additional canopy trees to assist in visually softening the development at street level and providing increased permeable surfaces.
- Design principles are included which provide landscaping beyond the ground level and green facades.
- The development positively contributes to the appearance of the Diamond Creek Activity Centre through its architectural quality and responsiveness to the character of the Activity Centre.

For the purposes of this Schedule, building height excludes service equipment including plant rooms, lift overruns, solar collectors and other such equipment provided the following criteria are met:

- They are no more than four metres above the maximum height of the building.
- They occupy no more than 20 per cent of the floor area of the top building level.
- The service equipment is located so as to minimise additional overshadowing of neighbouring properties and public spaces.
- The equipment is designed, screened and finished in a non-reflective material and of a colour to the satisfaction of the responsible authority.

Building setbacks

Minor works including verandahs, architectural features, balconies, sunshades, screens and artworks may be constructed within the setback area specified at Part 5.0 of this Schedule, provided they are designed and located to the satisfaction of the responsible authority.

Basement levels should not encroach into landscape areas.

Where the precinct provisions specify a front setback, that setback is measured from the property boundary.

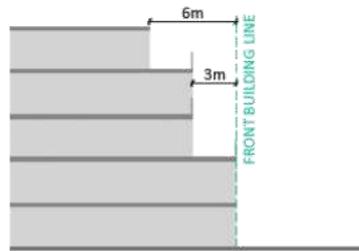
The following design guidelines apply to all development with the Activity Centre, unless otherwise specified in Precinct provisions in Part 5.0 of this Schedule.

- Development should include a front setback as specified in the Precinct provisions in Part 5.0 of this Schedule.

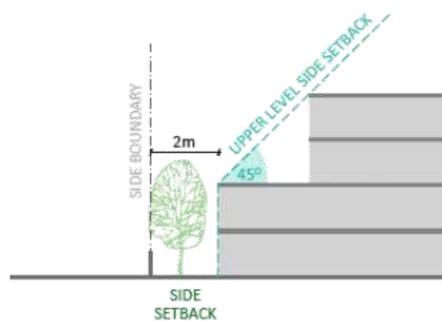
Any part of the building above 2 storeys should be:

- Setback at least 3 metres from the front building line. Above 4 storeys the building should be setback a further 3 metres.

NILLUMBIK PLANNING SCHEME

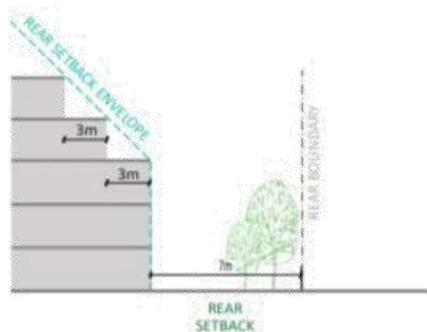


- Setback beyond a 45 degree plane from the sides of the level below (Precinct 6 and properties fronting Inglis Street only).



Rear setbacks to direct residential zones should be designed to manage visual bulk and overshadowing impacts to adjacent residential properties by:

- Applying a 7m rear setback; and
- Apply a 1m setback for every metre of height over 10.9m (shown in Section Diagram below).



Rear setbacks to other zones above the street wall should be:

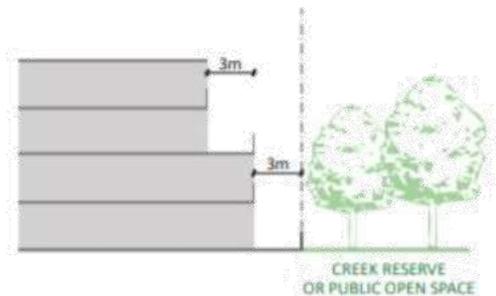
- 4.5m from the common boundary, where a habitable room window or balcony is proposed; or
- 3.0m from the common boundary where a commercial or non-habitable window is proposed.

Development on lots directly interfacing with Diamond Creek Reserve and open space should:

- Be designed to address the creek reserve with entries, windows and balconies.
- Provide a 3 metre upper level setback above the street wall to the creek/open space.
- Include a 3 metre landscaped setback from the property boundary facing the creek.

NILLUMBIK PLANNING SCHEME

- Incorporate a low, visually permeable fence to clearly define the public realm while retaining the potential for visual interaction (shown in Section Diagram below).



Landscape design

Landscape design should:

- Create private and public open space areas that are accessible, safe, attractive and functional.
- Retain established indigenous vegetation within all streets that contributes to the 'green and leafy' appearance of the area, in both the private and public realm.
- Limit the removal of vegetation to the minimum required to allow the land to satisfy its development potential.
- A high standard landscape treatment should be provided in the front setback where buildings are setback from the street.

NILLUMBIK PLANNING SCHEME

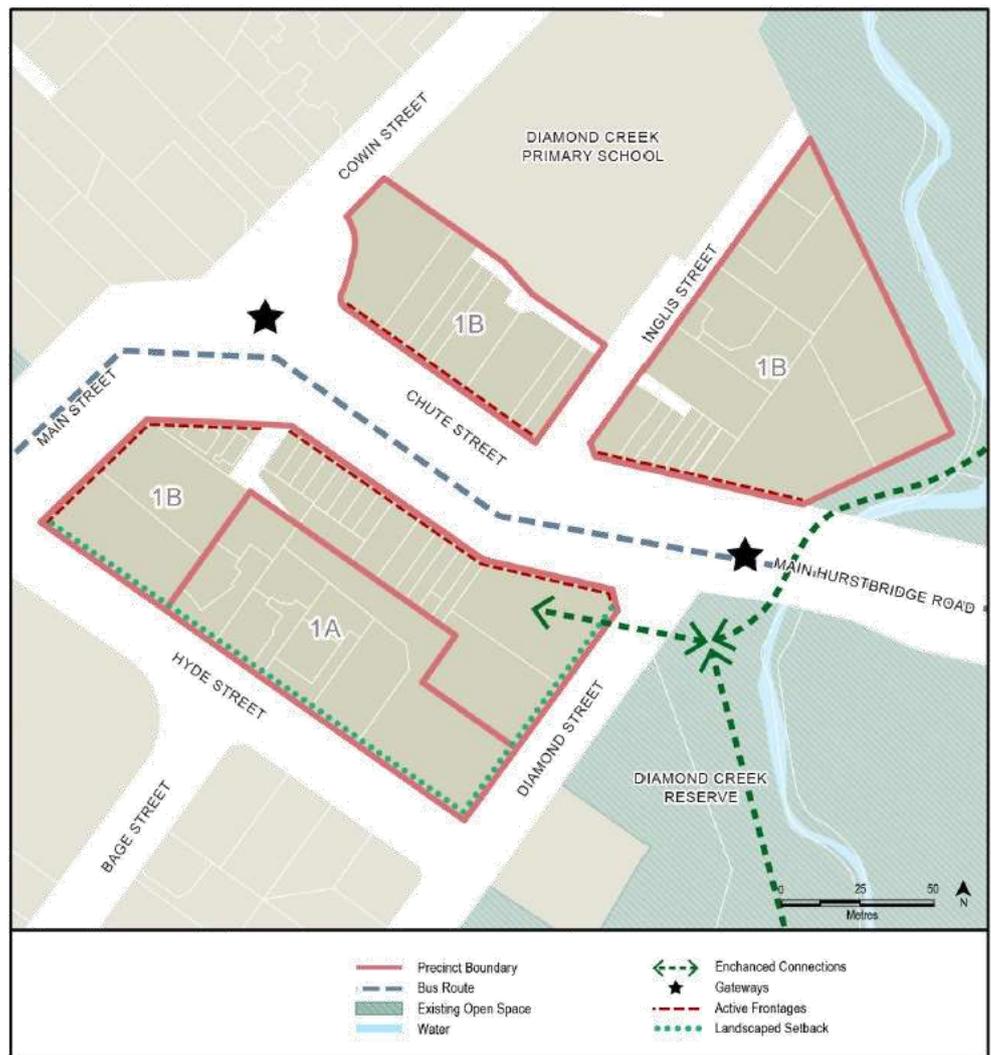
5.0 Precinct provisions

07/02/2019
 C116nill

5.1 Precinct 1 - Chute Street Commercial Strip

11/08/2016
 C106

5.1-1 Precinct map



5.1-2 Precinct objectives

- To enhance the historic role and character of Chute Street as the earliest part of the town centre as a distinguishing feature and attraction to visitors.
- To encourage buildings to step down the slope providing a link and orientation to the natural settings and leisure opportunities along the creek valley.

NILLUMBIK PLANNING SCHEME

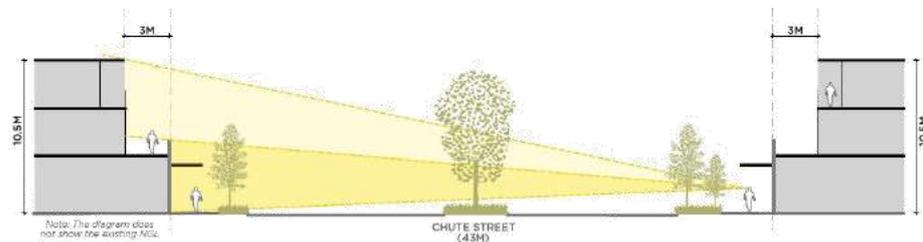
- To encourage moderate density mixed use development with building design that is responsive to the existing fine grain character and scale and allows for views to the surrounding tree canopy and in places, views of the valley and hills.
- To ensure retail, office and entertainment activities are provided as a secondary node to the retail core (Precinct 4), providing local convenience shopping.
- To create a safe, accessible and attractive pedestrian environment activated through a range of shop-fronts, cafes, places to sit and stop with established trees and other attractions.
- To develop a strong sense of identity through a coordinated approach to building design, signage and landscape treatments.
- To protect the amenity of adjoining residential properties.
- To improve pedestrian and cyclist connectivity and amenity.

5.1-3 Precinct requirements

Sub-Precinct	Discretionary height (Excluding basement)	Mandatory height (Excluding basement)	Preferred minimum setbacks
1A	4 storeys (14m).	None specified.	Consistent 1 storey street wall with 5.5m landscaped front setback to Hyde Street. A 3m upper level setback above the 1 storey street wall.
1B	Non specified.	3 storeys (10.5m)	Consistent 1 storey street wall with 0m setback along Chute Street, Main Street and Cowin Street. 1 storey street wall with 5.5m front setback along Hyde Street, Diamond Street and lots fronting Inglis Street. A 3m upper level setback above the 1 storey street wall.

- The preferred built form character for Precinct 1 includes a single storey street wall, with levels above setback to avoid overwhelming the public realm (Section Diagram 1).

NILLUMBIK PLANNING SCHEME



Section Diagram 1 – Indicative minimum setbacks at Chute Street in Precinct 1

5.1-4 Precinct guidelines

- Use and development of non-residential uses should:
 - be compatible with surrounding residential use, scale and intensity.
 - generally serve local community needs.
 - reflect the pattern of existing building siting and massing within the precinct.
- Industrial uses are strongly discouraged in Precinct 1. Precincts 3 and 5 are the preferred location in the Diamond Creek Activity Centre for industry.
- Develop the density of retail, office and entertainment activities in and around Chute Street for local convenience shopping, a range of food and restaurant outlets and professional and other office based services but little if any retail floor-space expansion.
- Encourage development to have a high quality design. Façade proportions and building articulation should be diverse in pattern to create visual interest.
- Driveways and fencing should not dominate the front setback of the property or the streetscape.
- Buildings on corner allotments should address both street frontages with shop front windows at street level.
- Buildings should respond to the topography ensuring the front door to the ground floor use is at the same level as the footpath.
- Development on lots directly interfacing with the creek should be designed to address the creek with entries, windows and balconies.
- Development fronting Hyde Street and Inglis Street should respond to surrounding residential use, scale, and intensity and adopt consistent setback distances to adjacent buildings and seek to retain any existing vegetation along property boundaries.
- Redevelopment adjacent to 69 Main Street should be designed to reflect and respond to its heritage features.
- Ensure that new buildings do not significantly overshadow or overlook the private open spaces and habitable windows of adjoining residential properties.

Buildings fronting Chute Street should:

- Be designed with well-articulated facades, roof forms, fenestration, parapet treatments and other detail and materials to provide interest at the street level and reinforce the human scale of Chute Street.
- Provide active frontages at ground level to provide a safe and lively environment.
- Provide continuous weather protection (such as cantilevered canopies/verandahs) over footpaths, subject to protecting existing tree canopies.
- Utilise the front wall to provide informal bench seating (can be low window sills).
- Include a street wall that includes both a fine grain and strong vertical articulation to deliver visual interest.

NILLUMBIK PLANNING SCHEME

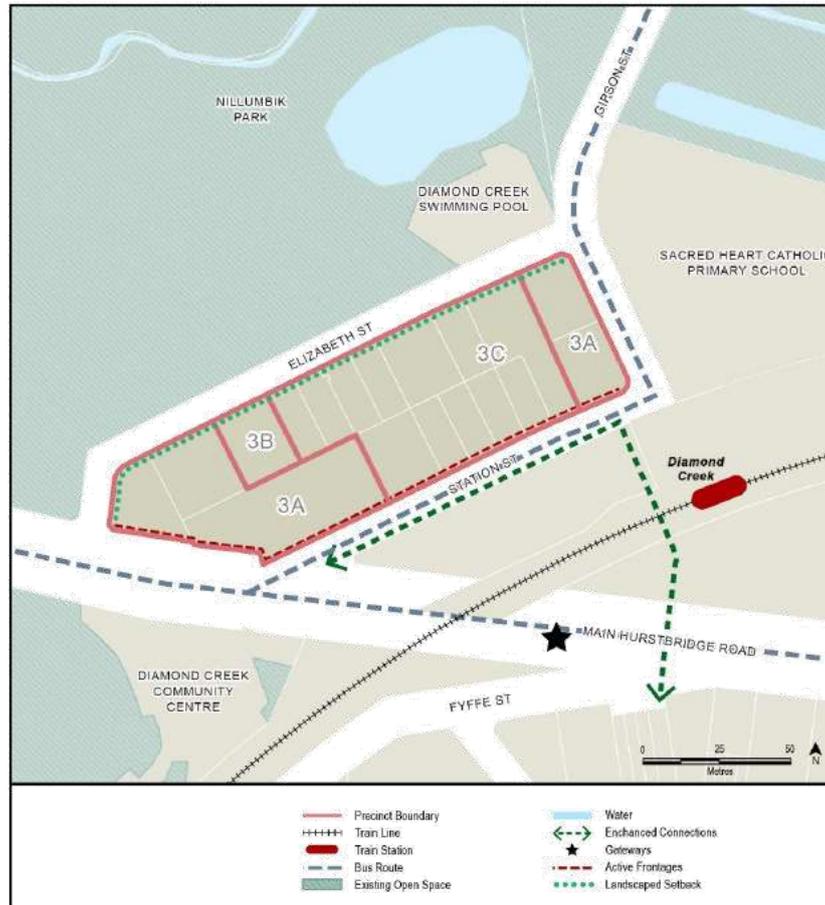
5.1-5 Any other requirements

Refer to Part 4.4 of this schedule for interface setback guidelines and requirements.

5.2 Precinct 3 – Elizabeth Street/Station Street

11/08/2016
C106

5.2-1 Precinct map



5.2-2 Precinct objectives

- To support existing industrial uses whilst facilitating other compatible emergent industries to energise the centre.
- To minimise the impacts of development on adjoining sensitive land uses.
- To encourage medium density mixed use development.
- To create a cohesive image for the area and encourage contemporary built form responses which provide interest to the streetscape and contribute to an attractive pedestrian environment.
- To emphasise the Main Hurstbridge Road frontage with buildings which exemplify the overall character and image of Diamond Creek.
- To create a native and exotic planting theme within front setbacks along Elizabeth Street which will link this area to the character of adjoining parklands.

NILLUMBIK PLANNING SCHEME

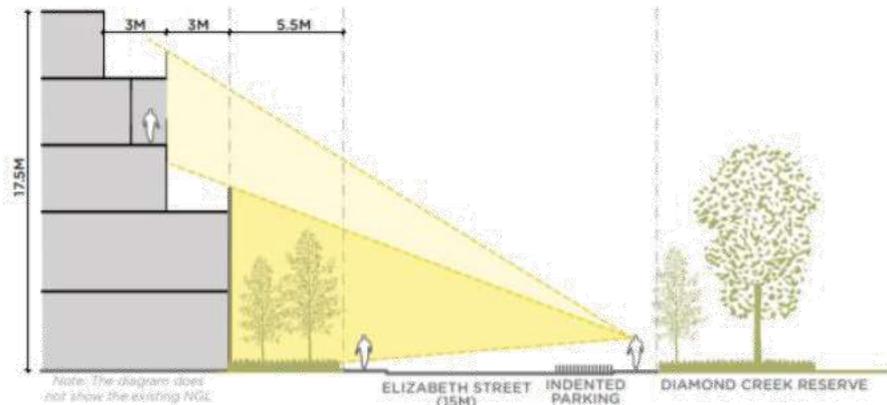
- To improve the public realm and minimise conflicts between cars and pedestrians.

5.2-3 Precinct requirements

Sub-Precinct	Discretionary height (Excluding basement)	Mandatory height (Excluding basement)	Preferred minimum setbacks
3A	None specified.	3 storeys (10.5m).	2 storey street wall with 5.5m front setback along Elizabeth Street and Gipson Street. Consistent 2 storey street wall with 0m front setback along Station Street and Main Hurstbridge Road. A 3m upper level setback above the 2 storey street wall. Landscaped setback along Elizabeth Street frontage.
3B	4 storeys (14m).	None specified.	2 storey street wall with 5.5m front setback. A 3m upper level setback above the 2 storey street wall. Landscaped setback along Elizabeth Street frontage.
3C	5 storeys (17.5 m).	None specified.	2 storey street wall with 5.5m front setback along Elizabeth Street. Consistent 2 storey street wall with 0m front setback along Station Street. A 3m upper level setback above the 2 storey street wall. A further 3m front setback above the fourth storey. Landscaped setback along Elizabeth Street frontage.

- The preferred built form character for Precinct 3 includes a two storey street wall, with levels above setback to avoid overwhelming the public realm (Section Diagram 2).

NILLUMBIK PLANNING SCHEME



Section Diagram 2 – Indicative minimum setbacks at Elizabeth Street in Precinct 3

5.2-4 Precinct guidelines

- Maintain a range of light industrial and service industries to provide local employment and services.
- Change the functions along the Main Hurstbridge Road frontage to intensify the land use and increase the amenity along this spine of the Activity Centre.
- Minimise the impacts of development on adjoining sensitive land uses.
- Limit convenience parking areas to front setbacks landscaped to screen parking areas.
- Developments should not provide storage areas within the frontage.
- Front fencing along the street boundary is highly discouraged.
- New developments should provide no side setbacks.
- Design office/display areas of industrial shed developments to provide an interface to the street.
- Any future redevelopment of the Diamond Creek Tavern should be reflective of its heritage features and mark the entry to the Activity Centre.
- Redevelopment adjacent to the Diamond Creek Tavern should ensure it does not dominate the heritage form.
- Buildings should be designed with active frontages (greater than 60% non-reflective glazing) at ground level to provide a safe and lively environment.
- Buildings should present an attractive and articulated façade to provide visual interest to the overall development and offset bulky forms to the rear.

NILLUMBIK PLANNING SCHEME

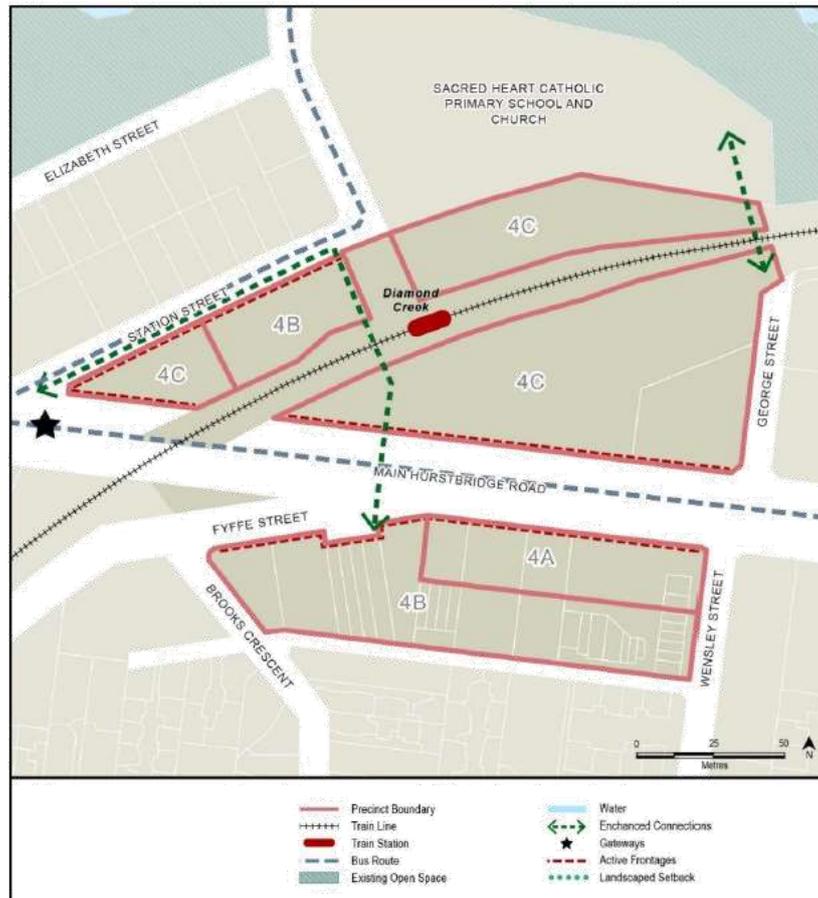
5.2-5 Any other requirements

Refer to Part 4.4 of this schedule for interface setback guidelines and requirements.

5.3 Precinct 4 – Retail Core

11/08/2016
 C106

5.3-1 Precinct map



5.3-2 Precinct objectives

- To promote the creation of a public space/plaza in the Activity Centre.
- To retain the township atmosphere of this precinct while allowing opportunities for increased development (including transit orientated development) on large sites close to the train station.
- To link the various activities of the precinct visually and physically with contemporary building forms, public spaces and an attractive pedestrian environment.
- To create a stronger presence of built form and activity along Main Hurstbridge Road and create greater economic and pedestrian connectivity between both sides of Main Hurstbridge Road and the rail line.
- To develop the role of the station as a sustainable transport hub ensuring it is clearly accessible by pedestrian, cycle and public transport connections from the retail core.

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- To enable mixed use, accessible development and housing including accessible housing options, shops, offices and to support growth in retail floorspace.
- To create a town centre ‘heart’ away from the traffic congestion on Main Hurstbridge Road.
- To create a ‘landscaped civic spine’ along Main Hurstbridge Road as the connecting feature of Diamond Creek.
- To advocate for the removal of the level crossing.
- To encourage traffic calming measures to Main Hurstbridge Road to improve conditions for pedestrians and cyclists.
- To develop a long-term plan for car parking including designated accessible parking bays to ensure an adequate and sustainable supply.

5.3-3 Precinct requirements

Sub-Precinct	Discretionary height (Excluding basement)	Mandatory height (Excluding basement)	Preferred minimum setbacks
4A	5 storeys (17.5m).	None specified.	Consistent 2 storey street wall with 0m front setback. A 3m upper setback above the 2 storey street wall. A further 3m front setback above the fourth storey.
4B	4 storeys (14m).	None specified.	Consistent 2 storey street wall with 0m front setback along Main Hurstbridge Road, Fyffe Street and Station Street. Consistent 2 storey street wall with 5.5m front setback along Brooks Crescent, Waigo Way, and Wensley Street. A 3m upper setback above the 2 storey street wall.
4C	None specified.	3 storeys (10.5m)	Consistent 2 storey street wall with 0m front setback along Station Street and Main Hurstbridge Road. Consistent 2 storey street wall and 5.5m front setback along George Street. A 3m upper setback above the 2 storey street wall.

- The preferred built form character for Precinct 4 includes a 2 storey street wall, with levels above setback to avoid overwhelming the public realm (Section Diagram 3).

NILLUMBIK PLANNING SCHEME



Section Diagram 3 – Indicative minimum setbacks at Main Hurstbridge Road in Precinct 4

5.3-4 Precinct guidelines

- Develop this precinct as the primary focus for more intensive retail activity and floorspace in the Activity Centre, and generally contain retail activity within a compact pedestrian friendly core bound by the railway, Brooks Crescent, Waigo Way and Wensley Street/George Street.
- Encourage mixed use residential and office buildings north of the railway.
- Buildings on corner allotments should address both street frontages with shop front windows at street level.
- Design new buildings with the ground floor located responding to the natural ground level (NGL) to promote a strong connection with the public street space and ensure access to all.
- Plant substantial native and exotic trees where appropriate to provide shade in car parks and screen car parking areas.
- Front and side fencing is strongly discouraged.
- The use of roller shutters on shop-front windows and doors at street level is strongly discouraged.
- If required, at-grade or deck car parking is encouraged behind developments with an emphasis on landscaping to minimise visual impact on adjoining residential areas.
- Encourage activity and surveillance oriented towards the station and railway line interface through articulated facades, habitable rooms and windows which look onto the station or railway corridor.

In sub-precinct 4B (south of Main Hurstbridge Road):

- Use and development of non residential uses should:
 - Be compatible with surrounding residential use, scale and intensity.
 - Generally serve local community needs.
 - Reflect the pattern of existing building siting and massing within the precinct.
- New development at 42 and 46 Main Hurstbridge Road should provide for the retention and improvement of the site as a local landmark building.

Buildings fronting Main Hurstbridge Road should:

- Be designed with well-articulated facades, roof forms, fenestration, parapet treatments and other detail and materials to provide interest at the street level.
- Be built to the front boundary, with car parking (including designated accessible parking bays) behind.
- Provide active frontages at ground level to provide a safe and lively environment.

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- Provide continuous weather protection (such as cantilevered canopies/ verandahs) over footpaths.
- Include a street wall that includes both a fine grain and strong vertical articulation to deliver visual interest.

5.3-5 Any other requirements

Refer to Part 4.4 of this schedule for interface setback guidelines and requirements.

5.4 Precinct 5 – East of George Street, North of Main Hurstbridge Road

11/08/2016
C106

5.4-1 Precinct map



5.4-2 Precinct objectives

- To encourage a range of industrial, commercial, office, civic and other employment generating uses complementing the use mix in Precinct 4.
- To minimise off site effects on adjoining sensitive land uses.
- To maintain the ‘rural periphery’ and landscape setting of this section of Main Hurstbridge Road as the defining feature of the eastern entrance to the Activity Centre.
- To encourage an attractive and safe environment for pedestrians and cyclists.

NILLUMBIK PLANNING SCHEME

5.4-3 Precinct requirements

Sub-Precinct	Discretionary height (Excluding basement)	Mandatory height (Excluding basement)	Preferred minimum setbacks
5A	5 storeys (17.5m).	None specified.	Consistent 2 storey street wall and 5.5m front setback along George Street. A 3m upper setback above the 2 storey street wall and a further 3m front setback above the fourth storey along George Street.
5B	4 storeys (14m).	None specified.	Consistent 2 storey street wall and 5.5m front setback along Main Hurstbridge Road and George Street. A 3m upper setback above the 2 storey street wall.

5.4-4 Precinct guidelines

- Support retail or semi-retail development that requires larger floor spaces, trade supplies or bulky goods.
- Design new buildings with ground floor street frontages to provide windows with displays, doors and main building entrances at the street level to contribute to the activation of the street.
- Locate habitable spaces on upper levels along the street frontage, with windows overlooking the street or parklands/railway corridor to create a sense of surveillance.
- Locate storage yards, loading docks and large car-parking areas to the side or rear of the buildings to reduce their visual prominence.
- Larger scale commercial and industrial buildings to be set in well landscaped surrounds to contribute to the rural township character of the Activity Centre.
- Provide space in front setbacks for adequate landscaping including indigenous grasses, shrubs and canopy trees and sufficient permeable surface to ensure plant growth.
- Maintain a suitable landscape buffer treatment along the eastern precinct boundary to act as a buffer to adjacent sensitive land uses.
- Minimise the number of driveway crossovers to improve footpath safety and opportunities for on-street parking.
- All industrial sheds should include a glazed office/display component to provide an interface with the street and to assist in concealing the bulky form behind.
- Front fencing along the street boundary is strongly discouraged.

Buildings fronting Main Hurstbridge Road should:

- Provide active frontages at ground level to provide a safe and lively environment
- Be designed with ground floor street frontages with windows with displays and doors at the street level.

NILLUMBIK PLANNING SCHEME

5.4-5 Any other requirements

Refer to Part 4.4 of this schedule for interface setback guidelines and requirements.

5.5 Precinct 6 – East of Wensley Street, South of Main Hurstbridge Road

11/08/2016
C106

5.5-1 Precinct map



5.5-2 Precinct objectives

- To encourage more intensive development that provides increased floorspace which integrates with the existing residential character of the area and takes advantage of the main road frontage in an efficient land use manner.
- To encourage new development to present a predominantly residential appearance in respect to form, heights, setbacks, streetscape and landscape.
- To create a strong presence of indigenous vegetation on the main road.
- To protect and enhance the amenity within the Activity Centre and surrounding established residential neighbourhoods.

NILLUMBIK PLANNING SCHEME

5.5-3 Precinct requirements

Sub-Precinct	Discretionary height (Excluding basement)	Mandatory height (Excluding basement)	Preferred minimum setbacks
6A	4 storeys (14m).	None specified.	Consistent 2 storey street wall with 5.5m front setback along Main Hurstbridge Road and Wensley Street. A 3m upper setback above the 2 storey street wall. Landscaped setback along Main Hurstbridge Road and Wensley Street.
6B	None specified.	3 storeys (10.5m).	Consistent 2 storey street wall with 5.5m front setback along Main Hurstbridge Road, Wensley Street and Phipps Crescent. A 3m upper setback above the 2 storey street wall. Landscaped setback along Main Hurstbridge Road, Wensley Street and Phipps Crescent.

Landscaping

Development fronting 'landscaped setback' on the Precinct map should provide a 5.5 metre deep landscape setback to Main Hurstbridge Road.

5.5-4 Precinct guidelines

- Encourage an active frontage and mix of activities including higher density housing, office development and medical services along the Main Hurstbridge Road frontage.
- Upgrade streets to provide footpaths along the Main Hurstbridge Road edge and provide protection to pedestrians.
- Façade proportions and building articulation should be diverse in pattern, to create a visually interesting development.
- Provide upper level setbacks to reduce the visual bulk of buildings when viewed from Main Hurstbridge Road and from adjoining residential zoned land.
- Buildings should be designed with a predominantly residential appearance with front side and rear setbacks to allow for substantial landscaping.
- Buildings should transition in height and scale downwards to the residential hinterland to the south.
- Landscaping in the front, side and rear setbacks should include grasses, shrubs, substantial trees and sufficient permeable surface to ensure plant growth.
- Carparking should be provided in a basement or to the rear of the buildings to reduce their visual prominence.

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Non-residential development should:

- Locate habitable spaces on upper levels along the street frontage, with windows overlooking the street to create a sense of surveillance.
- Locate windows with displays, doors, and the main building entrance on the street frontage, so that it is visible and easily recognised and provide access paths to building entrances.
- Minimise the number of driveway crossovers to improve footpath safety and opportunities for on-street parking.
- Minimise overshadowing and overlooking of private open space and habitable windows by applying the relevant provisions of Clause 54 and Clause 55.

Buildings fronting Main Hurstbridge Road should:

- Encourage an active street frontage at ground level.
- Be designed to provide natural surveillance by addressing the street and overlooking the public realm.
- Include building articulation to create a visually interesting development.
- Locate the main building entrance on the street frontage, so that it is visible and easily recognised and provide access paths to building entrances.

5.5-5 Any other requirements

Refer to Part 4.4 of this schedule for interface setback guidelines and requirements.

6.0 Application requirements

07/02/2019
C116nill

None specified.

7.0 Notice and review

07/02/2019
C116nill

An application to use land under Clause 37.08-2 is not exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

An application for buildings and works is not exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act if the development exceeds the 'Discretionary Height' or 'Preferred Minimum Setbacks' specified in the relevant precinct requirements contained within this schedule.

To remove any doubt, where the preferred height limit is specified in both storeys and metres, if the proposal would exceed either of those figures, then the application is not exempt from the notice requirements of Section 52(1) (a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

8.0 Decision guidelines

07/02/2019
C116nill

Before deciding on an application, in addition to the decision guidelines in Clause 65 and Clause 37.08, the responsible authority must consider, as appropriate:

Design and built form

Whether the proposed development:

- Provides a high standard of urban design and well designed site responsive architecture.
- Does not present a blank façade to a pedestrian activity area or street.

NILLUMBIK PLANNING SCHEME

- Provides for appropriate setbacks which respect the siting of adjacent developments where the schedule promotes landscaped setbacks to the street frontage.
- Incorporates any signs as an integral part of the architecture. The construction and design of signs should be of a high quality and should maintain and enhance the Diamond Creek form and character.

Subdivision

Whether the subdivision is associated with a development proposal that supports the objectives promoted by this Schedule.

Access

Whether the proposed development limits the number of vehicle crossings to each development.

9.0

07/02/2019
C116nill

Signs

Sign requirements are at Clause 52.05.

All land located within Precincts 3 and 5 is in Category 2.

All land located in Precincts 1A and 6 is in Category 3.

All remaining land is in Category 1.

10.0

07/02/2019
C116nill

Other provisions of the scheme

None specified

11.0

07/02/2019
C116nill

Reference documents

Diamond Creek Major Activity Centre Structure Plan, September 2020

Nillumbik Major Activity Centres Sustainable Transport Study and Strategy, 2010

Diamond Creek Major Activity Centre Car Parking Strategy, 2013

CM.018/22 Proposed Planning Scheme Amendments C143 (Eltham Major Activity Centre) and C144 (Diamond Creek Major Activity Centre)
Attachment 7. Revised ACZ2 (Diamond Creek) Schedule for Amendment C144

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NILLUMBIK PLANNING SCHEME

25/09/2014
C53

SCHEDULE 6 TO THE SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as SLO6.

DIAMOND CREEK MAJOR ACTIVITY CENTRE

1.0

25/09/2014
C53

Statement of nature and key elements of landscape

The Diamond Creek Major Activity Centre Structure Plan (September 2020) identifies a strong presence of vegetation and the town's semi-rural and bushland landscape setting as key contributing factors to an existing and preferred character for the Diamond Creek Major Activity Centre. The town contains many significant landscapes due to the vegetation planted throughout, the corridor of open space that runs through the centre and the surrounding bushland and open pastoral land.

While the Structure Plan encourages higher intensity development within the activity centre, future development should seek to strike a balance between the realisation of the development potential of sites, and the retention of the distinct semi-rural township character.

All new development shall contribute to the preservation and enhancement of the unique landscape setting of the Diamond Creek Major Activity Centre through the achievement of the following preferred character:

- Buildings will be sited and designed to integrate with the landscape setting and maintain views across the Diamond Creek valley.
- New development shall complement and reflect the historic qualities of the township and its landscape setting through the use of natural materials and colours.
- Buildings will be modest in scale to ensure the dominance of the tree canopy over built form, and avoid excessive bulk and create interest through articulation, roof forms, fenestration, parapets and other design elements.
- The use and retention of indigenous vegetation, particularly canopy trees, to reflect and reinforce the vegetation dominated character of the area.
- Use of exotic species in selected locations as an expression of the European heritage of the area.

2.0

25/09/2014
C53

Landscape character objectives to be achieved

- To retain and encourage the dominance of canopy trees in keeping with the distinct rural township image and character of Diamond Creek.
- To ensure that development is sensitive to the natural characteristics of the land including slope, terrain and existing vegetation.
- To ensure that the health of existing trees is not unnecessarily jeopardised by new development.
- To restrict removal of vegetation to the minimum required to allow land to satisfy its development potential in accordance with the Diamond Creek Major Activity Centre Structure Plan (September 2020).
- To ensure that new development contributes to the achievement of the preferred character through additional landscaping, particularly canopy trees.
- To reinforce the indigenous planting regime within the Diamond Creek Major Activity Centre.

3.0

25/09/2014
C53

Permit requirement

A permit is not required to construct a building or carry out works more than five (5) metres from the base of any substantial tree.

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A permit is not required for buildings and works for railway purposes including signals (and related control buildings), new tracks, track-work and realignment, train stabling, overhead power lines, gantries, buildings and works related to railway power requirements and any work required under the Disability Discrimination Act-Disability Standards for Accessible Public Transport 2002.

A permit is required to remove, destroy or lop any substantial tree. This does not apply to:

- the pruning of a tree for regeneration or ornamental shaping
- the removal of dead trees or dead limbs, or
- the partial removal of limbs and branches directly overhanging buildings.

For the purpose of this clause a substantial tree is defined as vegetation that has a trunk circumference greater than 0.5m at one metre above ground level, and/or a height greater than 6 metres.

4.0

25/09/2014
C53

Decision guidelines

Before deciding on an application, the responsible authority must consider, as appropriate:

- Whether the site is being restricted from realising its development potential [outlined in the *Diamond Creek Major Activity Centre Structure Plan (September 2020)*] by the retention of the vegetation.
- Whether the removal or lopping of the vegetation will detract from the achievement of the preferred character of the Diamond Creek Major Activity Centre.
- Whether the design of any proposed buildings and works has been adequately responsive to the objective of avoiding and/or minimising the extent of vegetation removal, destruction or lopping.
- Whether the proposed location or design of any buildings or works will impair the appearance or health of the vegetation.
- The need for additional landscaping and screen planting to contribute to the achievement of the preferred, landscape qualities of the Diamond Creek Major Activity Centre.
- In the event that an adverse impact on vegetation cannot be avoided, the need for a comprehensive landscape plan which provides an adequate proposal to provide and manage replacement vegetation.
- The extent to which the proposed landscaping complements the landscape treatments of adjoining public realm areas.
- Whether the proposed landscaping is of a high quality and uses indigenous species, including canopy trees.
- The extent to which front setbacks are landscaped to reinforce the appearance of vegetation dominating private allotments when viewed from the street.

5.0

25/09/2014
C53

Reference Documents

Diamond Creek Major Activity Centre Structure Plan (September 2020)

DRAFT ACTIVITY CENTRE AMENDMENTS C143 (ELTHAM MAC) AND C144 (DIAMOND CREEK MAC)

POINTS MADE BY PRESENTERS TO THE PCC ON 8 FEBRUARY 2022 WITH AN OFFICER RESPONSE

No.	Point Made by Presenter to February PCC	Officer Response
Chute Street as a secondary retail node		
1	Chute Street, Diamond Creek should not be referred to as a secondary node.	<p>Chute Street has been defined as a secondary node since at least 2006 by Council's strategic policy for the Diamond Creek MAC and since 2014 by the Nillumbik Planning Scheme. The term is there to help protect Chute Street's particular landscape and heritage values and setting.</p> <p>The designation as secondary node does not prevent existing or future business expansion including retail. It does not change the land uses allowed in that location, rather discretion, where the objective for the precinct is:</p> <p><i>Chute Street is the gateway to Diamond Creek from the west, where sweeping views of the valley are afforded from the hilltop location. Chute Street has a distinct and highly valued character within Diamond Creek, retaining its original small township atmosphere.</i></p>
2	Opposes C144 and the structure plan which continue wrongful movement of the Diamond Creek MAC to the east (away from Chute Street).	As noted above, Chute Street has been defined as a secondary node since at least 2006 by Council's strategic policy for the Diamond Creek MAC and since 2014 by the Nillumbik Planning Scheme. The term is there to help support protection of the Chute Street's particular landscape and heritage values and setting. See the response to View No. 1 for more discussion.
Scale and style of development permitted by the draft planning scheme amendments		
3	Council should not allow imposition of development expectations by the State Government and others.	<p>Metropolitan Councils, like Nillumbik, are required to implement State Government planning policy for Metropolitan Melbourne, including activity centre policy.</p> <p>State Government Policy has designated Eltham and Diamond Creek as Major Activity Centres since 2002. As such, Council is required by State Government activity centre policy to consolidate a higher level of development and a variety of uses within each activity centre. Council has been very fortunate to broker modest development expectations for the Eltham and Diamond Creek MACs in the context of metropolitan Melbourne. This is particularly evident in 2014 by the State Government, after considerably lobbying by Council, to allow since 2014 both centres to have a maximum building height range of 3-5 storeys (10.5 to 17 metres), including considerable use of non-</p>

CM.018/22 Proposed Planning Scheme Amendments C143 (Eltham Major Activity Centre) and C144 (Diamond Creek Major Activity Centre)
 Attachment 9. Key points of presentations to the February 2022 Meeting of Council's Planning and Consultation Committee (PCC) on the draft amendments with an officer response

No.	Point Made by Presenter to February PCC	Officer Response
		<p>negotiable mandatory height controls and to have tree protection controls applied to each centre. The proposed Amendments C143 and C144 largely retain the existing settings within each centre. For example, to maintain a maximum range in height limits of 3-5 storeys.</p> <p>It is noted that activity centre policy seeks to provide a range of social, economic and environmental benefits, such as providing greater diversity in housing, concentrating housing in close walking distance to shops and public transport, providing more local employment, creating vibrant and active communities, promoting easy access to public transport, creating safer and more walkable centres, reducing pressure on the Urban Growth Boundary and providing an urban structure which better responds to the needs of our ageing population.</p>
4	The Eltham MAC should not present or be planned as a high density and commercial model of development	As noted above, Council is required by State Planning Policy to consolidate commercial and a higher density of development within the Eltham MAC. The structure plan and ACZ1 do this, but set very modest growth expectations for the MAC in the context of Metropolitan Melbourne.
5	Opposes the "proposed" height limits.	The draft ACZ schedules retain use of a height limit range of 3-5 storeys (10.5 to 17 metres), which has been in place in both centres since 2014. The proposed schedules do not propose a new height limit range.
6	Eltham should not be treated as Greensborough and instead should instead be modelled on Hurstbridge as an appropriate level of development.	<p>The scale of development planned for Eltham is significantly less than that proposed for Greensborough. The ACZ schedule for Greensborough allows development of up to 89 metres and has no mandatory height limits. The Eltham ACZ1 has a maximum height limit of 17.5 metres and makes significant use of a mandatory height limit of 3 metres (10.5 metres).</p> <p>Hurstbridge is a rural township and not a designated Major Activity Centre. It does not provide a model for the Eltham MAC that would be acceptable to the State Government.</p>
7	Council should allow no higher than 3 storeys, so that Eltham does not become like Box Hill.	<p>Box Hill allows a significantly higher level of development than that envisaged for Eltham. Currently, a planning scheme amendment is being progressed for the Box Hill Major Activity Centre which will allow for development up to 120 metres, whereas the maximum height limit (existing and proposed) in the Eltham MAC is 17.5 metres.</p> <p>It is inappropriate to set a maximum possible height limit of 3 stories in the Eltham MAC, noting this is actually already the existing height limit in key parts of the surrounding residential areas, as set by the State Government's General Residential Zone, and a MAC is required by State Government policy to provide an additional level of development than the surrounding residential area.</p> <p>On this last point:</p> <p>a) Much of the Eltham Town Centre is abutted by two residential zones, namely, the Neighbourhood Residential</p>

No.	Point Made by Presenter to February PCC	Officer Response
		<p>Zone (NRZ) and the General Residential Zone (GRZ), whilst the GRZ is widely applied around the Diamond Creek MAC.</p> <p>b) The GRZ sets a maximum building height of 3 storeys (11 metres) for a dwelling and residential building and the Neighbourhood Residential Zone sets a limit of 2 storeys (9 metres).</p> <p>c) Therefore, the draft planning scheme amendments lowest height limit of 3 storeys (10.5 metres) sets a height limit which is lower than the GRZ and only 1.5 metres higher than the NRZ.</p> <p>d) The maximum building height allowed by the draft amendment of 5 storeys (17.5 metres), which is restricted to only certain commercial areas and the public transport hub of each MAC, is only 8.5 metres higher than the NRZ and 6.5 metres higher than the GRZ.</p> <p>e) The GRZ and NRZ allow a range of exemptions for buildings to exceed their mandatory maximum building height and these exemptions are not offered by the draft amendments.</p>
8	<p>The planning settings for Eltham need to reflect the area's unique style and culture. It is not Doncaster.</p>	<p>The proposed building heights do not provide Doncaster style development. The Doncaster Hill Major Activity Centre is subject to a schedule to the ACZ which allows significantly higher building heights, including buildings of up to 40 metres, with provision for another 8 metres of height for a "design element". Further, the Doncaster Hill MAC is providing for high development concentrated within prominent locations within the landscape.</p> <p>Conversely, the maximum permitted height by the ACZ1 is 17.5 metres and the ACZ1 has been designed to restrict the tallest development suitably off sensitive landscape locations. For example, a mandatory (non-negotiable height limit) of 3 storeys is applied to much of the higher ground of the Eltham MAC that provides residential land use around the Eltham Town Centre.</p> <p>This is just one way in which the proposed draft amendments seek to balance the growth expectations set by the Eltham centre being a designated MAC and to still reflect the area's unique style and culture. Other ways include the use of the SLOs to provide tree protection, the emphasis in the ACZ1 on design styles that reflect Eltham's heritage and also by putting emphasis on protecting the activity centre's views and interface with the surrounding hills and the Diamond Creek and environs.</p> <p>It is also noted that some of the community feedback in developing the currently adopted Eltham MAC Structure Plan (2020) identified a public view that systemic problems have been created by historical planning of the centre. For example, that the Eltham Town Centre has historically developed in an unco-ordinated way into several poorly</p>

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		connected, ugly and car dependent sub-centres. The existing and proposed ACZ1 have sought to address this issue. For example, by better integrating development, including for pedestrians, across the centre. The proposed ACZ1 particularly seeks to extend this more co-ordinated approach to the Bridge Street Business Area.
9	More than 3 storeys is not appropriate.	A three storey height limit (11 metres) commonly exists in key residential suburbs of the Shire. It is the maximum building height set by the General Residential Zone which is applied to key parts of Eltham and much of Diamond Creek. State Government Planning Policy requires an extra level and intensity of development within a MAC. The structure plan and ACZ propose to retain settings which go no higher than 5 storeys (17.5 metres) and set a 3 storey (10.5 metres) mandatory height limit in much of the centre. This is not a large increase on building heights already set by State Government planning provisions outside of each MAC. Further, the building heights are applied in a way in each MAC that reduces their visual impact. For example, by concentrating and restricting the highest permitted building height limits to key low-lying commercial areas.
10	Discretionary height limits should not be applied.	Discretionary heights are strongly supported by the State Government and the current extensive application of mandatory heights in the Eltham and Diamond Creek MAC's is the strongest use of mandatory heights that Council could leverage from the State Government. The mandatory height limits have been carefully applied where it is particularly important to protect sensitive elevated places and/or places with a particular character. It is noted that where discretionary height limits have been applied since 2014, these so far have been adhered to, including by the Victorian Civil Administrative Tribunal.
11	Reasons against additional height in discretionary height areas should be stronger.	The existing ACZ schedules set a series of significant performance measures that should be met by an application if a proposal for additional height, beyond the discretionary height limit, is to be successful. For example, one of these is that additional setbacks have to be provided for landscaping to adequately soften the development. It is noted that Council has faced one key application for a development higher than the discretionary height limit of 5 storeys, which was for a site abutting the west side of the Circulatory Road, Eltham. That application was refused at VCAT on considering the existing ACZ1. The proposed ACZ schedules retain the same content and approach to the existing schedules to restricting building height above a discretionary height limit.

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		It should also be noted that Council cannot write a discretionary height control to be so negative or discouraging that it in effect functions similar to a mandatory height limit. This approach would not be supported by the State Government.
12	Buildings should respect Eltham's style, heritage and landscape	The structure plan and proposed provisions have been designed to support Eltham's style, heritage and landscape, whilst still meeting obligations set by State Government Policy for the MAC to provide significant local growth. To this end, the structure plan and ACZ1 retain very modest building heights, protect and promote vegetation, retain a compact MAC and support the protection of the Diamond Creek and surrounding parkland.
13	The proposed increase in height limits at the station precinct in Eltham are an issue, particularly as they could have a significant impact on Youth Road.	<p>Whilst Amendment C143 proposes an increase in building height limit on the frontage to Youth Road, this increase is only one storey, from 3 to 4 storeys, and is accompanied with additional emphasis on providing landscaped setbacks.</p> <p>There are some additional proposed height limit increases in other parts of the station precinct. However, all proposed increases are no more than one storey (3 to 4 or 4 to 5 storeys) and do not change that the maximum height limit range in the Eltham MAC will remain at 3 to 5 storeys.</p> <p>The railway station precinct is a low-lying, high-use section of land within the heart of the Eltham MAC and so it can absorb additional height limit without the additional landscape impacts that would occur if that height limit were allowed in more prominent and sensitive locations, such as on high points in the MAC's landscape along Bible Street, Henry Street, Taylor Street etc.</p> <p>This approach of setting the highest height limits in key low-lying, high use parts of the centre has been a common thread in the application of height limits in Eltham since 2014. It responds to the State Government's demands for additional growth by allowing some areas with a height limit ranging from 4 to 5 storeys, but also has leveraged a lower mandatory (binding) limit on prominent and sensitive points in the landscape.</p> <p>It is also noted that the State Government is currently planning to construct a large car park on the western edge of the railway station (along Youth Road). It is, therefore, considered highly unlikely that there will be higher development within this frontage in the foreseeable future and unlikely within the tenure of the structure plan, which is only 10 years.</p>
14	The ACZ1 schedule does not show how higher development of 4 storey on the Shire offices site will respect 3 storey development	The ACZ1 does respond to this matter. For example, it requires that development on the former Eltham Shire Office site (895 Main Road) should provide a boundary treatment and interface with the Eltham Library site which is sympathetic and responsive to that site. Implementation of this requirement will either require lower

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	on the library site. The outcome will overshadow the library site.	development adjacent the library, or significant setbacks, or more likely, both. Any planning permit application will need to adequately demonstrate how it will satisfy this requirement.
15	The increase in heights in Precincts 3 and 5 is of more concern in some areas than others, particularly along the western edge of the activity centre (Youth Road)	See the response to No. 13 above.
16	Concerned at there being a 4 storey height limit across 895 and 903-7 Main Road, Eltham and the capacity of the war memorial building complex to be protected with such a height limit present.	<p>A four storey height limit is applied by Precinct 5B to both 895 and 903-7 Main Road and is considered appropriate noting:</p> <ul style="list-style-type: none"> • The site at 895 is a large vacant site and it could be appropriate to allow a 4 storey development on the site. For example, for Council offices or a community hub, which are both sizeable civic and community uses that would be consistent with the direction of the structure plan and the ACZ1. • The site slopes considerably to the west and if Council wished, it may want to only have 4 storey development at the rear (west) of the site where it would present as a significantly lower development from the road. • It could also be appropriate to extend a 4 storey height limit into part of 903 Main Road. This site also falls heavily to the west and a four storey building may be appropriate at the rear, or south side of the site and could present as a significantly smaller building from the road and not overshadow the important war memorial complex buildings. <p>Further, both sites remain in Council ownership and Council has full control of development on the sites. If Council wished to sell the land, it could do so with additional or stricter height controls.</p> <p>It is also noted that a 4 storey height limit is currently applied to the sites and has been applied since 2014.</p>
17	The proposal is excessive and Council should support existing business first.	The ACZ1 will particularly support existing retail and other business by providing more housing within close walking distance of the Eltham Town Centre. This will, for example, increase the amount of everyday foot traffic which local traders will experience.
18	The presenter moved to Eltham to escape development not to live amongst it.	Development is required to occur across Melbourne's MACs by State Government Planning Policy. Council's long-standing approach to the MAC's is to manage the level of development required in a fashion that, as best as possible, appropriately responds to the local context and preferred character. A key feature of the current and proposed

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		settings for the Eltham MAC are that they maintain a compact activity centre and provide an appropriate location to which to direct the higher densities of housing growth required by State Planning Policy, which allows Council to discourage that housing growth from sprawling to outside the centre to within established residential areas, such as on the east side of Bible Street.
19	Focus on development that exemplifies Eltham	<p>The structure plan and amendment seek to do this, particularly by:</p> <ul style="list-style-type: none"> • retaining very modest growth settings and requiring design which suitably protects vegetation and employs Eltham design themes, whilst; • still satisfying State Government requirements for growth and development of the MAC. <p>See the officer responses above for further discussion on this matter.</p>
20	The amendment has the potential to adversely change the face of Eltham	<p>The proposed planning scheme amendments propose to provide for moderate growth, whilst supporting a range of economic, social and environmental benefits for the Eltham MAC. For example, to provide a more walkable, connected, less car dependent, safe and inclusive centre and one which better provides for the range of needs of its local community, particularly by providing community facilities, local retail, places to interact and local employment.</p> <p>The amendment retains the current planning scheme provisions' strong focus on lifting the style and quality of development in the Eltham MAC to better exemplify preferred themes of Eltham's heritage and character and also, as cited above, to provide a more connected and walkable centre.</p>
Public use and ownership of Council owned sites next to the Eltham library		
21	A preference for community use of the old Shire offices site in Eltham is not mentioned or clearly articulated and this should be addressed.	The ACZ1 (Eltham) gives clear support for community uses to establish on the Shire offices site and surrounding land. The site is within the "Community Precinct" (Precinct 5), as defined by both the 2020 Structure Plan and the proposed ACZ1 schedule. One of the preferred uses for the precinct is community uses. Two of the precinct objectives are firstly, to re-imagine and reconnect community uses and secondly, to provide a multi-purpose community hub.
22	The three War Memorial buildings should remain in public ownership.	<p>The draft amendment cannot directly respond to this view. The ACZ does not dictate land ownership, but rather land use and development. Therefore, this comment has limited reference to the ACZ1.</p> <p>Having said that, the direction provided by the structure plan and the proposed ACZ1 is consistent with the site being retained within public ownership. For example, two of the objectives in the proposed ACZ1 for the relevant precinct, which is Precinct 5 (Community), are:</p>

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		<ul style="list-style-type: none"> • To reimagine and reconnect community uses. • To provide a multi-purpose Community Hub <p>This emphasis on community uses is consistent with continued public ownership.</p> <p>Further, the ACZ supports an employment anchor, such as a health, education or civic provider. These types of employment anchors are also consistent with continued public use and ownership of the site (e.g. for Council offices).</p>
Focus of the Significant Landscape Overlay (SLO) on protecting trees		
23	<p>It should be more clearly stated in the schedules to the Significant Landscape Overlay (SLO), which are applied to the MAC's, that they protect the landscape and not just trees.</p>	<p>There is a good reason why the SLO schedules for the MAC's emphasise protection of trees.</p> <p>The ACZ does not allow Council to apply tree protection controls. Therefore the weight of protecting trees rests solely on applying an overlay, such as a schedule to the SLO to land in the Eltham and Diamond Creek MAC's (NB: the SLO, crucially, allows Council to set a planning permit trigger to remove vegetation). Given this, Council lobbied very hard to apply a SLO to each centre as part of the suite of planning scheme controls that were applied in 2014. As with the modest height limits, this was an aspect of the provisions over which the State Government, at that time, voiced considerable concern, particularly from a view that tree protection controls would excessively prevent development.</p> <p>Council was ultimately successful in applying the SLO to each centre in 2014. Given it is essentially the only planning scheme provision that protects trees in each activity centre, the importance of trees to the preferred character of each centre and also, that protection of trees in an activity centre is often hard to defend at VCAT, the overlay was drafted to particularly argue the case for the protection of trees in each centre. This explains the focus on trees and not landscape.</p> <p>It should be noted that the existing and proposed ACZ schedules include content to protect the landscape. For example, the following objectives in the proposed ACZ1 (Eltham):</p> <ul style="list-style-type: none"> • To ensure that the built form of the town centre responds to, enhances and links to the Eltham Activity Centre's 'green spine' of Alistair Knox Park and other parkland along the Diamond Creek. • To ensure building heights, setbacks and form have regard to and seek to be compatible with the surrounding development and the character of the locality in which the development is situated. • To visually connect to the surrounding ridges and tree lines surrounding the town centre.

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Heritage		
24	Reference to responding to heritage values and community assets at 895 and 903-7 Main Road, Eltham, does not include direct reference to responding to the Eltham War Memorial Building Complex. This should be rectified.	This change is appropriate and can be easily made. The current reference referred to by the presenter is at the bottom of page 28 of 37 of the proposed ACZ1 attached to the officer report. It requires development to respond to all community and heritage assets on the sites and previously referenced two heritage sites as examples, which were the Cypress trees and cenotaph. The statement is intended to include in its scope the Eltham War Memorial Building Complex, which have been found by expert opinion to be of heritage value. It is the officer's view that the presenter's view can and should be addressed and this has been done by simply expanding the reference to also cite the Eltham War Memorial Building Complex. This change can be seen at the bottom of page 28.
25	Works in vicinity of the trestle bridge must not affect the bridge.	The ACZ1 does not propose any development that will affect the bridge. Further, the Nillumbik Planning Scheme applies the Heritage Overlay 145 to specifically identify and protect the heritage values of the bridge.
26	895 Main Road, Eltham has historical values due to its relations with Shillinglaw Cottage. The Cypress trees there are part of the relationship.	<p>The ACZ1 recognises the heritage values at that particular site. For example, the site is within Precinct 5 (Community) and examples of the precinct's objectives include:</p> <ul style="list-style-type: none"> • Development on the former Eltham Shire Office site should maintain generous landscaped setbacks from the street and retain established vegetation, including the heritage nominated Italian Cypress trees. • Development should respect and respond to heritage elements within the precinct. <p>Further, the Nillumbik Planning Scheme applies the Heritage Overlay 230 to specifically identify and protect the heritage values of the Cypress trees in question.</p>
Other		
27	Council should review its structure plan for the Diamond Creek MAC.	Council has recently reviewed both the Eltham and Diamond Creek MAC Structure Plans, which was completed in 2020.
28	The presenter earlier had concerns about the St Vincent's Health Care Facility at 43	Noted

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	Diamond Street, Eltham being included within the Eltham Major Activity Centre, but these concerns have been addressed after discussing the matter with Council officers.	
29	Changes made by the presenter can hopefully be made without expense.	Noted. Any changes requested that change or modify key proposed settings for the amendments will require significant work and cost. Further, the capacity for the growth set by the structure plans and proposed amendments are already very modest. Based on past experience, any effort to try and appreciably further limit the capacity would likely, not only be at considerable cost to Council's rate revenue, but also be rejected by the State Government.
30	There are some positive changes proposed to the ACZ1, such as the proposed additional front setbacks in certain areas.	Noted.
31	There appears to be a discrepancy in the draft amendment regarding the preferred side-setbacks in the Eltham MAC's Precinct 2. In particular, the text requires a setback of 4 metres, but the diagram appear to show a setback of 2 metres.	<p>This appears to be a reference to the Eltham MAC Structure Plan (2020), rather than the proposed ACZ1. Only the structure plan contains the relevant diagram, which is within its design guidelines for Precinct 2.</p> <p>The diagram is within the structure plan to support text which clearly states that a side setback of 4 metres is required in Precinct 2 to provide for vegetation to contribute to the landscape character. In support of the text, the diagram is annotated to specify a side setback of 4 metres. However, spatially the setback on the map looks smaller. It has been clarified with the consultant that this is a graphical error. However, irrespective of this error, it is clear from the text below the graphic and the annotations on the graphic that a 4 metre side-setback is required.</p> <p>The proposed ACZ1 schedule does not have the diagram and the schedule clearly states that a 4 metres side-setback is required.</p>
32	A reference to Clause 55 not applying to buildings of 5 or more storeys in height in Precinct 2 is somewhat misleading as the only area where that could apply is a strip of the Circulatory Road or the corner of Luck and Main Road.	<p>There is a statement in the draft ACZ1 in relation to Precinct 2 that:</p> <p><i>A development must meet the requirements of Clause 55, unless otherwise stated in this schedule. This does not apply to a development of five or more storeys, excluding a basement.</i></p> <p>Officers understand that the point being made by the presenter is that the exception applied to a development of five or more storeys could only apply to a very small part of the precinct, namely sub-precinct 2B and this is not adequately conveyed in the relevant sentence within the draft ACZ1 schedule.</p>

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		<p>By way of explanation, most of the Precinct 2 is in sub-precinct 2A which sets a mandatory maximum height of 3 storeys. However sub-precinct 2B covers a small area and has a discretionary height limit of 4 storeys. Precinct 2B only covers a narrow band along the east side of the Circulatory Road and the site of the existing petrol station at the corner of Luck St and Main Road. The statement referred to by the presenter could only apply to 2B, as only in that small portion of the precinct is it possible, due to the discretionary height limit applied there, to lodge an application for a development of 5 storeys or more.</p> <p>Officers accept that the statement quoted above could be re-worded to be more consistent with the relevant height limits, which mostly set a mandatory height limit of 3 and only set a discretionary height limit of 4 storeys in a small section.</p> <p>Officers have therefore revised the relevant section of the ACZ1 by adding the following note:</p> <p>(NB: A building height limit of greater than 3 storeys or 10.5 metres is only allowed in Precinct 2B, which applies to very limited areas within Precinct 2 and is subject to a discretionary height limit of 4 storeys or 14 metres).</p> <p>This can be seen on page 11 of 37 of the revised draft of the ACZ1 schedule, which is attached to the officer report.</p>
33	Supports the objective within the proposed ACZ1 (Eltham MAC) to create a lively and people-based centre with civic and community spaces that enhance community.	Noted. This is an objective specified on page 2 of the proposed ACZ1.
34	There needs to be a housing strategy/scheme that defines what we want.	Council is scheduled to prepare a housing strategy in the 2022-2023 financial years. Planning for the Shire's MAC's is not reliant on a housing strategy first being completed.
35	It is wrong that the Diamond Creek Primary School has been taken out of the Diamond Creek MAC or the ACZ2.	The school has not been in the MAC or the ACZ2. The school is subject to a separate zone, which is Schedule 2 to the Public Use Zone (PUZ2). This is the zone which is typically applied by the State Government to its primary schools and secondary colleges.
36	Our rate structure is not sufficient to support changes to Bridge Street and Main Road, Eltham.	Bridge Street and Main Road are arterial roads managed and maintained by the State Government.
37	Car parking will not be sufficient.	Development will be required to provide an appropriate level of car parking. For example, a number of developments in Eltham have been required to provide under-ground car parking.

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Understanding Neighbourhood Character

Planning Practice Note 43

JANUARY 2018

This practice note provides guidance for applicants, the community and councils about:

- understanding what is meant by neighbourhood character
- preparing or assessing a permit application for a residential development, including a neighbourhood and site description, a design response, and meeting the neighbourhood character objectives and standards in the planning scheme.

What role does neighbourhood character play in preparing or assessing a proposed residential development?

Designing and siting new dwellings to respect neighbourhood character is a fundamental objective of the residential development provisions in planning schemes.

It is important that both the applicant and council have a common understanding about the key features of neighbourhood character so that:

- a satisfactory neighbourhood and site description, including the identification of the key features of the neighbourhood, is provided
- the design response derives from and responds to the key features identified in the neighbourhood and site description
- the residential development proposal respects the existing or preferred neighbourhood character and satisfies all the neighbourhood character requirements of the residential development provisions in planning schemes.

What is neighbourhood character?

Neighbourhood character is essentially the combination of the public and private realms. Every property, public place or piece of infrastructure makes a contribution, whether great or small. It is the cumulative impact of all these contributions that establishes neighbourhood character.

The key to understanding character is being able to describe how the features of an area come together to give that area its own particular character. Breaking up character into discrete features and characteristics misses out on the relationships between these features and characteristics. Understanding how these relationships physically appear on the ground is usually the most important aspect in establishing the character of the area.

Do all areas have neighbourhood character?

It is common for some areas to be described as having 'little or no character', and other areas as having 'lots of character'. These sorts of descriptions confuse neighbourhood character with attractiveness. All areas have a character in the same way that all people have a personality. In some areas the character may be more obvious, more unusual, or more attractive, but no area can be described as having no character.



Department of Environment, Land, Water and Planning

The character of all areas is to be respected (even areas that planners or designers might not think to be attractive). If, for a broader range of considerations, a change in the character of an area is sought, then this must be achieved by setting out a preferred future character statement in the planning scheme, through the Local Planning Policy Framework (LPPF) and/or an appropriate zone or overlay.

Neighbourhood character and heritage significance

In defining neighbourhood character, it is important to understand the differences between neighbourhood character and heritage.

While all areas have a history or a heritage, not all areas are historically significant. Heritage significance is determined by recognised criteria set by Commonwealth, State and local agencies, with reference to the Burra Charter. Cultural heritage is largely embodied in the fabric and setting of a building and place. It is important to manage and retain this fabric and setting to retain the cultural significance of a place. Heritage significance can't be improved, but the fabric of a place can be improved, restored or reinterpreted.

In many areas building style is important to setting the character of the area. This includes not just typical form and massing, but may also include details, materials and colours. Buildings do not need to be old or historically significant to have a character that is important to people's understanding and enjoyment of an area.

Neighbourhood character and amenity

Amenity is about the pleasantness and good functioning of an area. Neighbourhood character is about its sense of place and community meaning. Regardless of the character of an area there are standards of residential amenity that apply to all residential development. These basic amenity standards include overlooking, overshadowing and solar access. Sometimes, these amenity standards can have an effect on neighbourhood character, but as a general principle, neighbourhood character and amenity should be treated separately.

The role of the neighbourhood and site description

A planning application for one or more dwellings or a residential building in a residential zone must be accompanied by a neighbourhood and site description. The purpose of the neighbourhood and site description is to accurately describe the features or characteristics of the neighbourhood and the site.

A neighbourhood and site description is not a justification for a preconceived design. It is a factual record of the physical aspects of the neighbourhood and the site that are likely to affect the design response.

The neighbourhood and site description requires the following matters to be considered in relation to the neighbourhood:

- the pattern of development of the neighbourhood (only for permit applications for two or more dwellings on a lot and residential buildings)
- the built form, scale and character of surrounding development including front fencing
- architectural and roof styles
- any other notable features or characteristics of the neighbourhood.

Additional matters will need to be considered in relation to the site itself. These matters are located in Clause 54 and Clause 55 of the planning scheme.

Identifying the features and characteristics of the neighbourhood

Identifying the features and characteristics of the neighbourhood required by the neighbourhood and site description does not mean producing an exhaustive list of features in the neighbourhood.

Listing discrete features and characteristics of an area is not an adequate description of the character of a place. Understanding the relationship between the features and characteristics of a neighbourhood is important to describing the character of the area.

The key is to consider the interaction between features and characteristics. A decision needs to be made about which of the features and characteristics are important and then explain how they interact to contribute to the character of the neighbourhood.



What features and characteristics should be considered?

Describing neighbourhood character requires a qualitative assessment and the exercise of judgement about which features and characteristics determine the neighbourhood character of an area.

The following table sets out one process that could be used to identify the most important features and characteristics of the neighbourhood that will influence the design response.

The table is not an exhaustive list of either the questions that might be asked or the features that might be identified to assist in determining the character of an area. Describing the character of an area will also depend on the extent of neighbourhood character analysis already undertaken by the relevant council and the particular characteristics of the neighbourhood in question.

The table is a prompt to identify and describe the key features and characteristics that will influence the design response rather than an exhaustive list of features to be considered.

Any assessment that takes a 'tick-a-box' approach to identifying the features and characteristics of the neighbourhood is not sufficient.



Matters to be considered	Questions that might help in the preparation of the neighbourhood and site description	Terms/features that might help to describe this aspect of neighbourhood character	Your response
The pattern of development of the neighbourhood (only required where more than one dwelling on a lot is proposed)	<p>Is the neighbourhood typical of a particular form or pattern of development?</p> <p>Are there any patterns in building form, height, setbacks or rhythm?</p> <p>How do these relate to topography, natural features and street network?</p> <p>Is there any pattern in relation to any particular feature or characteristic?</p> <p>What is the pattern of landscape and street tree planting?</p> <p>How do buildings and private open spaces relate to each other or to the public realm?</p>	<ul style="list-style-type: none"> • Topography • Street block length • Street alignment, type and proportions • Extent of rear gardens and private open space • Landscaping and vegetation in the neighbourhood • Patterns of use and occupation • Diversity of housing 	
The built form, scale and character of surrounding development including front fencing	<p>What is the predominant form of development?</p> <p>Is the neighbourhood homogenous or diverse in terms of the built form, scale and character?</p> <p>What sort of front fences are there?</p> <p>How is parking and access arranged?</p>	<ul style="list-style-type: none"> • Building mass and height • Setbacks • Space around properties and site coverage • Car parking • Fences (style and height) 	
Architectural and roof styles	<p>What architectural styles are typical in the neighbourhood?</p> <p>What levels of articulation and detail are typical in the neighbourhood?</p> <p>How do roof patterns relate to built form?</p>	<ul style="list-style-type: none"> • Architectural rhythm of street • Porches and verandahs • Architectural consistency • Roof form 	
Any other notable features or characteristics of the neighbourhood	<p>Are there any other notable features that have not been picked up through the consideration of the above matters?</p> <p>Are there any significant street trees or vegetation that would affect the design response?</p>	<ul style="list-style-type: none"> • Waterways • Street trees • Details of the footpath and street • Landscaping and vegetation on private lots • Nearby historic buildings or features 	



Department of Environment, Land, Water and Planning

How far should the neighbourhood and site description extend?

Council and the applicant need to resolve the area of the neighbourhood that needs to be described. The area of the neighbourhood provides the context for decisions about the design response.

In most cases, a complete pattern of existing lots and development for about five sites or buildings up and down the street, across the street and behind the site in question should be sufficient to identify the features of the neighbourhood that should influence the design. However, sometimes it may be necessary to look further than this, depending upon the individual circumstances of the site and the neighbourhood.

The role of the design response

All applications must be accompanied by a design response. The design response must explain how the proposed design:

- derives from and responds to the features described in the neighbourhood and site description. The design response should therefore include an evaluation of how these identified features or characteristics of the neighbourhood influence the design
- meets the objectives of the residential development provisions in Clause 54 and Clause 55 of the planning scheme. However, this does not mean that the applicant must provide a detailed written explanation of how each objective is met. In most cases, brief notes on the plan and a short written statement indicating how the design response achieves the objectives will suffice
- has responded to the neighbourhood character features identified in any local planning policy or Neighbourhood Character Overlay.

The design response can generally be presented as a plan with notations that show how the proposed design clearly relates to any other dwelling on the site and to the surrounding development and neighbourhood. It may also include a written statement. The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings.

Key steps in developing the design response

When preparing a design response, follow these steps:

- Decide what features of neighbourhood character should be responded to.
- Decide what features of the site and neighbouring sites should be responded to.
- Decide how to respond to these features and any other issues that have been identified, taking into account the objectives of the residential development provisions and any relevant local planning policies in the planning scheme.
- Test the design response against the neighbourhood and site description and any features identified in a relevant local planning policy or a Neighbourhood Character Overlay. Does the design adequately respond to the key features? How?
- Test the design response against the objectives of the residential development provisions in Clause 54 and Clause 55 of the planning scheme. Have the objectives and standards been met? How?
- Discuss the design response and its implications with council before starting the detailed design.

Satisfying the neighbourhood character standard

A residential development must meet the objectives and should meet the standards of the residential development provisions in Clause 54 and Clause 55 of the planning scheme. The first objective that must be met is the neighbourhood character objective. The standard for this objective requires the design response to:

- be appropriate to the neighbourhood and site description
- respect the existing neighbourhood character or contribute to a preferred neighbourhood character
- respond to the features of the site and surrounding area.

What does 'respect' mean?

Respecting character does not mean preventing change. The neighbourhood character standard is not intended to result in the replication of existing building stock or stop change.



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Neighbourhood character is one of many objectives that must be met. Some areas will see significant changes as a result of new social and economic conditions, changing housing preferences and explicit housing policies. In these areas, it is important that respecting character is not taken too literally, as a new character will emerge in response to these new social and economic conditions.

In simple terms, respect for the character of a neighbourhood means that the development should try to 'fit in'. Depending on the neighbourhood, there are two broad approaches to respecting character:

- respecting the scale and form of surrounding development
- respecting the architectural style of surrounding development.

Determining whether either or both approaches should influence the design response will depend on the features and characteristics identified in the neighbourhood and site description.

Respecting neighbourhood character does not mean limiting the scope of design interpretation and innovation, or mimicry or pattern book design. Instead, it means designing the development to respond to the features and characteristics identified in the neighbourhood.

Assessing the impact of the design response

Deciding whether a development respects the neighbourhood character is ultimately a subjective decision that depends on the interpretation of the features and characteristics of the neighbourhood identified in the neighbourhood and site description.

The impact of any design response depends on:

- the physical impact of the proposed development
- the sensitivity of the area that the proposed development impacts on
- the planning objectives that deal with those impacts.

In deciding whether or not the design response respects the character of the neighbourhood, consider:

- the extent to which it reinforces existing patterns and interactions of elements
- the sensitivity of the character of the neighbourhood to changes in those patterns
- the planning objectives to deal with those changes.

If the change undermines a key feature or characteristic of the neighbourhood without some policy basis, then a strong case can be made that the development does not respect the character of the neighbourhood. If the change is supported by objectives and strategies in the LPPF and/or an appropriate zone or overlay in the planning scheme, then the development can be considered to respect preferred character.

Once the neighbourhood character standard is satisfied, an assessment can be undertaken against the remaining objectives and standards in the planning scheme.

Further reading

More information about applications for residential development is available in *Using Victoria's Planning System*.

Other practice notes about applications for residential development:

- *Planning Practice Note 15: Assessing an application for a dwelling in a residential zone*
- *Planning Practice Note 16: Making a planning application for a dwelling in a residential zone*
- *Planning Practice Note 27: Understanding the residential development standards*
- *Planning Practice Note 40: Using the residential subdivision provisions Clause 56 – Residential subdivision.*



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CM.019/22 **Nillumbik Neighbourhood Character Strategy and Guidelines - Project Inception and Programming**
Attachment 1. **Understanding Neighbourhood Character, State Government Planning Practice Note, January 2018**

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Planning for housing

Planning Practice Note 90

December 2019

This practice note provides information and guidance about how to plan for housing growth and protect neighbourhood character to ensure a balanced approach to managing residential development in planning schemes.

This practice note should be read with Planning Practice Note 91: Using the residential zones.

Why is it important to plan for housing?

Housing is influenced by a range of demographic, environmental, physical, social and economic influences. These include population growth and changing household formation patterns, the natural and built environments, land use patterns, location and accessibility to infrastructure and services, social and cultural values, the cost of housing, employment opportunities, and individual preferences and lifestyle choices.

Many of the changes occurring to the Victorian housing market are due to population changes. Victorians are ageing, having fewer children, forming smaller households and preferring different lifestyles. These changes have impacted on the demand, type and location of housing. Housing markets are becoming much more diverse as evidenced by the increasing popularity of high-rise apartment living on the one hand and semi-rural and coastal living on the other.

Lifestyle and preference changes have affected the housing market in several ways, creating demand for new and diverse housing. Victoria is experiencing unprecedented population growth and Melbourne is projected to become Australia's largest city.

Each municipality will experience the effects of this growth in different ways and will need to plan for population growth and additional households in its local communities.

When planning to accommodate projected population and housing change, planning authorities are required to effectively plan for this change by considering relevant environmental, social and economic factors, and where conflict arises, balance competing objectives in favour of net community benefit and sustainable development.



Housing and the Planning Policy Framework

The Planning Policy Framework (the PPF) is part of all planning schemes in Victoria and sets out the context for spatial planning and decision making. It includes state, regional and local planning policies and set outs a planning authority's obligations in relation to planning for population growth and managing housing change. See Table 1.

The PPF requires planning authorities to:

Plan to accommodate projected population growth over at least a 15-year period and provide clear direction on locations where growth should occur. Residential land supply will be considered on a municipal basis, rather than a town-by-town basis.

Planning for urban growth should consider:

- *Opportunities for the consolidation, redevelopment and intensification of existing urban areas.*
- *Neighbourhood character and landscape considerations.*
- *The limits of land capability and natural hazards and environmental quality.*
- *Service limitations and the costs of providing infrastructure.*

The PPF also requires planning authorities to consider the following region-specific strategies as relevant:

- Central Highlands Regional Growth Plan (Victorian Government, 2014)
- G21 Regional Growth Plan (Geelong Region Alliance, 2013)
- Gippsland Regional Growth Plan (Victorian Government, 2014)
- Great South Coast Regional Growth Plan (Victorian Government, 2014)
- Hume Regional Growth Plan (Victorian Government, 2014)
- Loddon Mallee North Regional Growth Plan (Victorian Government, 2014)
- Loddon Mallee South Regional Growth Plan (Victorian Government, 2014)
- Wimmera Southern Mallee Regional Growth Plan (Victorian Government, 2014)
- Plan Melbourne 2017-2050: Metropolitan Planning Strategy (Department of Environment, Land, Water and Planning, 2017).

Planning authorities should use Victorian Government population projections and land supply estimates when planning for population growth and managing housing change.

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Table 1: Key PPF housing and settlement policies

Clause	Policy
11.01-1S	<p>Ensure regions and their settlements are planned in accordance with their relevant regional growth plan, or Plan Melbourne.</p> <p>Develop compact urban areas that are based around existing or planned activity centres to maximise accessibility to facilities and services.</p>
11.02-2S	<p>Plan to accommodate projected population growth over at least a 15-year period and provide clear direction on locations where growth should occur.</p> <p>Residential land supply will be considered on a municipal basis, rather than a town-by-town basis.</p> <p>Planning for urban growth should consider:</p> <ul style="list-style-type: none"> • opportunities for the consolidation, redevelopment and intensification of existing urban areas • neighbourhood character and landscape considerations • the limits of land capability and natural hazards and environmental quality • service limitations and the costs of providing infrastructure.
15.01-5S	<p>Ensure development contributes to existing or preferred neighbourhood character.</p>
16.01-1S	<p>Increase the supply of housing in existing urban areas by facilitating increased housing yield in appropriate locations, including under-utilised urban land.</p> <p>Ensure that an appropriate quantity, quality and type of housing is provided.</p>
16.01-2S	<p>Increase the proportion of new housing in designated locations within established urban areas and reduce the share of new dwellings in greenfield and dispersed development areas.</p> <p>Encourage higher density housing development on sites that are well located in relation to services, jobs and public transport.</p> <p>Ensure an adequate supply of redevelopment opportunities within established urban areas to reduce the pressure for fringe development.</p> <p>Identify opportunities for increased residential densities to help consolidate urban areas.</p>
16.01-3S	<p>Ensure housing stock matches changing demand by widening housing choice.</p> <p>Facilitate diverse housing that offers choice and meets changing household needs.</p>

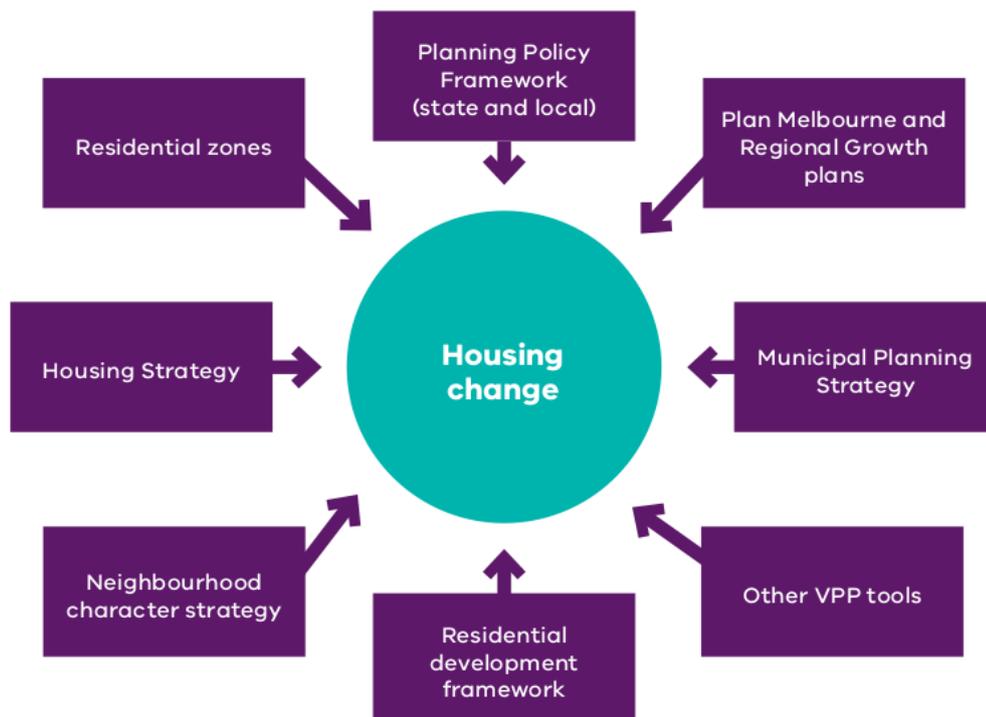


Housing and local area planning

Housing change is an inevitable and ongoing process. Tensions can arise between housing and neighbourhood character objectives. If these tensions are not adequately managed this creates uncertainty about future development outcomes.

Planning authorities play a critical role in guiding the location and form of housing and settlement patterns to meet the needs of Victoria's growing population.

Figure 1: Planning for housing change



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The strategic planning process

Planning for housing change can provide certainty for the community about where change is likely to occur as well as what form it should take.

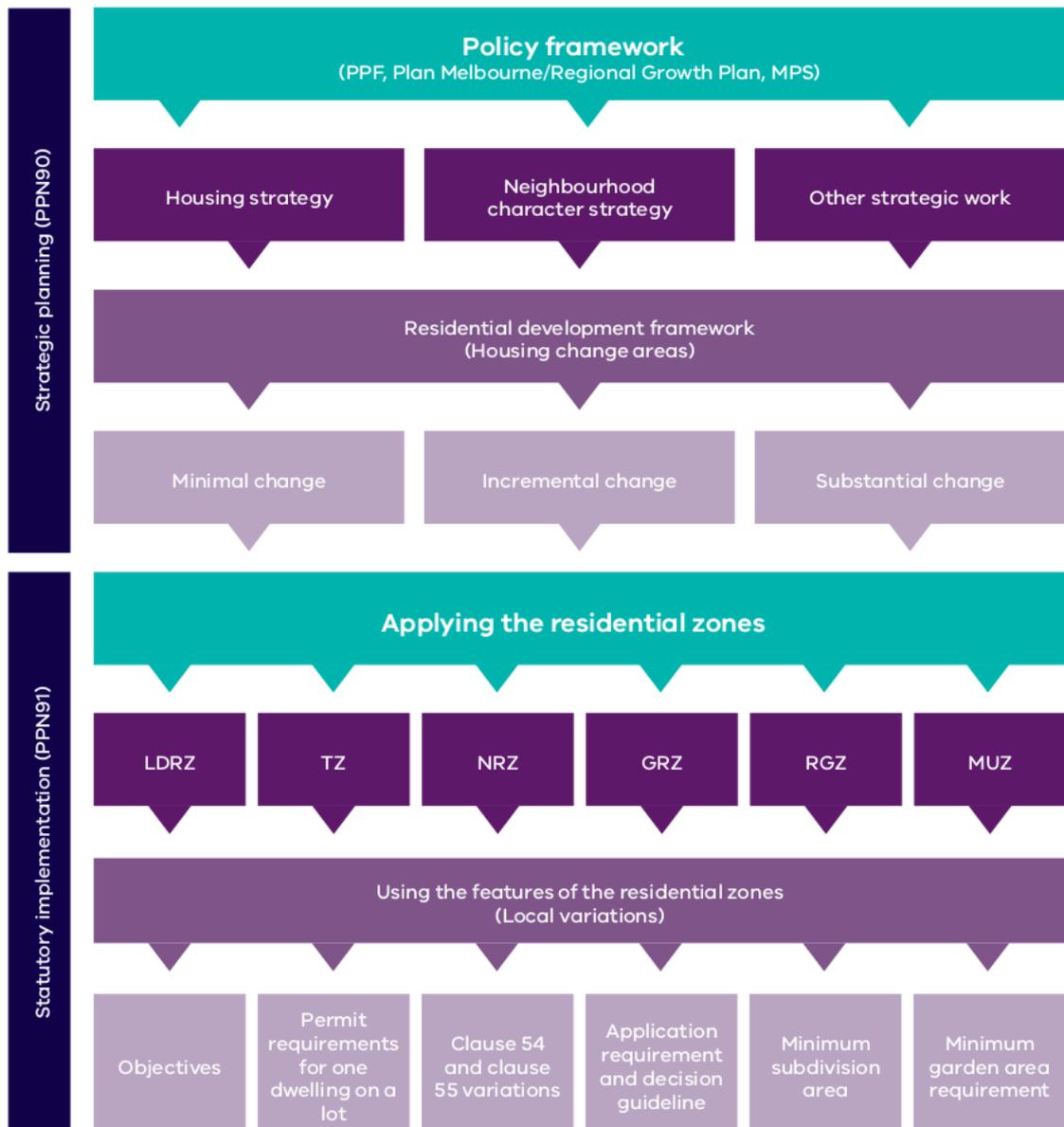
To respond to state and regional planning policies and provide clear directions about where housing growth should occur, a planning authority will normally undertake some form of strategic planning to underpin the vision and strategic directions set out in the Municipal Planning Strategy (the MPS).

Figure 2: *The strategic planning process*





Figure 3: Balancing housing growth and protection of neighbourhood character





Undertaking local strategic studies

This strategic planning is typically expressed in the form of a housing strategy which may also be accompanied by a neighbourhood character strategy along with other relevant strategic work such as heritage, landscape, environmental or land capability studies.

A local housing strategy:

- ensures a range of housing opportunities are available across the municipality to meet the needs of the projected population
- outlines the strategies and implementation mechanisms to accommodate the projected population and household needs
- identifies where and how the housing needs of the future population will be met across the municipality
- identifies suitable locations for housing growth including those areas close to services, jobs, public transport and activity centres, and strategic development areas.

While a housing strategy identifies the extent and nature of future housing, a neighbourhood character strategy assists in identifying valued characteristics of areas that need to be considered when identifying the preferred future character for residential areas. Actions can then be identified to ensure that existing character is respected, or a preferred new character is achieved.

A local neighbourhood character strategy:

- considers both the public and private realms
- provides strategic direction for neighbourhood character to guide future development through preferred neighbourhood character statements or neighbourhood character objectives
- identifies the comparative significance of each neighbourhood character area. In assessing the significance of areas, comparisons need to be made, not only with other parts of the municipality but also with the wider region
- forms the basis for neighbourhood character statements, policies, objectives and local variations to clause 54 and clause 55 being included in residential zone schedules, a Neighbourhood Character Overlay or other overlay.

Neighbourhood character is not a static concept, it is dynamic and evolves over time to meet contemporary housing needs. For example, **respecting** character does not mean **protecting** character in an incremental change area.

The neighbourhood character strategy should demonstrate that housing objectives have not been prejudiced when determining areas for the protection of existing neighbourhood character.

To achieve this, a neighbourhood character strategy should feed into a residential development framework that identifies minimal, incremental and substantial change areas to balance the need to protect valued character with the need to ensure housing growth and diversity.



What does 'respect' mean?

Respecting character does not mean preventing change. In simple terms, respect for the character of a neighbourhood means that development should be designed in response to its context.

Depending on the neighbourhood, there are two broad approaches to respecting character:

- respecting the bulk and form of surrounding development
- respecting the architectural style of surrounding development.

Respecting neighbourhood character does not mean mimicry and pattern book design or limiting the scope of design interpretation and innovation. Instead, it means designing the development in response to the features and characteristics identified in the neighbourhood.

What is preferred neighbourhood character?

Under clause 54 and clause 55, new development should respect the existing neighbourhood character or contribute to a preferred neighbourhood character.

Preferred neighbourhood character is either:

- the existing character of an area; or
- an identified future neighbourhood character different from the existing character of an area.

Where the existing neighbourhood character is the preferred neighbourhood character, it is important to identify the existing features and characteristics of the area to be respected.

A preferred neighbourhood character statement can articulate the valued features and characteristics of an area to be respected by new development. There is no prescribed format for a preferred neighbourhood character statement. Its form will depend on several factors including the features and characteristics of an area or municipality, the housing outcomes sought, and the views of the local community.

It is important that preferred neighbourhood character statements are 'forward-looking' so that if an area is identified for increased housing growth, the growth is not undermined by neighbourhood character policies that seek to maintain the existing neighbourhood character.

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Creating a residential development framework

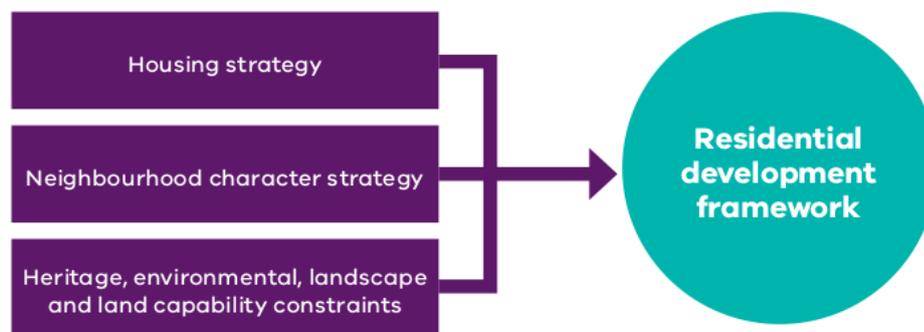
A residential development framework provides a means to balance the outputs of a housing strategy and neighbourhood character strategy by enabling a planning authority to holistically plan for housing change over 15 years to meet their obligations under clause 11.02-1S of the PPF.

A residential development framework will normally comprise the outputs of the strategic work undertaken through the development of a local

housing strategy and/or a local neighbourhood character strategy and any other pieces of strategic work such as a heritage, landscape, environmental or land capability study.

Creating a residential development framework can help to bring all these issues together into a coherent strategic vision containing a plan, or plans, that balances competing objectives by prioritising preferred development outcomes for different areas.

Figure 4: *Inputs for a residential development framework*





Identifying change areas

One of the key actions associated with developing a residential development framework is the identification of housing change areas.

Change is relative to its context. The existing built form of an area should always be the starting point when planning for change.

This should inform strategic planning work for identifying housing change areas of minimal, incremental and substantial change through a residential development framework.

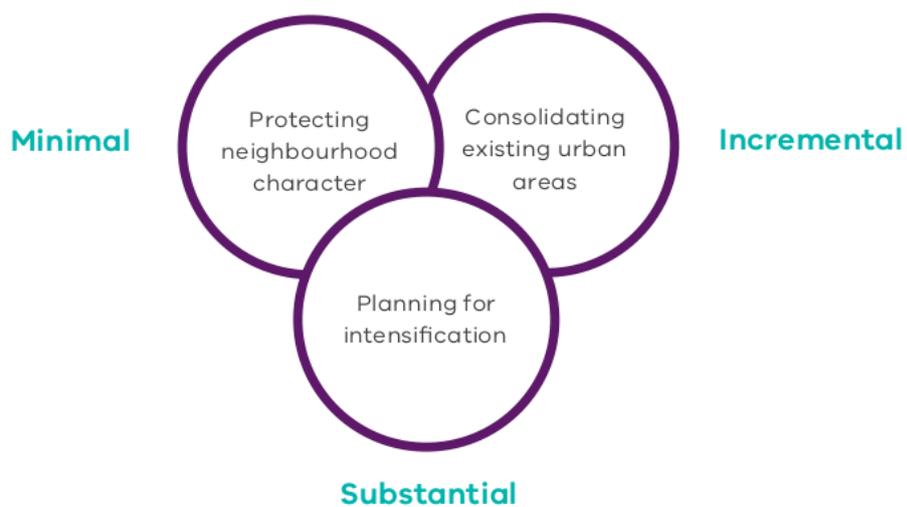
Identifying housing change areas provides a means for prioritising competing housing and neighbourhood character objectives arising out of local strategic work. It also provides the basis for the application of requirements through zones and overlays to give effect to desired planning outcomes.

Identifying preferred development outcomes provides certainty to the community about where growth and intensification will occur, where valued neighbourhood character will be either respected or protected and where development is constrained by other characteristics or values.

A framework for managing change typically comprises the delineation of minimal, incremental and substantial change areas.

A greater breakdown of housing change areas may be acceptable provided there is a strong strategic basis for the approach and the additional housing change areas reflect preferred development outcomes that are legible and clear so that the type of change being sought broadly falls within the boundaries of the broader minimal, incremental and substantial change categories.

Figure 5: *Housing change areas and a residential development framework*



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Minimal change areas

Minimal change areas have characteristics that are 'sufficiently special' to a municipality, metropolitan Melbourne or Victoria, and should be protected because of their special neighbourhood, heritage, environmental or landscape characteristics.

Minimal change areas can also be areas that are constrained by planning considerations such as the physical capability of the land to safely accommodate more residential development. For example, restricting additional housing in areas close to airports, land subject to bushfire risk, flooding or erosion.

Minimal change areas should not be identified based on remoteness from activity centres, jobs, services or transport, or because single-dwelling covenants or other restrictive instruments exist. While a relevant consideration, these restrictions are only one factor to consider when determining an appropriate strategic response to relevant state, regional and local settlement, housing and neighbourhood character policies.

Minimal change areas may appear differently in different built form contexts. For example, inner city heritage terraces and large lots with landscape values may both be considered minimal change areas but are very different residential environments. In both cases, the special characteristics of each area is the principal input into whether they are categorised as minimal change.

Minimal change areas:

- ✓ have special characteristics that distinguish them from other parts of the municipality or surrounding area
- ✓ have special neighbourhood, heritage, environmental, or landscape characteristics identified in the planning scheme
- ✓ are identified in a housing strategy, or in the planning scheme, as unsuitable for providing future housing growth
- ✓ tend to have overlays that reflect neighbourhood, heritage, environmental or landscape characteristics or other physical constraints which may impact their capacity for change.



Incremental change areas

Incremental change areas are where housing growth occurs within the context of existing or preferred neighbourhood character.

The built form context of incremental change areas can vary widely. For example, incremental change in an inner urban area can represent a very different scale of development from an incremental change area in an outer suburban area, or a regional town or city.

The key point is that incremental change is relevant to its context.

Incremental change areas:

- ✓ have capacity for housing growth and more diverse types of housing
- ✓ are where new development should respect existing valued neighbourhood character attributes
- ✓ are where existing neighbourhood character will evolve and change over time with reference to the key identified neighbourhood attributes.

Substantial change areas

Substantial change areas are where housing intensification will occur that results in a substantially different scale and intensity of housing compared to other areas of a municipality. This may include areas in and around activity centres, along public transport corridors and strategic development areas.

Substantial change areas will reflect a different degree of change in different built form contexts. For example, a substantial change area in an outer urban and regional context may more closely resemble an incremental change area in an inner urban context.

Substantial change areas:

- ✓ are close to jobs, services, facilities or public transport
- ✓ facilitate housing growth that takes advantage of their proximity to jobs, services, and public transport
- ✓ make the most of strategic development areas or opportunity sites that either exist or are identified from time to time
- ✓ promote housing diversity
- ✓ result in a new built form and neighbourhood character.

Remember

Key residential development framework questions to consider:

- Do characteristics exist that distinguish an area from other parts of the municipality or the surrounding area to warrant a different approach?
- Are there policies or provisions already in place to protect, improve or develop the characteristics of the area going forward?
- Does protecting or respecting identified characteristics in the area
 - unduly constrain the provision of housing?
 - have an impact on the provision of housing in other parts of the municipality?
- What measures are needed to balance the effects of protecting or respecting identified characteristics in an area?



Gumnut Residential Development Framework Plan

Figure 6: Gumnut housing change areas

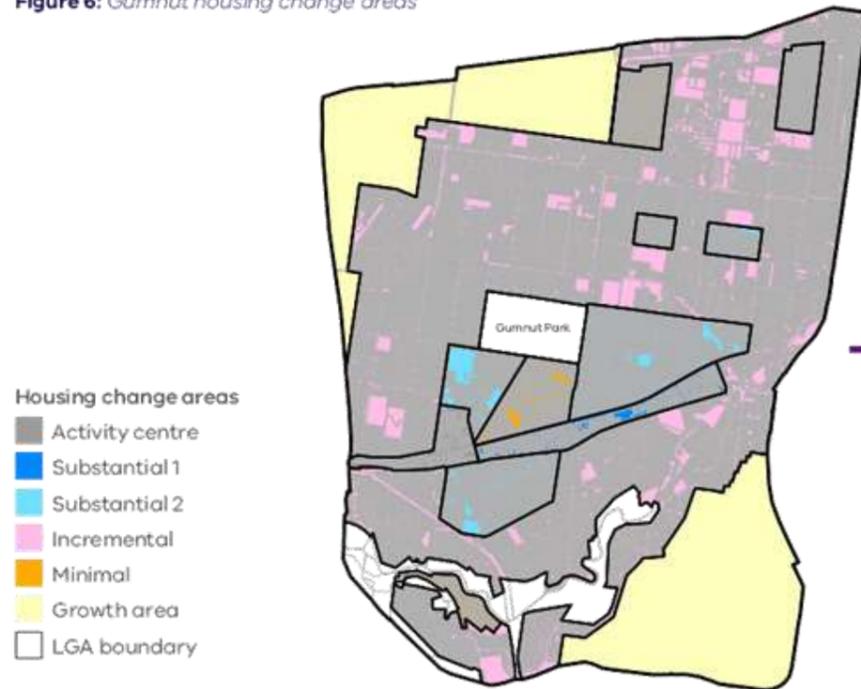


Figure 7: Gumnut character precincts

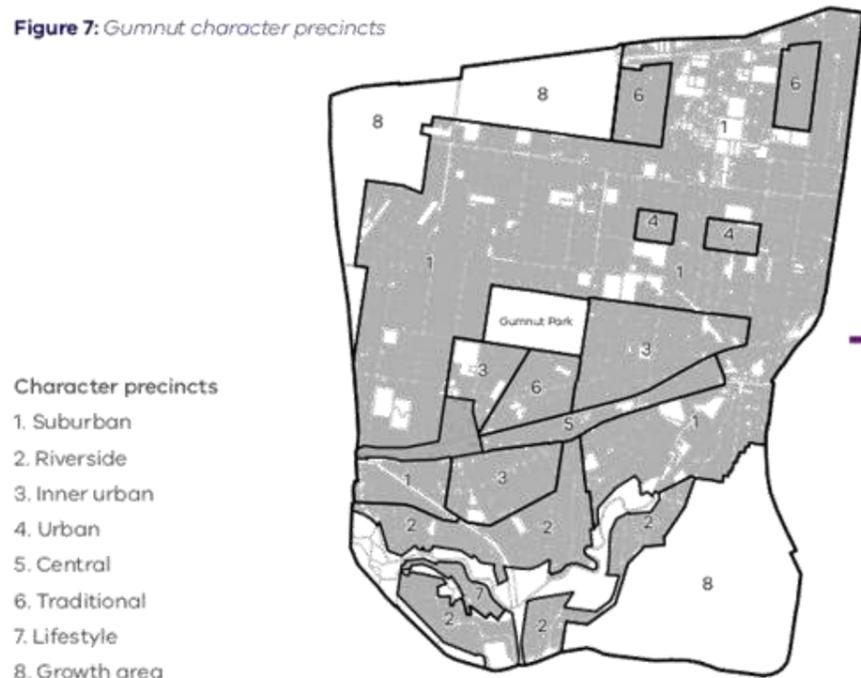
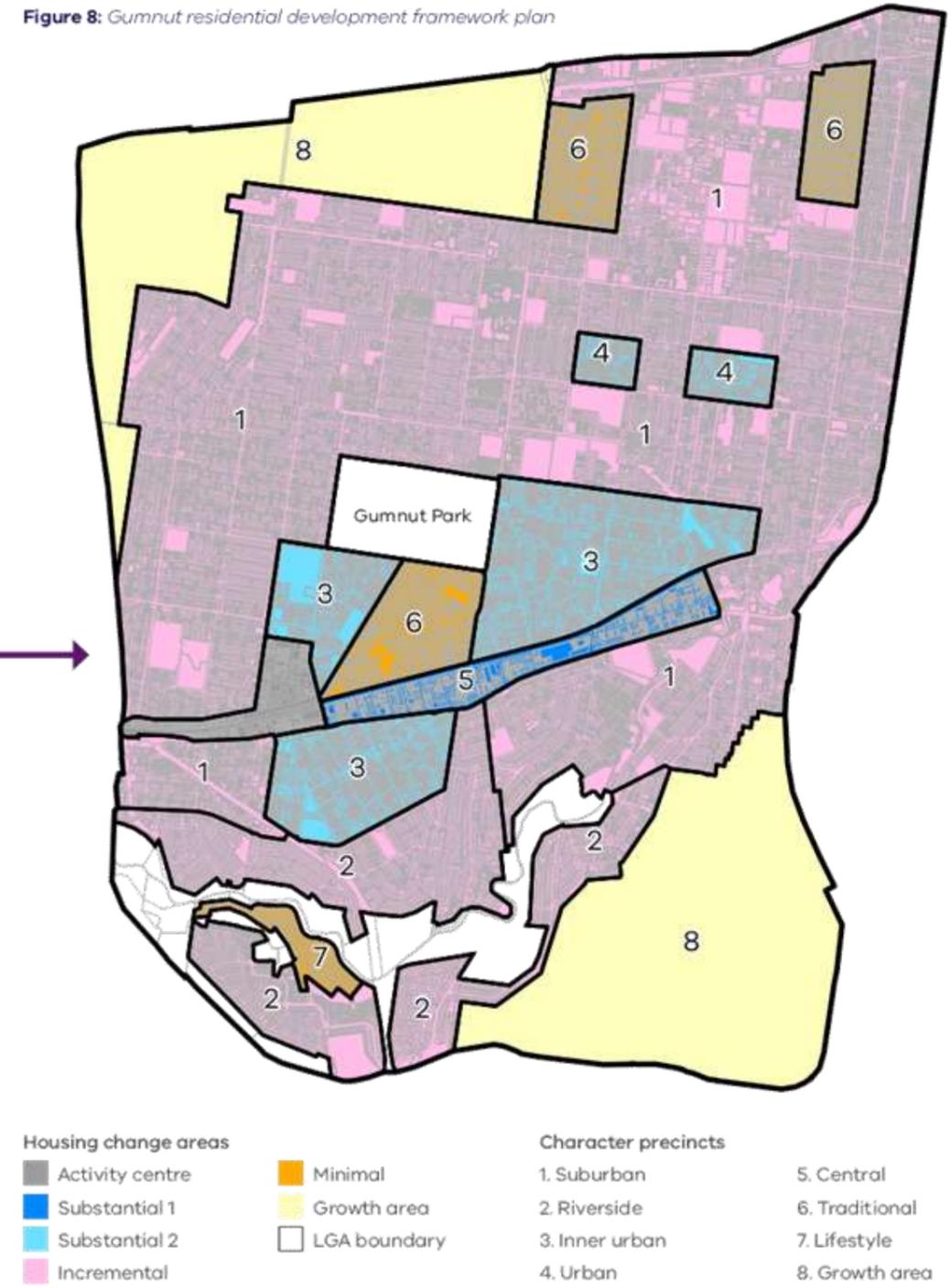


Figure 8: Gumnut residential development framework plan





Implementing a residential development framework

The PPF and the MPS form the strategic foundation of a planning scheme and provide the basis for the application of requirements through zones and overlays to give effect to identified planning outcomes in a residential development framework.

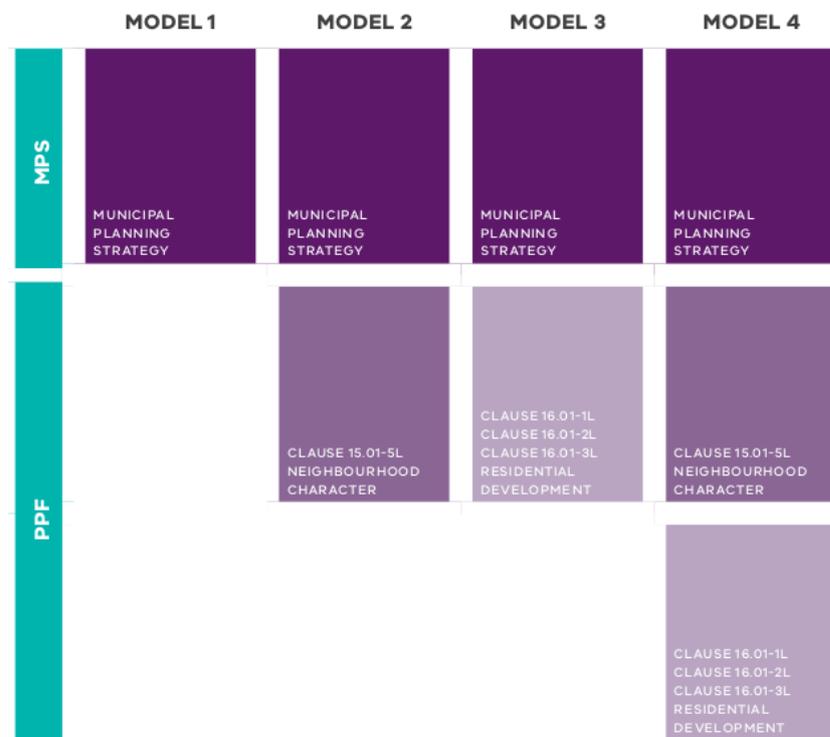
A residential development framework can be implemented into the PPF and MPS in several ways depending on the amount of local strategic work undertaken to give effect to the vision and strategic directions for a municipality.

If a planning authority only wishes to rely on the MPS to provide local strategic direction for housing it should contain:

- an overarching vision and strategic directions for the built environment and housing
- a municipal-wide strategic framework plan or inclusion of a separate residential development framework plan identifying housing change areas
- delineation and description of desired housing and neighbourhood character outcomes for each housing change area.

The MPS can be complemented by local housing and neighbourhood character policies.

Figure 9: Ways to implement a residential development framework



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The role of the Municipal Planning Strategy

The MPS outlines the planning outcomes the municipality seeks to achieve that will be implemented by the policies and requirements of the planning scheme.

It may be enough to use the MPS in conjunction with state and regional planning policy to successfully implement a residential development framework and not include local planning policy in the PPF.

This will be dependent on whether the key strategic directions can be sufficiently expressed through a map or maps showing housing change areas and policy statements for these housing change areas within the MPS only.

The PPF and role of local planning policies

The PPF is the single integrated policy content of a planning scheme and provides a context for spatial planning and decision making by planning and responsible authorities.

A local planning policy complements state and regional planning policy by setting out the strategic basis for the application of a provision and, where appropriate, guides the exercise of discretion under that provision.

Where it is necessary to use a local planning policy in addition to the MPS to implement a residential development framework, the relevant sub-clauses of clauses 15 and 16 should be used. The use of sub-clauses to clause 11 may also be appropriate.

The locations of housing change areas do not need to be described. A map should be used instead.

Any matters that relate to the exercise of discretion in housing change areas should be included in local planning policy.

Using preferred character statements

Under clause 54 and clause 55, new development should respect the existing neighbourhood character or contribute to a preferred neighbourhood character.

If a preferred character statement is required for an area, it may be included in the MPS or in a local planning policy. When including preferred character statements in the MPS, these may form part of the strategic directions.

When including preferred character statements in a local planning policy, these could be either converted to, or accompanied by, appropriate objectives, strategies and policy guidelines in clause 15.01-5L to give effect to standard A1 in clause 54 and standard B1 clause 55.

A map should be used to show areas where preferred character statements apply.

Using maps

Maps should be used to provide visual expression of a residential development framework.

This could be mapped through a municipal-wide strategic framework plan or inclusion of a separate residential development framework plan identifying housing change areas.

A residential development framework in the MPS may include more than one map if a single map cannot legibly contain the necessary information. The map or maps should include housing change areas and may also include character areas or place-based maps as these set out how state and regional planning policy will be implemented at the local level.

Additional maps must align with the residential development framework.



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More information

Contact

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planning.systems@delwp.vic.gov.au

136 186 (8am to 6pm Monday to Friday, excluding public holidays)

Planning Practice Notes

PPN8: Writing a local planning policy

PPN27: Understanding the residential development provisions

PPN43: Understanding neighbourhood character

PPN84: Applying the minimum garden area requirement

PPN91: Using the residential zones

View all planning practice notes at
<https://www.planning.vic.gov.au/resource-library/planning-practice-notes>

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NILLUMBIK NEIGHBOURHOOD CHARACTER STRATEGY – KEY PROJECT STAGES

Stage	Completed	Key Components
a) Prepare the project and conduct background research	March 2022	<ul style="list-style-type: none"> Engage consultants Development of engagement and work program Prepare background research report
b) Conduct further research	June 2022	<ul style="list-style-type: none"> Council Meeting (22 March) – Endorse 1st round of engagement 1st round of public engagement (late March- early May) On-site research of neighbourhood character Review effectiveness of existing controls Prepare character area precinct profiles June Planning and Consultation Committee (PCC) – hear from submitters on first round of engagement
c) Prepare a draft Strategy	August 2022	<ul style="list-style-type: none"> Prepare a first draft of the Strategy Council Meeting – Endorse engagement on the draft Strategy
d) Conduct public engagement on the draft Strategy	Early 2023	<ul style="list-style-type: none"> 2nd round of public engagement – draft Strategy (to be conducted in late 2022) PCC Meeting – hear from submitters (early 2023)
e) Consider changes and finalise the Strategy	Oct 2023	<ul style="list-style-type: none"> Council meeting – Endorse engagement on proposed changes to the draft Strategy 3rd of public engagement - proposed changes to the draft Strategy PCC Meeting – hear from submitters Update final Strategy and guidelines Council meeting – seek adoption of revised (final) Strategy and to commence an amendment to implement the Strategy.

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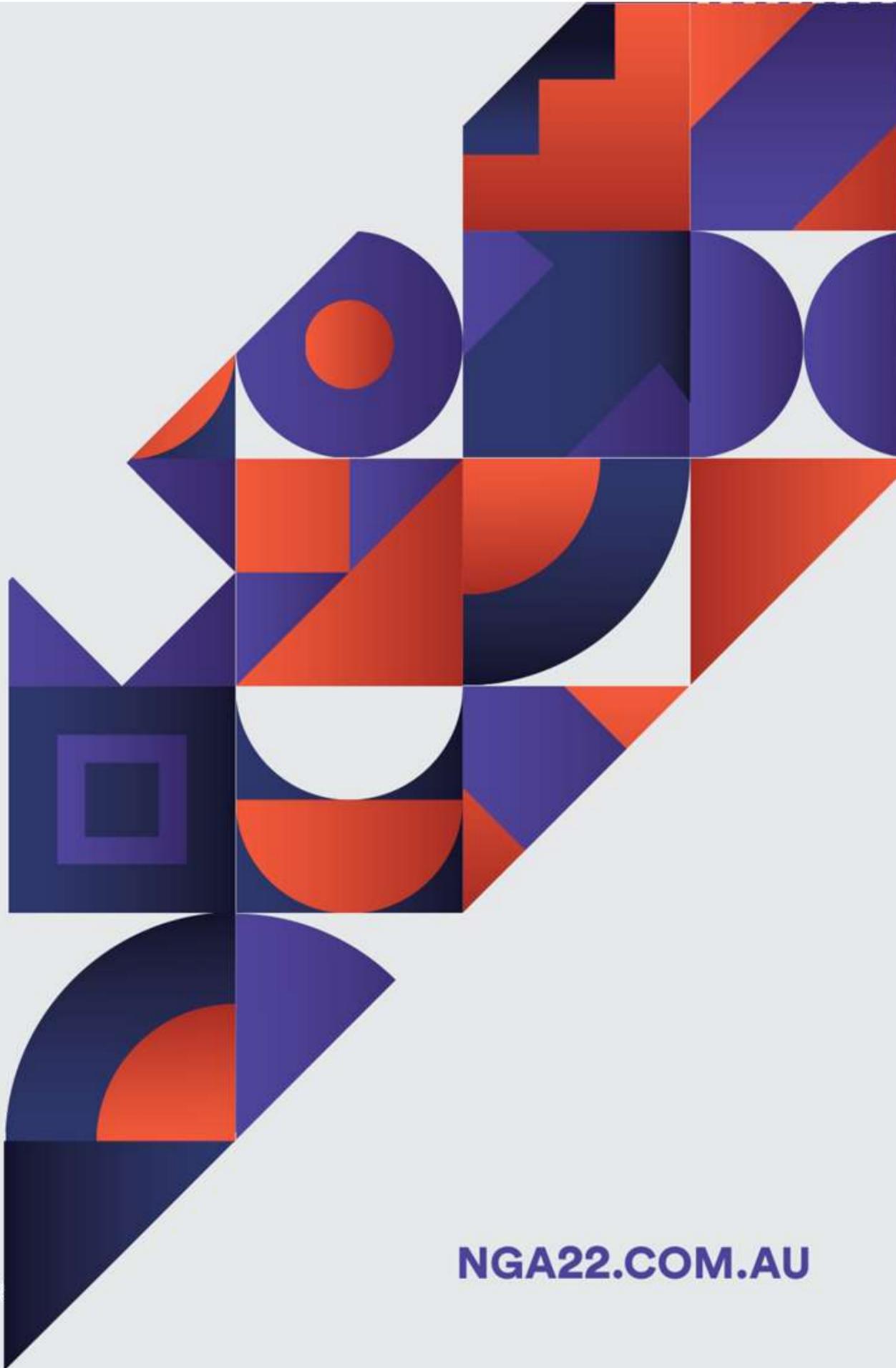
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2022
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19 - 22 JUNE 2022

CALL FOR MOTIONS

DISCUSSION PAPER

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SUBMITTING MOTIONS

This discussion paper is a call for councils to submit motions for debate at the 2022 National General Assembly (NGA) to be held in Canberra 19 – 22 June 2022.

It has been prepared to assist you and your council in developing your motions. You are encouraged to read all the sections of the paper but are not expected to respond to every issue or question. Your council's motion/s can address one or more of the issues identified in the discussion paper.

Motions should be lodged electronically using the online form available on the NGA website at: www.alga.asn.au and received no later than 11:59pm AEST on Friday 25 March 2022.

The theme of the 2022 NGA is – Partners in Progress.

The NGA aims to focus on how partnerships, particularly between the Australian Government and Local Governments, can tackle immediate challenges facing communities as well as confidently facing the future.

In submitting your council's motion/s you are encouraged to focus on how partnership can address national issues at the local level, and new ways the Australia Government could partner to strengthen the local government sector to advance community well-being, local economic development, create jobs, address environmental challenges, climate change and complex social issues such as housing affordability.

The National General Assembly of Local Government (NGA) is an important opportunity for you and your council to influence the national policy agenda and promote new ways of strengthening the local government sector and our communities.

Note: If your council does submit a motion there is an expectation that a council representative will be present at the National General Assembly to move and speak to that motion if required.

We look forward to hearing from you and seeing you at the 2022 NGA.



To submit your motion go to:
alga.asn.au/

KEY DATES CRITERIA FOR MOTIONS

To be eligible for inclusion in the NGA Business Papers, and subsequent debate on the floor of the NGA, motions must meet the following criteria:

1. be relevant to the work of local government nationally
2. not be focussed on a specific location or region – unless the project has national implications. You will be asked to justify why your motion has strategic importance and should be discussed at a national conference
3. be consistent with the themes of the NGA
4. complement or build on the policy objectives of your state and territory local government association
5. be submitted by a council which is a financial member of their state or territory local government association
6. propose a clear action and outcome i.e. call on the Australian Government to do something; and
7. not be advanced on behalf of external third parties that may seek to use the NGA to apply pressure to Board members, or to gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of, local government.

Motions should generally be in a form that seeks the NGA's support for a particular action or policy change at the Federal level which will assist local governments to meet local community needs.

Motions should commence as follows - *This National General Assembly calls on the Australian Government to*

Example

This National General Assembly calls on the Australian Government to restore Local Government Financial Assistance Grants to a level equal to at least 1% of Commonwealth taxation revenue.

OTHER THINGS TO CONSIDER

Please note that it is important to complete the background section on the form. Submitters of motions should not assume that NGA delegates will have background knowledge of the issue. The background section helps all delegates, including those with no previous knowledge of the issue, in their consideration of the motion. Please note that motions should not be prescriptive in directing how the matter should be pursued.

Try to keep motions practical, focussed and relatively simple. Complex motions with multiple dot point can be difficult to implement and to advance.

All motions submitted will be reviewed by the ALGA Board's NGA Sub-Committee, in consultation with state and territory local government associations, to determine their eligibility for inclusion in the NGA Business Papers. When reviewing motions, the Sub-Committee considers the criteria, clarity of the motion and the importance and relevance of the issue to local government. If there are any questions about the substance or intent of a motion, ALGA will raise these with the nominated contact officer. With the agreement of the submitting council, these motions may be edited before inclusion in the NGA Business Papers.

To ensure an efficient and effective debate where there are numerous motions on a similar issue, the ALGA Board NGA Subcommittee will group the motions together under an overarching strategic motion. The strategic motions have either been drafted by ALGA or are based on a motion submitted by a council which best summarises the subject matter. Debate will focus on the strategic motions. Associated sub-motions will be debated by exception only or in accordance with the debating rules.

Any motion deemed to be primarily concerned with local or state issues will be referred to the relevant state or territory local government association and will not be included in the NGA Business Papers.

Motions should be lodged electronically using the online form available on the NGA website at: www.alga.asn.au. All motions require, among other things, a contact officer, a clear national objective, a summary of the key arguments in support of the motion, and endorsement of your council. Motions should be received no later than 11:59pm AEST on Friday 25 March 2022.



Introduction

As Australia emerges from the crisis management phase of the COVID-19 global pandemic, attention now turns to rebuilding and to the future.

By the time of the NGA in June 2022, the next federal government and 47th Parliament of Australia, will almost certainly have been elected.

Prior to the election the major political parties will have campaigned on priorities and made numerous policy and programs commitments that will help shape our nation's future.

Invariably, in government, these policies and programs will need to be refined, developed and implemented. Almost certainly they will need to be adapted to meet changing circumstances, emerging issues and local and regional needs.

We know from previous elections that governments will not be able to achieve their policy agenda alone. They need reliable partners committed to playing their part in taking the nation forward, working together on mutual goals and advancing national prosperity for all.

During the election campaign, ALGA will be working extensively with state and territory local government association members, and many of you, to advance the national priorities highlighted in the Federal Election manifesto 'Don't' Leave Local Communities Behind'.

These priorities were significantly influenced by many of the resolutions of past NGAs.

Whether the Coalition Government is returned or a new Government formed, the 2022 NGA provides the first major opportunity to engage with relevant portfolio Ministers and key members of the new Government.

Most importantly, it provides you - the elected representatives of Australia's local councils and communities - with the opportunity to reaffirm our national priorities and to place new ideas on the national policy agenda.



The Immediate Recovery Challenges

Government at all levels have collaborated to avert the worst possible health and economic outcomes of the COVID-19 pandemic across Australia.

By November 2021 most states had reached or made significant progress in reaching the 80% or more vaccination threshold.

Every community was affected, some more than others, and local government has been at the forefront of developing local solutions to local challenges.

Given the economic and social impacts of the COVID pandemic on communities over the past 2 years, are there issues that need to be addressed by a new partnership between the Commonwealth Government and local governments?

Given the impacts of the COVID pandemic on your council and other councils around the country, are there issues that a partnership between the Commonwealth Government and local government should address?

Jobs

In September 2021 the national, seasonally adjusted unemployment rate, was 5.2% (ABS). The underemployment rate was 9.5% with monthly hours worked decreasing by 1 million hours. Roy Morgan's survey work suggests Australian unemployment (unadjusted) was 9.2% in October with underemployment at 8.6%.

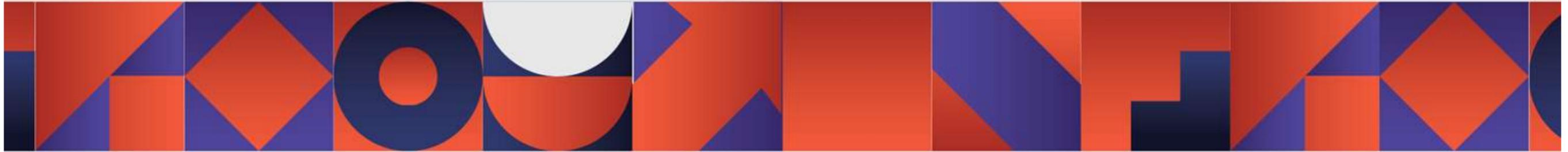
National statistics however mask variations at the state, regional and local level. State and Territory unemployment ranged from 3.9% in Western Australia and the Northern Territory, 5.1% in Queensland and Tasmania, 5.3% in South Australia, NSW 5.4%, Victoria 5.6% and the Australian Capital Territory 6.6%. Similarly, regional and local community unemployment vary from the national average reflecting local circumstances and the different impact of the COVID-19 pandemic, lockdowns and their flow-on effects have on the local economy. Youth unemployment and Aboriginal and Torres Strait Islander unemployment is also consistently higher.

As an employer of staff and of contractors, as well as a facilitator of local economic development, local government can play a key role in addressing unemployment and underemployment.

In keeping with the ALGA Federal election manifesto, 'Don't' Leave Local Communities Behind' local solutions are required for local circumstances.

What new partnership program could the Australian Government develop to take advantage of local government's knowledge of the local economy, geographic spread across the country and its ability to create jobs?

As an employer, what are the pre-requisites for councils to create more good quality, secure local jobs that build community capacity and address local workforce skills shortages?



Building Back Better Businesses

The economic shock of the past 2 years has caused unprecedented disruption to local businesses and communities. While many businesses have adapted to difficult circumstances, some have not survived. The current vacant shops fronts and offices of the streetscapes in our cities and towns is evidence of the challenges that our local businesses, local industry and communities have faced.

The capacity of the private sector, and small business in particular, to bounce back is untested.

What new partnership programs could the Australian Government introduce to take advantage of local government's role in economic development, including to support local businesses?

Opening Australia's Borders

As previously mentioned, by November 2021 most states had reached or made significant progress in reaching the 80% or more vaccination threshold. At this point, under the National Plan to Transition Australian National COVID-19 Response, governments were committed to introducing new measures such as opening international borders, minimising cases in the community without ongoing restrictions or lockdowns, Covid vaccination boosters encouraged and provided as necessary, and allowing uncapped inbound arrivals for all vaccinated persons, without quarantine.

As Australia opens-up its international borders economic recovery is expected to accelerate. The return of expats, international students, overseas migration and international tourism will increase population, supply of labour and demand for goods and services including for accommodation.

In the first instance, economic activity can be expected to return to pre-Covid levels. Over time, with appropriate support, it will grow.

The closure of borders and particularly international borders affected many parts of the tourism industry and the economies of many local communities. While domestic visitors helped fill a gap, recovery of many parts of the industry and the economy of communities that depend heavily on tourism will depend on the return of international travel.

To do this Australia must position itself to compete in international markets. This comes through offering high quality destinations, services and experiences that highlight the quality and value available in Australia. In addition to delivering a better visitor experience, this should also increase productivity, efficiency and innovation.

In the short term, what new partnership programs could the Australian Government introduce to assist local government meet the return of international students and stronger migration now and into the future?

What new programs could the Australian Government develop to partner with local government to facilitate tourism and the traveller economy?

Workforce Shortages and Re-engineering Work

In November 2021 business representatives report significant labour shortages particularly in the agriculture and hospitality sectors. The lack of backpackers, overseas students and migrant workers, combined with people not wanting to return to the workforce, are just some of the reasons attributed to these shortages.

While opening borders may increase the supply of labour, some argue that there is a more fundamental change in Australia's workforce and workplaces.

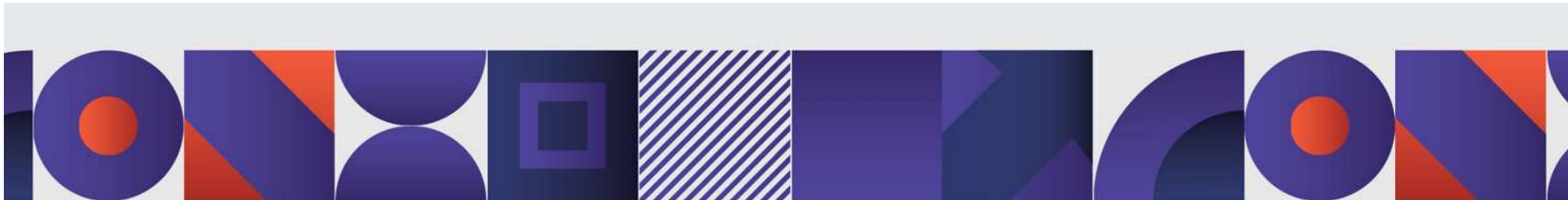
Although not reported in Australia yet, in the United States the post Covid workforce has been associated with what some have called the 'Great Resignation' as employees have adjusted their expectations, work life balance and priorities and simply not returned to their old jobs.

Many workers have been required to work from home for extended periods during the pandemic, including working remotely and now look for greater flexibility in their work. Technology and automation are transforming work and the workplace.

Many are prepared to change jobs to maximise this flexibility and the benefits derived from it. Traditionally this has led to wage pressure but coupled with demand for greater workplace flexibility employers need to be innovative to attract and retain employees. As an employer, councils are not immune and will also need to develop these strategies.

What new programs could the Australian Government develop to partner with local government to help support an influx of skilled migrants?

What new programs could the Australian Government develop to partner with local government to help councils attract and retain appropriately trained workers and employees?



Climate change

The United Nations Conference (COP) of Parties 26 held in Glasgow 2021 focused global attention on climate change and global and national efforts to achieve net zero emissions by 2050 and limit global warming to 1.5 degrees.

For decades local governments have played an important leadership role in addressing climate change. Councils have supported the adoption of a wide range of community-based programs and initiatives to lower the carbon footprint of local communities. As a sector, local government has led the debate for lowering carbon emissions, sourcing renewable energy, responded creatively to reduce greenhouse gas emissions from landfills, facilitated the construction of green buildings and water sensitive design of cities and towns.

Pragmatically, local government has been at the forefront to address the impacts of climate change and adaptation to climate change. These impacts include an increased number of days with high temperatures, less rainfall and more droughts in southern Australia, less snow, more intense rainfall and fire weather, stronger cyclones, and sea level rise. These changes will increase stress on Australia's infrastructure and physical assets and natural ecosystems that are already threatened, and significantly affect agriculture, forestry, fisheries, transport, health, tourism, finance and disaster risk management.

*How do we work together to ensure that there is local adaptation to climate change and climate extremes?
What partnerships are available to achieve climate neutrality?*

Natural Disasters

With the high-risk weather season commencing, many councils will be engaging with their communities about disaster preparedness, resilience and recovery. Not only have we experienced one of Australia's worst bushfire seasons in 2019-20, but some councils also had to deal with multiple disaster events within a 12 month period. Some councils have had to deal with bushfires, followed by storms, flooding, hailstorms, more flooding and COVID-19. These multiple disasters have had a devastating effect on many councils' financial sustainability and their ability to fund mitigation measures for the upcoming high risk weather season. Smaller rural and regional councils are further financially challenged and require help with preparedness and mitigation, as they currently have zero capacity to fund major mitigation projects.

The Royal Commission into National Natural Disaster Arrangements recognised that councils need help. It concluded that without assistance many local governments cannot undertake the roles and responsibilities allocated to them by their State/Territory Governments.

What new programs could the Australian Government develop to partner with local government to help to address natural disasters to assist in recovery and build resilience?



Environment

Local government plays a critical role in environmental management including environment protection.

"Australia's Strategy for Nature 2019 – 2030" recognises that we all have a role in securing nature as the foundation of our existence. It is an overarching framework for all national, state and territory and local strategies, legislation, policies and actions that target nature. It has 3 goals:

1. Connecting all Australians with nature;
2. Care for nature in all its diversity, and
3. Share and Build knowledge.

To achieve these goals there are a variety of options for joint action to reduce threats and their impacts include ensuring the design and management of the protected area network considers and accommodates future threat scenarios and establishes robust mechanisms to respond effectively to new and emerging threats. The strategy suggests there are opportunities to '... improve planning, regulation, environmental impact assessment and approvals processes. In addition, threat abatement activities could include targeted pest management, ecosystem restoration (integrated fire management, revegetation), pollution control, greenhouse gas emissions management and climate change adaptation'.

How could the Australian Government partner with local government to help support the implementation of the Australian Strategy for Nature 2019 – 2030 and take advantage of local knowledge?

What new programs could the Australian Government develop to partner with local government to help to reduce threats and risks to nature and build resilience?

The Circular Economy

The 2019 National Waste Policy Action Plan applies principles of a circular economy to waste management to support better and repeated use of our resources. The circular economy principles for waste are:

1. Avoid waste
2. Improve resource recovery
3. Increase use of recycled material and build demand and markets for recycled products
4. Better manage material flows to benefit human health, the environment and the economy
5. Improve information to support innovation, guide investment and enable informed consumer decisions.

Councils play a major role in the management of household and domestic waste. Therefore, local government has a critical role to play in further developing the circular economy.

How could the Australian Government partner with local government to advance the circular economy?

What new programs could the Australian Government partner with local government to progress these objectives?

Affordable Housing

The shortage and costs of rental properties and affordable home ownership is causing significant social and economic impacts in cities and towns across Australia, including rural and regional communities. This is due to a range of factors such as changes in recent migration patterns, cheap finance and labour and material shortages in the construction sector.

The impacts on local governments and communities includes housing stress for individuals and families, difficulty in attracting and housing key workers and an increase in homelessness.

The House of Representatives Standing Committee on Tax and Revenue 2021 is leading an inquiry into the contribution of tax and regulation on housing affordability and supply in Australia. Whilst the provision of affordable housing is not a local government responsibility, local governments often facilitate affordable housing within their communities, operating within state/territory planning, financial and other legislation requirements. The housing challenge is different in each community and the council response is dependent on its financial resources and priorities.

How could the Australian Government partner with local government address housing affordability?

What new programs could the Australian Government partner with local government to progress this objective?

Conclusion

Thank you for taking the time to read this discussion paper and support for the 2022 National General Assembly of Local Government.

A reminder:

- Motions should be lodged electronically using the online form available on the NGA website at: www.alga.asn.au and received no later than 11:59pm AEST on Friday 25 March 2022.
- It is important to complete the background section on the form.
- Motions should not be prescriptive in directing how the matter should be pursued.
- Motions should be practical, focussed and relatively simple.
- Motions must meet the criteria published at the front of this paper.
- When your council submits a motion there is an expectation that a council representative will be present at the National General Assembly to move and speak to that motion if required.

We look forward to hearing from you and seeing you at the 2022 NGA.

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Motions for Australian Local Government Association National General Assembly 2022

Motion 1 – Nillumbik Shire Council - Victoria

This National General Assembly calls on the Australian Government to support the zero-emissions targets of local government Climate Emergency acknowledgements and declarations by:

- a. legislating a federal government target of zero emissions by 2035
- b. supporting a renewable energy led Covid economic recovery in preference to the nationally proposed gas-led recovery *(by providing funding support on a national scale for increased renewable energy infrastructure)*
- c. preparing the national grid to support electric vehicles and increased battery storage integration.

National Objective *(why is this a national issue and why should this be debated at the NGA? - max 200 words)*

There is only one way forward. The Australian government needs to implement strong climate policy that will activate the reduction and elimination of carbon emissions quickly, in order to slow down and stop global warming. Local governments around Australia are responding to the Climate Emergency but we need the federal government to step up and be a leader in enabling a renewable energy led economy with a prepared national grid.

Summary of Key Arguments *(background information and supporting arguments – max 500 words)*

- More than 100 councils across the country have declared a Climate Emergency while investing in renewables and are setting ambitious targets for cutting emissions.
- Local communities are telling their locally elected officials that 2050 is not soon enough to achieve net-zero emissions at the local government level, and by default, at the national level - and are advocating for strong zero-emissions targets to be set.
- In 2021 the federal government committed to achieving net-zero emissions by 2050 – but hasn't yet legislated it. Therefore, there is currently no basis to enforce a course of action that will result in net-zero emissions.



- As Australian transportation becomes more electrified, Australia's ageing national energy grid will require upgrades and investments in ongoing technical improvements. Weaknesses are already inhibiting the expansion of electric vehicle charging network.

Draft Budget

2022-2023



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Budget influences

Financial sustainability is a key challenge, both in the short and long term. This involves the management of short-term budget influences within the context of longer-term challenges.

Council manages its finances through an annual budget, which identifies the expected revenue and expenditure for each year. The budget is the means by which Council makes a formal commitment of resources to provide funding for services and projects.

A long-term perspective is provided by the budget projections and forecast, which forms part of the Council Plan. This provides a 10 year forecast of revenues and expenditures based on a series of assumptions. It identifies the resources necessary to implement the Council Plan over coming years.

Nillumbik Shire in context

Nillumbik is an outer-metropolitan municipality located on the urban fringe of Melbourne. While small by metropolitan standards, Nillumbik is a medium-sized municipality in comparison to all Victorian councils.

Nillumbik comprises 432 square kilometres. It contains a relatively small urban area, where land use is predominantly residential. Ninety percent of the shire is rural land located outside the Urban Growth Boundary, where land is used mainly for farming, conservation or rural residential purposes. Commercial and industrial land activity in the shire is very limited. Major activity centres at Eltham and Diamond Creek provide mainly retail services to local markets. Housing is mainly detached dwellings with relatively high numbers of residents per household. Providing a consistent level of service to communities in the rural parts of Nillumbik involves additional costs to Council.

Council owns infrastructure assets with a valuation of \$964 million. Apart from land, these assets comprise more than \$44 million in buildings and around \$471 million in other infrastructure such as roads, bridges, drains and footpaths. Funding the annual cost for renewal of these existing assets is an important responsibility for Council, in addition to meeting community demand for new or improved assets.

Introduction

The 2022-2023 Budget has been prepared in conjunction with the Council Plan.

In compliance with the Fair Go Rates System (FGRS) Council is applying a 1.75 percent increase to rates for the 2022-2023 year.

Council proposes an increase of 21.98 percent to the domestic waste service standard charge for the 2022-2023 financial year. This is being driven by two elements; the responsibility Council has to rehabilitate the former landfill site at Kangaroo Ground which is a statutory requirement under the Environment Protection Authority Victoria; secondly a significant increase in the disposal costs in recycling and general waste.

Council has acknowledged the multiple threats facing all communities and ecosystems as a result of climate change and has committed to a climate emergency response as part of the Council Plan. Priority actions, specifically implementing the Climate Action Plan and reviewing the Biodiversity Strategy and the Urban Tree Canopy, have been included in the 2022-2023 budget. Council has also committed additional resources to tree planting as part of the 2022-2023 capital works program.

An extensive capital works program of \$14.25 million is proposed for 2022-23 including \$2.24 million in grant-funded works.

Key projects include:

- Buildings renewal (including public toilets) \$2.18 million
- Kangaroo Ground landfill rehabilitation \$2.03 million
- Road and carpark renewal \$1.85 million
- BMX Facility \$0.75 million
- Carpark upgrades \$0.65 million
- Sports infrastructure renewal \$0.45 million

This program could be further expanded as a result of successful grant applications during this financial year.

The Budget forecasts an operating surplus of \$4.14 million on an accrual accounting basis. The decrease when compared to the 2021-2022 forecast is largely attributable to the reduction on one-off capital grant income.

Financial Snapshot

Key Statistics	2021-22 Forecast \$'000	2022-23 Budget \$'000
Total operating income	117,354	102,145
Total operating expenditure	98,820	98,004
Comprehensive operating surplus	18,534	4,141
Capital works program	54,325	14,245
Funding the capital works program		
Council cash	26,561	12,003
Borrowings	7,000	-
Grants	18,943	2,242
Contributions	1,821	-
Budgeted expenditure by strategic objective	Budget \$'000	% of Budget
Community and connection	13,347	14.62
Place and Space	40,215	44.06
Sustainable and resilient	14,548	15.94
Responsible and accountable	23,155	25.38

Strategic Resource Plan

Budget preparation has been informed by the budget projections, which identifies the resources required to implement the Council Plan.

A copy of Council's projected performance against the Victorian Auditor-General's measures of financial sustainability is included in the budget document.

The budget projections have been prepared on the basis of a 1.75 percent rate increase in 2022-2023, 2.00 percent in 2023-24, followed by increases of 2.25 percent in each of the following years.

Service deliverables have been maintained at current levels, while the cost of delivery has increased largely due to external and market forces.

The budget projections forecast that Council will achieve an operating surplus each year on an accrual accounting basis.

The budget also forecasts a substantial capital works program of \$72 million over the next five years. This is proposed to be funded from a combination of grants, contributions and operating revenue.

The Budget is based on a series of assumptions which include:

- No real-terms growth in service capacity.
- No further cost shifting by State and Commonwealth Governments.

The Budget will continue to be reviewed on an annual basis to address any issues arising from changes to the underlying assumptions.

Process

The draft Budget is exhibited for public consultation from 24 March 2022 to 22 April 2022. Members of the community are able to view the draft Budget on Council's website and at Council's offices. Written submissions can be made until 22 April 2022 and will be considered by Council in May, prior to finalisation and adoption of the Budget. Submissions can be made via Council's website or lodged in person at Council offices.

Budget processes

Under the *Local Government Act 2020 (the Act)*, Council is required to prepare and adopt an annual budget for each financial year. The Budget is required to include certain information about the rates and charges that Council intends to levy as well as a range of other information required by the Local Government (Planning and Reporting) Regulations 2020 (the Regulations) which support the Act.

The 2022-2023 Budget is for the year 1 July 2022 to 30 June 2023 and is prepared in accordance with the Act and Regulations. The Budget includes financial statements being a:

- Comprehensive Income Statement;
- Balance Sheet;
- Statement of Changes in Equity;
- Statement of Cash Flows; and;
- Statement of Capital Works.

These statements have been prepared for the year ending 30 June 2023 and are consistent with the annual financial statements which are prepared in accordance with the Australian Accounting Standards and the Local Government Model Accounts. The Budget includes detailed information about the rates and charges to be levied, the capital works program to be undertaken and other financial information which Council requires in order to make an informed decision about the adoption of the Budget.

A proposed budget is prepared in accordance with the Act and submitted to Council in March for approval in principle. Council is then required to give public notice that it intends to adopt the Budget.

Twenty-eight days notice is given for the intention to adopt the proposed budget and to make the Budget available for inspection at its offices and on its website. A person has a right to make a submission on any proposal contained in the Budget and any submission must be considered before adoption of the Budget by Council.

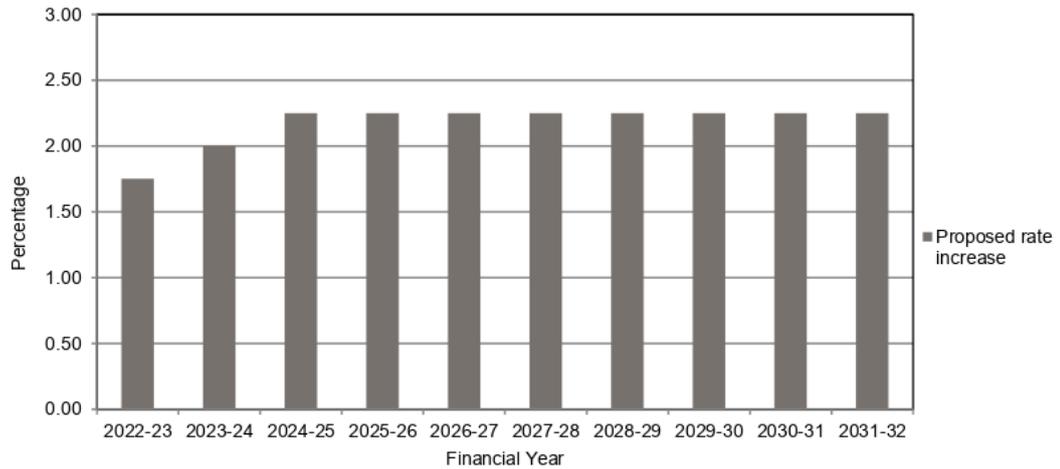
The final step is for Council to adopt the Budget after receiving and considering any submissions from interested parties. The Budget is required to be adopted by 30 June and a copy submitted to the Minister within twenty-eight days after adoption. The key dates for the Budget process are summarised below:

Budget process	Timing
1. Officers update Council's long term financial projections	December 2021 - February 2022
2. Officers prepare draft operating and capital budgets	December 2021 - February 2022
3. Council considers draft budgets at briefings of Councillors	February 2022 - March 2022
4. Proposed budget submitted to Council for approval	22 March 2022
5. Public notice advising intention to adopt Budget	24 March 2022
6. Community engagement process undertaken	24 March 2022 - 22 April 2022
7. Submissions period closes	22 April 2022
8. Submissions considered by Planning and Consultation Committee	10 May 2022
9. Budget submissions presented to Council	24 May 2022
10. Budget presented to Council for adoption	24 May 2022
11. Copy of adopted Budget submitted to the Minister	26 May 2022

Budget Trends and Summary

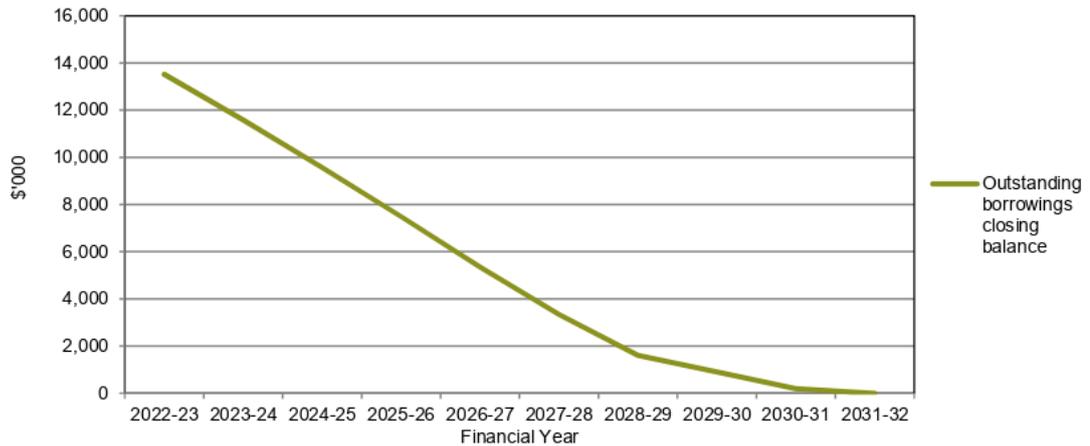
Council has prepared the Budget for the 2022-23 financial year which seeks to balance the demand for services and infrastructure. Key budget trends and outcomes information is provided below.

Rate trends



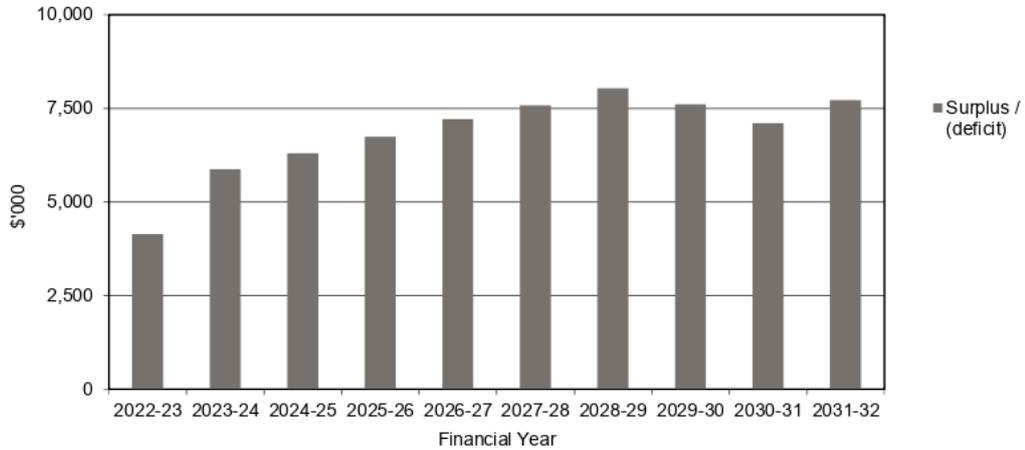
The graph above outlines Council's budgeted rate increase for 2022-23 which is in compliance with the rate cap. The rate cap will be 1.75 percent in 2022-23. It has been assumed the rate cap will be 2.00 percent in 2023-24, followed by increases of 2.25 percent in each of the following years.

Borrowing trends and outcomes



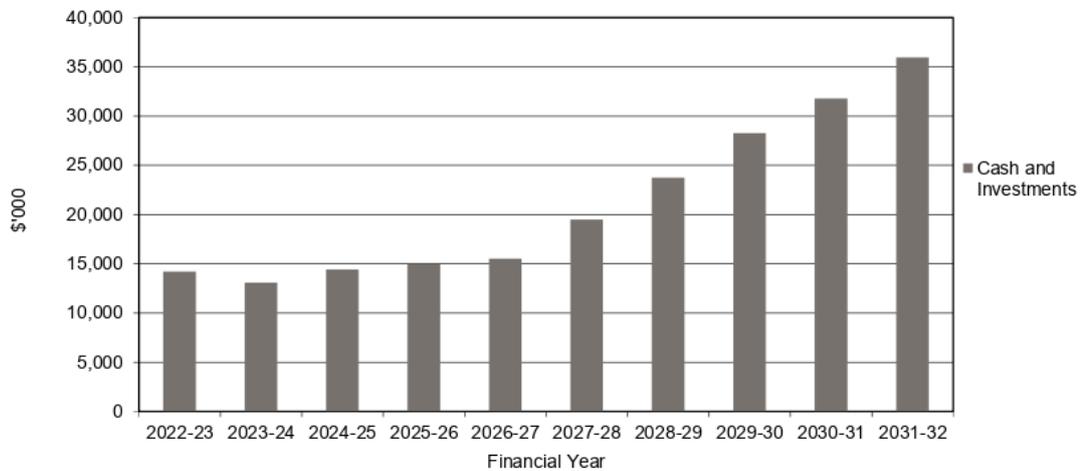
Council is not anticipating to take out any new borrowings in 2022-2023. The graph above outlines Council's existing loan borrowings with the declining trend reflective of current repayment schedules. Borrowings remain within the Auditor-General's low risk range.

Operating result



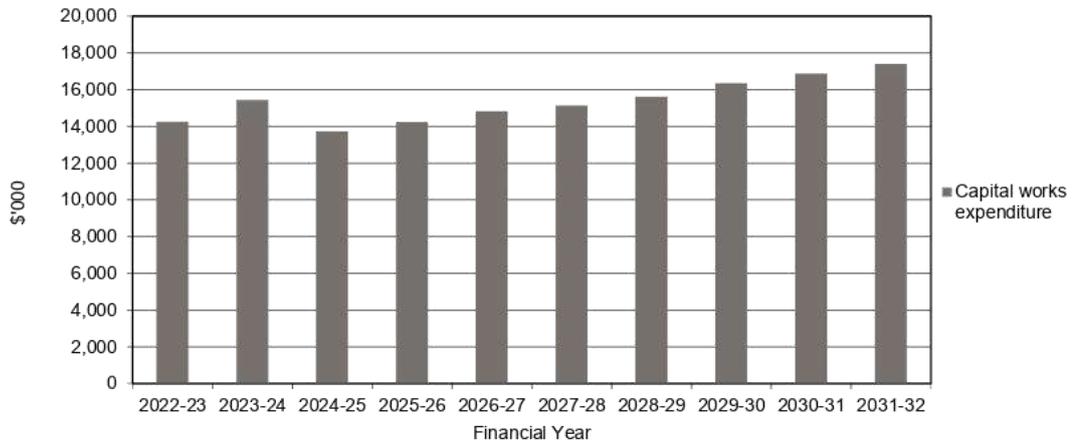
The expected operating result for the 2022-23 year is a surplus of \$4.14 million. The above graph projects surpluses to be achieved over the projected 10 years providing capacity for capital investment and debt reduction. The fluctuations are driven by the anticipated receipt of one-off capital grant funding.

Cash and investments



Cash and investments shown in the above graph are illustrating a positive cash position for Council as at 30 June each year through which Council is able to meet operating obligations. The balances of cash held are represented by amounts held for specific purposes including developer contributions and statutory obligations such as landfill rehabilitation.

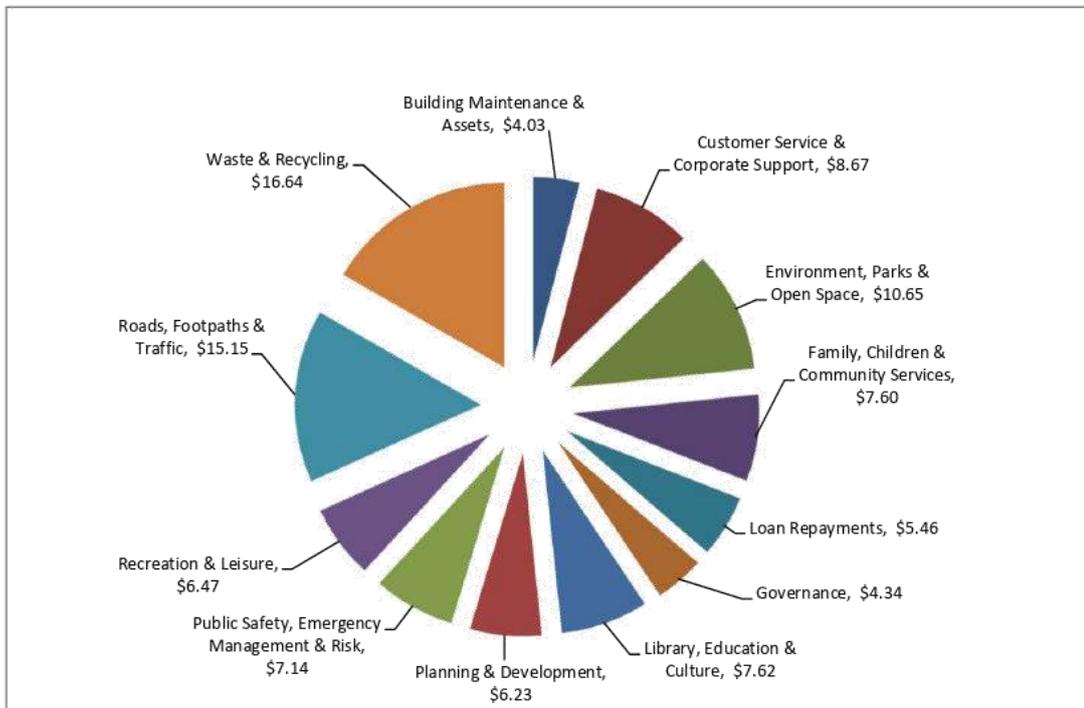
Capital works



The capital works program for 2022-23 will be \$14.25 million, of which \$12 million will be funded by Council cash and \$2.24 million from grants. The capital expenditure program has been set and prioritised based on Council's assessment of the need for key projects. The 2022-23 program includes a number of projects as detailed in Section 4.5 of this document.

Council expenditure allocation

The chart below provides an indication of how Council allocates its expenditure across the main services to be delivered. It shows how much is allocated to each service area for every \$100.00 of rates that Council collects.

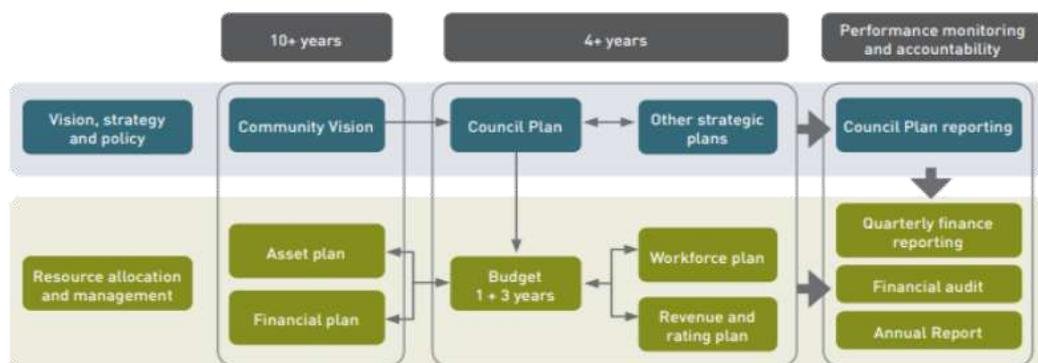


1. Link to the Integrated Planning and Reporting Framework

This section describes how the Budget links to the achievement of the Community Vision and Council Plan within an overall integrated planning and reporting framework. This framework guides the Council in identifying community needs and aspirations over the long term (Community Vision and Financial Plan), medium term (Council Plan, Workforce Plan, and Revenue and Rating Plan) and short term (Budget) and then holding itself accountable (Annual Report).

1.1 Legislative planning and accountability framework

The Budget is a rolling four-year plan that outlines the financial and non-financial resources that Council requires to achieve the strategic objectives described in the Council Plan. The diagram below depicts the integrated planning and reporting framework that applies to local government in Victoria. At each stage of the integrated planning and reporting framework there are opportunities for community and stakeholder input. This is important to ensure transparency and accountability to both residents and ratepayers.



The timing of each component of the integrated planning and reporting framework is critical to the successful achievement of the planned outcomes.

1.1.2 Key planning considerations

Service level planning

Councils have a legal obligation to provide some services, such as animal management, local roads, food safety and statutory planning. Some council services are not mandated, such as libraries, building permits and sporting facilities. Over time, the needs and expectations of communities can change. The Budget considers the services and initiatives which contribute to achieving the strategic objectives specified in the Council Plan.

The Council Plan includes strategic objectives, strategies, indicators and a budget which can be defined as follows:

- Strategic objectives – the outcomes Council wants to achieve within its four-year term
- Strategies – how Council will achieve each objective
- Indicators – how progress towards the objectives will be evaluated
- Budget – a four year budget outlining how the strategies will be financed and resourced

Each year, Council will produce an Annual Action Plan identifying how Council will work towards achieving the objectives in the Council Plan. Council prioritise major projects, capital works, service improvements as well as actions in response to Council strategies to be set out in the Annual Action Plan.

Progress against the Annual Action Plan will be detailed in Council's Annual Report, with major projects and service highlights reported to Council in a quarterly progress report.

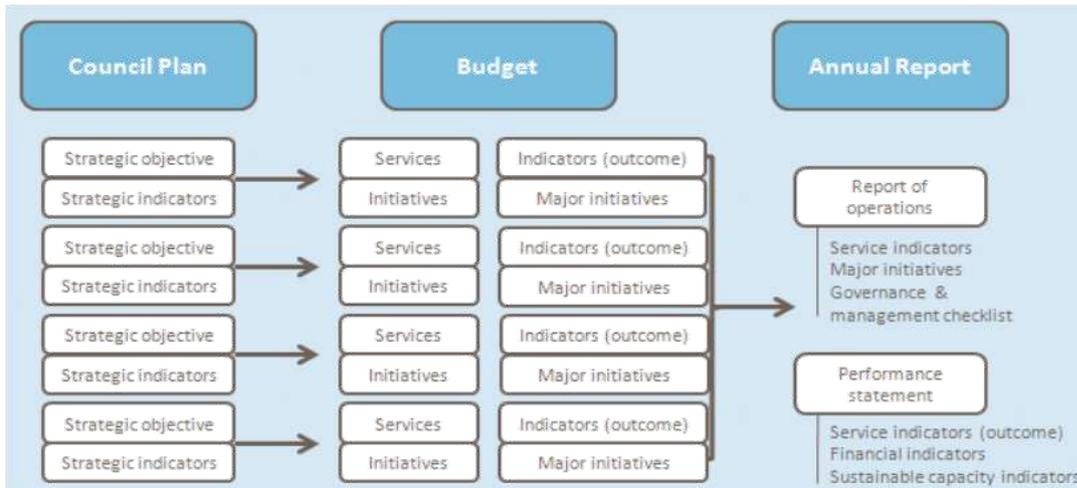
1.2 Strategic objectives

The Council delivers activities and initiatives under thirty major service categories as listed in the following pages. Each contributes to the achievement of one of the four strategic objectives as set out in the Council Plan for 2021-2025. The following table lists the four themes and strategic objectives as described in the Council Plan.

Theme	Strategic Objective
1. Community and connection	To encourage inclusion and participation to support health and wellbeing and ensure that all our residents have equitable access to services, programs, events and initiatives.
2. Place and Space	To protect, enhance, maintain, plan and design places and spaces that strengthen identity, reinforce character, improve accessibility, encourage social connection and enjoyment, support biodiversity and respect the environment.
3. Sustainable and resilient	To manage and adapt to changing circumstances that affect our community to ensure it remains sustainable and resilient, both now and into the future.
4. Responsible and accountable	To facilitate the best possible outcomes for our community, by demonstrating strong leadership and working actively to achieve the community's objectives.

2. Services, initiatives and service performance indicators

This section provides a description of the services and initiatives to be funded in the Budget (excluding capital works) for the 2022-2023 year and how these will contribute to achieving the strategic objectives specified in the Council Plan as set out in Section 1. It also describes a number of service performance indicators for key areas of Council's operations. Council is required by legislation to identify major initiatives, initiatives and service performance outcome indicators in the Budget and report against them in their Annual Report to support transparency and accountability. The relationship between these components of the Budget and the Council Plan, along with the link to reporting in the Annual Report, is shown below.



Source: Department of Jobs, Precincts and Regions

2.1 Theme - Community and Connection

Strategic Objective

To encourage inclusion and participation to support health and wellbeing and ensure that all our residents have equitable access to services, programs, events and initiatives.

Services

Service Area	Description of services provided	Expenditure
		Revenue Net Cost \$'000
Community support services	Promotes and supports Nillumbik's ageing community with a focus on the overall health, wellbeing and independence of individuals, families and community groups.	2,101 495 1,606
Community development	Provides services for the whole community, such as festivals and events, grants for community groups, services and programs for youth, and community development.	1,529 2 1,527

Service Area	Description of services provided	Expenditure	
		Revenue	Net Cost
		(\$'000)	
Disability, inclusion and volunteering	Drives systemic change, advocates, educates, and raises awareness about inclusion so that the needs of people with a disability, volunteers and their families/carers are considered across all Council activities. Also supports Council's volunteer program managers and their volunteers.	450	-
			450
Early years	Provides support and training to families with young children and services delivering early years' education and care programs.	508	191
			317
Library and community education	Provides facilities and programs for the whole community, including libraries, Living & Learning Nillumbik and Edendale Community Environment Farm.	6,204	1,557
			4,647
Maternal and child health services	Provides services and programs for new babies and parents in the Shire, including maternal and child health and immunisation services.	1,720	656
			1,064
School crossings	Provision of school crossing supervisors for school children across the Shire.	833	295
			538

Major Initiatives

- 1) Feasibility Study for Dedicated Youth Space

Actions

- 1) Further develop an Inclusive Sports and Facilities Plan
- 2) Implement the Gender Equality Action Plan
- 3) Implement the Nillumbik Health and Wellbeing Plan 2021-2025
- 4) Implement the Youth Strategy in partnership with our Youth Council
- 5) Commence an audit of facilities to identify opportunities to implement age-friendly improvements for community facilities
- 6) Continue to innovate Living & Learning Nillumbik offerings and services to support health and wellbeing outcomes across the community, and provide life-long learning opportunities

Service Performance Outcome Indicators

Service	Indicator	Performance Measure	Computation	2020-21 Actual
Maternal and Child Health (MCH)	Participation	Participation in the MCH service (Percentage of children enrolled who participate in the MCH service)	[Number of children who attend the MCH service at least once (in the year) / Number of children enrolled in the MCH service] x 100	81.65%

		Participation in the MCH service by Aboriginal children (Percentage of Aboriginal children enrolled who participate in the MCH service)	[Number of Aboriginal children who attend the MCH service at least once (in the year) / Number of Aboriginal children who are enrolled in the MCH service] x 100	85.11%
Libraries	Participation	Active library members (Percentage of the municipal population that are active library members)	[Number of active library members / municipal population] x 100	27.03%

2.2 Theme - Place and Space Strategic Objective

To protect, maintain, plan and design places and spaces that strengthen identity, reinforce character, improve accessibility, encourage social connection and enjoyment, support biodiversity and respect the environment.

Services

Service Area	Description of services provided	Expenditure
		Revenue Net Cost \$'000
Arts and culture	Responsible for the cultural vitality and community engagement in the arts across the Shire and to enable participation in the cultural life of the community and enjoyment of the arts by providing diverse and innovative opportunities for active lifestyles and artistic expression.	930 <u>7</u> 923
Building safety and regulation	Responsible for administration and enforcement of certain parts of the Building Act 1993 and Regulations.	1,019 <u>537</u> 482
Infrastructure design, construction and transport	Provides services for the whole community including: design for capital works projects; roads; bridges; drainage; landscape; traffic management; coordination of capital works; procurement and construction; engineering assessment of planning applications and approval of subdivision works; traffic control; road safety; advocacy on public transport and main roads and street lighting.	3,611 <u>1,475</u> 2,136
Leisure facilities and services	Responsible for the provision of leisure facilities and services for the whole community, including leisure centres, sportsgrounds, recreation trails and playgrounds.	15,048 <u>14,208</u> 840
Local laws and parking	Administers local laws, car parking regulation and amenity protection for the whole community.	813 <u>595</u> 218
Parks and reserves maintenance	Maintains parks, sportsgrounds, conservation reserves, street trees and roadsides across the Shire.	6,277 <u>65</u> 6,212
Property and asset management	Provides infrastructure, asset management and planning, building maintenance and fencing, and property, fleet, community centres and halls network management.	2,922 <u>362</u> 2,560

Road and drainage maintenance	Provides maintenance of local roads and bridges, pedestrian bridges, bus shelters, footpaths, trails and drains for the whole community. This service also incorporates Council's response to deceased animal collection, street cleaning and roadside litter collection.	5,074 <u>1</u> 5,073
Statutory planning	Responsible for processing of planning applications and subdivision applications, conducts planning investigations and promotes compliance with the Nillumbik Planning Scheme and permit conditions	3,619 <u>1,062</u> 2,557
Strategic planning	Provides land use planning and policy, planning scheme management, activity centre planning and heritage protection across the Shire.	901 <u>-</u> 901

Major Initiatives

- 1) Continue development of an Integrated Transport Strategy
- 2) Continue to develop a masterplan for community facilities in Diamond Creek, including recreation and community precincts and buildings
- 3) Continue to review our biodiversity strategy to provide renewed focus for Council, the community and our partners
- 4) Investigate measures to enhance the urban tree canopy
- 5) Implement the place-making framework to support shared outcomes between community and Council

Actions

- 1) Implement the Arts and Culture Strategy 2022-2026
- 2) Implement the Green Wedge Management Plan 2019
- 3) Continue to review our biodiversity strategy to provide renewed focus for Council, the community and our partners
- 4) Implement the Recreation and Leisure Strategy

Service Performance Outcome Indicators

Service	Indicator	Performance Measure	Computation	2020-21 Actual
Aquatic Facilities	Utilisation	Utilisation of aquatic facilities (Number of visits to aquatic facilities per head of municipal population)	Number of visits to aquatic facilities / Municipal population	4.1
Statutory planning	Decision making	Council planning decisions upheld at VCAT (Percentage of planning application decisions subject to a planning application / to review by VCAT that were not set aside)	[Number of VCAT decisions that did not set aside Council's decision in relation to a planning application / Number of VCAT decisions in relation to planning applications] x100	75.00%

Roads	Satisfaction	Satisfaction with sealed local roads (Community satisfaction rating out of 100 with how Council has performed on the condition of sealed local roads)	Community satisfaction rating out of 100 with how Council has performed on the condition of sealed local roads.	63.00
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2.3 Theme - Sustainable and Resilient
Strategic Objective

To manage and adapt to changing circumstances that affect our community to ensure it remains sustainable and resilient, both now and into the future.

Services

Service Area	Description of services provided	Expenditure	
		Revenue	Net Cost
		\$'000	
Environment and Conservation	Provides environment and conservation services and programs for the whole Nillumbik community, such as environmental planning and policy; education and events; water quality and conservation; biodiversity protection; land management advice and energy efficiency programs.	1,292 <u>5</u>	1,287
Recycling and Waste Services	Provides collection of household waste, recycling, green waste, hard waste, waste education and landfill rehabilitation for the whole community.	12,202 <u>672</u>	11,530
Tourism and business support	Focuses on growing the local economy through providing support to local business networks, traders associations and individual businesses; delivering business events and training and supporting tourism development and promotion for the Nillumbik region.	1,054 <u>297</u>	757

Major Initiatives

- 1) Implement the Better Business Approvals program to make it easier for businesses to obtain planning and building permits
- 2) Climate Action Plan implementation

Actions

- 1) Continue to deliver the solar farm project in Plenty
- 2) Transition of Council's fleet to electric vehicles, and explore placement opportunities for future electric charging stations

2.4 Theme - Responsible and Accountable

Strategic Objective

To facilitate the best possible outcomes for our community by demonstrating string leadership and working actively to achieve the community's objectives.

Services

Service Area	Description of services provided	Expenditure
		Revenue Net Cost \$'000
Animal Management	Works under the required legislative framework to protect the welfare of animals and the community. Manages animal regulation and municipal pound.	788 <u>982</u> (194)
Business Transformation and Performance	Provides internal service delivery in performance reporting, strategy and planning expertise, occupational health and safety, risk management and insurance, and business transformation projects and initiatives.	2,207 <u>5</u> 2,202
Communications	Assists Council and staff to communicate its decisions, services, activities and events through print and electronic communication channels.	1,137 <u>-</u> 1,137
Customer Service	Provides frontline customer service and reception services, and is responsible for driving key changes in behaviour achieving customer experience improvements.	934 <u>-</u> 934
Emergency Management	Working in partnership with stakeholders and the community, contribute to the development of a disaster resilient community that is better able to prepare for, respond to and recover from emergency events.	1,409 <u>-</u> 1,409
Food Safety and Public Health	Provides services to the community in food safety and health premises regulation, septic tank regulation, public health protection and amenity and noise regulation.	907 <u>275</u> 632
Finance	Provides internal service delivery in finance, budgeting and procurement services, rates and property valuations.	7,344 <u>4,655</u> 2,689
Governance	Manages Council's overall governance matters, including coordination of council meetings, elections, civic functions and legislative requirements; legal services; records management; and Mayor and Councillor resources and support services.	3,168 <u>-</u> 3,168
Human Resources	Provides internal service delivery in the areas of recruitment and selection, staff learning and development and employee and industrial relations.	1,592 <u>198</u> 1,394
Information and Technology	Provides internal service delivery in information technology services and solutions, on-line services and telecommunications.	3,667 <u>-</u> 3,667

Major Initiatives

- 1) Continue to develop and adopt the new local laws
- 2) Develop a new Domestic Wastewater Management Plan to enable Council to effectively manage the risks associated with domestic wastewater across the Shire
- 3) Develop a Building Municipal Control Plan which identifies building risks within the shire and categorise the risk to Council and community

Actions

- 1) Implement the Bushfire Mitigation Strategy 2019-2023 as outlined in the Municipal Fire Management Plan

Service Performance Outcome Indicators

Service	Indicator	Performance Measure	Computation	2020-21 Actual
Animal management	Health and safety	Animal management prosecutions (Percentage of successful animal management prosecutions)	Number of successful animal management prosecutions / Total number of animal management prosecutions] x 100	5.00
Food safety	Health and safety	Critical and major non-compliance outcome notifications (Percentage of critical and major non-compliance outcome notifications that are followed up by Council)	[Number of critical non-compliance outcome notifications and major non-compliance outcome notifications about a food premises followed up / Number of critical non-compliance outcome notifications and major non-compliance outcome notifications about food premises] x100	90.63%
Waste collection	Waste diversion	Kerbside collection waste diverted from landfill (Percentage of garbage, recyclables and green organics collected from kerbside bins that is diverted from landfill)	[Weight of recyclables and green organics collected from kerbside bins / Weight of garbage, recyclables and green organics collected from kerbside bins] x100	72.80%
Governance	Satisfaction	Satisfaction with Council decisions (Community satisfaction rating out of 100 with how Council has performed in making decisions in the interests of the community)	Community satisfaction rating out of 100 with the performance of Council in making decisions in the interests of the community	63.00

2.6 Performance statement

The service performance indicators detailed in the preceding pages will be reported on within the Performance Statement which is prepared at the end of the current financial year as required by the Act and included in the 2021-2022 Annual Report. The prescribed performance indicators contained in the Performance Statement are audited each year by the Victorian Auditor General Office (VAGO) who issues an audit opinion on the Performance Statement. The initiatives detailed in the preceding pages will be reported in the Annual Report in the form of a statement of progress in the Report of Operations.

2.7 Reconciliation with budgeted operating result

	Net Cost \$'000	Expenditure \$'000	Revenue \$'000
Community and connection	10,151	13,347	3,196
Place and Space	21,902	40,215	18,313
Sustainable and resilient	13,574	14,548	974
Responsible and accountable	17,040	23,155	6,115
Total services and initiatives	62,667	91,265	28,598
<u>Add</u>			
Depreciation	12,162		
Amortisation - right of use assets	386		
Written down value of assets sold	839		
<u>Subtract</u>			
Debt redemption	3,407		
Transfer to and from reserves	1,004		
Deficit before funding sources	71,643		
<u>Funding sources added back:</u>			
Net rates and charges	73,203		
Capital funding sources	2,581		
Operating (surplus)/deficit for the year	(4,141)		

3. Financial Statements

This section presents information in regard to the Financial Statements and Statement of Human Resources. The budget information for the year 2021-2022 has been supplemented with projections to 2030-2031.

This section includes the following financial statements prepared in accordance with the *Local Government Act 2020* and the *Local Government (Planning and Reporting) Regulations 2020*.

The appendix includes the following budgeted information:

- Comprehensive Income Statement
- Balance Sheet
- Statement of Changes in Equity
- Statement of Cash Flows
- Statement of Capital Works
- Statement of Human Resources

Comprehensive Income Statement

For the five years ending 30 June 2027

	Notes	Forecast Budget	Budget 2022-23	2023-24	2024-25	2025-26	2026-27
		\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Income							
Rates and charges	4.1.1	70,167	73,866	76,657	78,520	80,402	82,337
Statutory fees and fines	4.1.2	1,761	2,023	2,063	2,110	2,157	2,206
User fees	4.1.3	16,128	17,582	17,957	18,335	18,834	19,328
Grants - operating	4.1.4	7,134	5,318	5,425	5,547	5,672	5,799
Grants - capital	4.1.4	18,943	2,242	2,184	2,134	2,004	2,064
Contributions - monetary	4.1.5	2,184	134	136	139	142	146
Contributions - non-monetary	4.1.5	-	-	-	-	-	-
Net gain/(loss) on disposal of property, infrastructure, plant and equipment		-	-	-	-	-	-
Fair value adjustments for investment property		-	-	-	-	-	-
Share of net profits/(losses) of associated and joint ventures		-	-	-	-	-	-
Other income	4.1.6	1,037	980	998	1,019	1,040	1,062
Total income		117,354	102,145	105,420	107,804	110,251	112,942
Expenses							
Employee costs	4.1.7	36,822	38,573	39,146	40,025	40,923	42,018
Materials and services	4.1.8	42,220	40,217	40,996	41,902	42,828	43,776
Depreciation and amortisation	4.1.9	11,999	12,162	12,308	12,408	12,513	12,621
Bad and doubtful debts		-	-	-	-	-	-
Amortisation - right of use assets	4.1.10	370	386	394	403	412	421
Borrowing costs		560	583	497	422	343	259
Finance costs - leases		18	19	20	20	21	21
Other expenses	4.1.11	6,831	6,064	6,186	6,325	6,467	6,613
Total expenses		98,820	98,004	99,547	101,505	103,507	105,729
Surplus / (deficit) for the year		18,534	4,141	5,873	6,299	6,744	7,213
Other comprehensive income							
Items that will not be reclassified to surplus or deficit in future periods							
Net asset revaluation increment /(decrement)		-	-	-	-	-	-
Share of other comprehensive income of associates and joint ventures		-	-	-	-	-	-
Items that may be reclassified to surplus or deficit in future periods							
		-	-	-	-	-	-
Total comprehensive result		18,534	4,141	5,873	6,299	6,744	7,213

Comprehensive Income Statement Forward Estimates

For the five years ending 30 June 2032

	Forward Estimates				
	2027-28 \$'000	2028-29 \$'000	2029-30 \$'000	2030-31 \$'000	2031-32 \$'000
Income					
Rates and charges	84,326	86,370	87,704	88,927	91,146
Statutory fees and fines	2,255	2,306	2,358	2,411	2,465
User fees	19,671	20,104	20,546	21,008	21,481
Grants - operating	5,930	6,063	6,200	6,339	6,482
Grants - capital	2,114	2,144	2,184	2,254	2,304
Contributions - monetary	149	152	156	159	163
Contributions - non-monetary	-	-	-	-	-
Net gain/(loss) on disposal of property, infrastructure, plant and equipment	-	-	-	-	-
Fair value adjustments for investment property	-	-	-	-	-
Share of net profits/(losses) of associated and joint ventures	-	-	-	-	-
Other income	1,085	1,109	1,133	1,158	1,184
Total income	115,530	118,248	120,281	122,256	125,225
Expenses					
Employee costs	43,141	44,294	45,476	46,690	47,738
Materials and services	44,745	45,735	46,748	47,784	48,842
Bad and doubtful debts	-	-	-	-	-
Depreciation and amortisation	12,676	12,704	12,845	12,933	13,033
Amortisation - right of use assets	431	440	450	460	471
Borrowing costs	178	107	65	33	7
Finance costs - leases	22	22	23	23	24
Other expenses	6,762	6,915	7,069	7,229	7,392
Total expenses	107,955	110,217	112,676	115,152	117,507
Surplus (deficit) for the year	7,575	8,031	7,605	7,104	7,718
Other comprehensive income					
Items that will not be reclassified to surplus or deficit in future periods					
Net asset revaluation increment /(decrement)	-	-	-	-	-
Share of other comprehensive income of associates and joint ventures	-	-	-	-	-
Items that may be reclassified to surplus or deficit in future periods	-	-	-	-	-
Total comprehensive result	7,575	8,031	7,605	7,104	7,718

Balance Sheet

For the five years ending 30 June 2027

	Notes	Forecast	Budget	Projections			
		Budget	2022-23	2023-24	2024-25	2025-26	2026-27
		2021-22	2022-23	2023-24	2024-25	2025-26	2026-27
		\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Current assets							
Cash and cash equivalents		22,838	14,200	13,072	14,405	14,956	15,494
Trade and other receivables		7,041	6,129	6,325	6,468	6,615	6,777
Other financial assets		250	250	250	250	250	250
Non-current assets classified as held for sale		-	-	-	-	-	-
Other assets		18	18	19	19	19	19
Total current assets	4.2.1	30,147	20,597	19,666	21,142	21,840	22,540
Non-current assets							
Trade and other receivables		528	422	337	270	218	173
Other financial assets		5	5	5	5	5	5
Investments in associates and joint arrangement and subsidiaries		1,671	1,671	1,671	1,671	1,671	1,671
Property, infrastructure, plant & equipment		999,785	1,000,761	1,003,311	1,004,154	1,005,256	1,006,804
Right-of-use assets	4.2.4	1,480	1,234	1,380	1,677	1,265	844
Investment property		-	-	-	-	-	-
Intangible assets		-	-	-	-	-	-
Total non-current assets	4.2.1	1,003,469	1,004,093	1,006,704	1,007,777	1,008,415	1,009,497
Total assets		1,033,616	1,024,690	1,026,370	1,028,919	1,030,255	1,032,037
Current liabilities							
Trade and other payables		5,444	5,283	5,378	5,497	5,621	5,752
Trust funds and deposits		1,994	1,994	1,994	1,994	1,994	1,994
Provisions		14,185	10,059	10,773	11,810	11,977	8,695
Unearned grants and contract liabilities		2,841	336	328	320	301	310
Interest-bearing liabilities	4.2.3	3,407	1,941	2,009	2,082	2,136	2,017
Lease liabilities	4.2.4	406	414	423	433	442	452
Total current liabilities	4.2.2	28,277	20,027	20,905	22,136	22,471	19,220
Non-current liabilities							
Provisions		12,005	9,988	7,419	3,977	535	546
Interest-bearing liabilities	4.2.3	13,518	11,577	9,568	7,486	5,350	3,332
Lease liabilities	4.2.4	1,075	821	957	1,245	823	392
Total non-current liabilities	4.2.2	26,598	22,386	17,944	12,708	6,708	4,270
Total liabilities		54,875	42,413	38,849	34,844	29,179	23,490
Net assets		978,741	982,277	987,521	994,076	1,001,076	1,008,547
Equity							
Accumulated surplus		422,977	427,118	432,990	439,289	446,033	453,248
Reserves		555,764	555,159	554,531	554,787	555,043	555,299
Total equity		978,741	982,277	987,521	994,076	1,001,076	1,008,547

Balance Sheet Forward Estimates

For the five years ending 30 June 2032

	Forward Estimates				
	2027-28 \$'000	2028-29 \$'000	2029-30 \$'000	2030-31 \$'000	2031-32 \$'000
Current assets					
Cash and cash equivalents	19,485	23,727	28,243	31,771	35,935
Trade and other receivables	6,932	7,095	7,217	7,335	7,514
Other financial assets	250	250	250	250	250
Non-current assets classified as held for sale	-	-	-	-	-
Other assets	19	19	20	20	20
Total current assets	26,686	31,091	35,730	39,376	43,719
Non-current assets					
Trade and other receivables	138	111	88	71	57
Other financial assets	5	5	5	5	5
Investments in associates and joint arrangement and subsidiaries	1,671	1,671	1,671	1,671	1,671
Property, infrastructure, plant & equipment	1,008,836	1,011,351	1,014,251	1,017,621	1,021,432
Right-of-use assets	1,544	1,103	653	893	422
Investment property	-	-	-	-	-
Intangible assets	-	-	-	-	-
Total non-current assets	1,012,194	1,014,241	1,016,668	1,020,261	1,023,587
Total assets	1,038,880	1,045,332	1,052,398	1,059,637	1,067,306
Current liabilities					
Trade and other payables	5,886	6,023	6,166	6,309	6,453
Trust funds and deposits	1,994	1,994	1,994	1,994	1,994
Provisions	8,869	9,046	9,227	9,412	9,600
Unearned grants and contract liabilities	317	322	328	338	346
Interest-bearing liabilities	1,729	691	716	195	-
Lease liabilities	462	473	483	494	422
Total current liabilities	19,257	18,549	18,914	18,743	18,815
Non-current liabilities					
Provisions	557	568	579	591	603
Interest-bearing loans and borrowings	1,603	912	196	-	-
Lease liabilities	1,081	631	170	398	-
Total non-current liabilities	3,241	2,111	945	989	603
Total liabilities	22,498	20,660	19,859	19,731	19,418
Net assets	1,016,382	1,024,673	1,032,539	1,039,906	1,047,888
Equity					
Accumulated surplus	460,823	468,854	476,459	483,563	491,283
Reserves	555,559	555,819	556,080	556,343	556,605
Total equity	1,016,382	1,024,673	1,032,539	1,039,906	1,047,888

Statement of Changes in Equity

For the five years ending 30 June 2027

* Balances at the end of the financial year may be subject to rounding differences.

Notes	Total \$'000	Accum Surplus \$'000	Revaluation Reserve \$'000	Other Reserves \$'000
2022 Forecast Actual				
Balance at beginning of the financial year	960,207	404,443	525,784	29,980
Impact of adoption of new accounting standards	-	-	-	-
Surplus / (deficit) for the year	18,534	18,534	-	-
Net asset revaluation increment / (decrement)	13,706	-	13,706	-
Transfer to other reserves	7,595	-	-	7,595
Transfer from other reserves	(21,301)	-	-	(21,301)
Balance at end of the financial year	978,741	422,977	539,490	16,274
2023				
Balance at beginning of the financial year	978,741	422,977	539,490	16,274
Surplus / (deficit) for the year	4,141	4,141	-	-
Net asset revaluation increment / (decrement)	-	-	-	-
Transfer to other reserves	4.3.1 2,831	-	-	2,831
Transfer from other reserves	4.3.1 (3,436)	-	-	(3,436)
Balance at end of the financial year	4.3.2 982,277	427,118	539,490	15,669
2024				
Balance at beginning of the financial year	982,277	427,118	539,490	15,669
Surplus / (deficit) for the year	5,873	5,873	-	-
Net asset revaluation increment / (decrement)	-	-	-	-
Transfer to other reserves	1,791	-	-	1,791
Transfer from other reserves	(2,420)	-	-	(2,420)
Balance at end of the financial year	987,521	432,991	539,490	15,040
2025				
Balance at beginning of the financial year	987,521	432,991	539,490	15,040
Surplus / (deficit) for the year	6,299	6,299	-	-
Net asset revaluation increment / (decrement)	-	-	-	-
Transfer to other reserves	592	-	-	592
Transfer from other reserves	(336)	-	-	(336)
Balance at end of the financial year	994,076	439,290	539,490	15,296
2026				
Balance at beginning of the financial year	994,076	439,290	539,490	15,296
Surplus / (deficit) for the year	6,744	6,744	-	-
Net asset revaluation increment / (decrement)	-	-	-	-
Transfer to other reserves	594	-	-	594
Transfer from other reserves	(338)	-	-	(338)
Balance at end of the financial year	1,001,076	446,034	539,490	15,552
2027				
Balance at beginning of the financial year	1,001,076	446,034	539,490	15,552
Surplus / (deficit) for the year	7,213	7,213	-	-
Net asset revaluation increment / (decrement)	-	-	-	-
Transfer to other reserves	595	-	-	595
Transfer from other reserves	(337)	-	-	(337)
Balance at end of the financial year	1,008,547	453,247	539,490	15,810

Statement of Changes in Equity Forward Estimates

For the five years ending 30 June 2032

* Balances at the end of the financial year may be subject to rounding differences.

	Total \$'000	Accum Surplus \$'000	Revaluation Reserve \$'000	Other Reserves \$'000
2028				
Balance at beginning of the financial year	1,008,547	453,247	539,490	15,810
Surplus / (deficit) for the year	7,575	7,575	-	-
Net asset revaluation increment / (decrement)	-	-	-	-
Transfer to other reserves	596	-	-	596
Transfer from other reserves	(336)	-	-	(336)
Balance at end of the financial year	1,016,382	460,822	539,490	16,070
2029				
Balance at beginning of the financial year	1,016,382	460,822	539,490	16,070
Surplus / (deficit) for the year	8,031	8,031	-	-
Net asset revaluation increment / (decrement)	-	-	-	-
Transfer to other reserves	597	-	-	597
Transfer from other reserves	(337)	-	-	(337)
Balance at end of the financial year	1,024,673	468,853	539,490	16,330
2030				
Balance at beginning of the financial year	1,024,673	468,853	539,490	16,330
Surplus / (deficit) for the year	7,605	7,605	-	-
Net asset revaluation increment / (decrement)	-	-	-	-
Transfer to other reserves	598	-	-	598
Transfer from other reserves	(337)	-	-	(337)
Balance at end of the financial year	1,032,539	476,458	539,490	16,591
2031				
Balance at beginning of the financial year	1,032,539	476,458	539,490	16,591
Surplus / (deficit) for the year	7,104	7,104	-	-
Net asset revaluation increment / (decrement)	-	-	-	-
Transfer to other reserves	600	-	-	600
Transfer from other reserves	(337)	-	-	(337)
Balance at end of the financial year	1,039,906	483,562	539,490	16,854
2032				
Balance at beginning of the financial year	1,039,906	483,562	539,490	16,854
Surplus / (deficit) for the year	7,718	7,718	-	-
Net asset revaluation increment / (decrement)	-	-	-	-
Transfer to other reserves	601	-	-	601
Transfer from other reserves	(337)	-	-	(337)
Balance at end of the financial year	1,047,888	491,280	539,490	17,118

Statement Cash Flows

For the five years ending 30 June 2027

* Balances at the end of the financial year may be subject to rounding differences.

Notes	Forecast	Budget	Projections			
	Budget	2022-23	2023-24	2024-25	2025-26	2026-27
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
	Inflows / (Outflows)					
Cash flows from operating activities						
Rates and charges	75,095	74,701	76,584	78,473	80,338	82,251
Statutory fees and fines	1,967	2,069	2,053	2,103	2,150	2,198
User fees	16,334	17,628	17,947	18,328	18,827	19,320
Grants - operating	4,954	4,863	5,413	5,538	5,661	5,793
Grants - capital	9,602	284	2,167	2,121	1,981	2,063
Contributions - monetary	2,184	134	136	139	142	146
Interest received	171	150	152	153	155	157
Dividends received	-	-	-	-	-	-
Trust funds and deposits taken	-	-	-	-	-	-
Other receipts	866	830	847	866	885	905
Net GST refund / payment	-	-	-	-	-	-
Employee costs	(36,658)	(38,406)	(38,975)	(39,851)	(40,745)	(41,837)
Materials and services	(51,808)	(47,679)	(43,499)	(44,355)	(46,153)	(47,090)
Trust funds and deposits repaid	-	-	-	-	-	-
Other payments	(6,831)	(6,064)	(6,186)	(6,325)	(6,467)	(6,613)
Net cash provided by / (used in) operating activities	4.4.1 15,876	8,509	16,639	17,190	16,774	17,293
Cash flows from investing activities						
Payments for property, infrastructure, plant and equipment	(50,069)	(13,590)	(15,195)	(13,208)	(13,700)	(14,283)
Proceeds from sale of property, infrastructure, plant and equipment	5,963	839	280	205	335	365
Payments for investments	-	-	-	-	-	-
Proceeds from sale of investments	-	-	-	-	-	-
Loan and advances made	-	-	-	-	-	-
Payments of loans and advances	-	-	-	-	-	-
Net cash provided by / (used in) investing activities	4.4.2 (44,106)	(12,751)	(14,915)	(13,003)	(13,365)	(13,918)
Cash flows from financing activities						
Finance costs	(560)	(583)	(497)	(422)	(343)	(259)
Proceeds from borrowings	7,000	-	-	-	-	-
Repayment of borrowings	(3,462)	(3,407)	(1,941)	(2,009)	(2,082)	(2,136)
Interest paid - lease liability	(18)	(19)	(20)	(20)	(21)	(21)
Repayment of lease liabilities	(370)	(386)	(394)	(403)	(412)	(421)
Net cash provided by / (used in) financing activities	4.4.3 2,590	(4,395)	(2,852)	(2,854)	(2,858)	(2,837)
Net increase / (decrease) in cash & cash equivalents	(25,640)	(8,638)	(1,128)	1,333	551	538
Cash and cash equivalents at the beginning of the financial year	48,478	22,838	14,200	13,072	14,405	14,956
Cash and cash equivalents at the end of the financial year	22,838	14,200	13,072	14,405	14,956	15,494

Statement of Cash Flows Forward Estimates

For the five years ending 30 June 2032

* Balances at the end of the financial year may be subject to rounding differences.

	Forward Estimates				
	2027-28 \$'000	2028-29 \$'000	2029-30 \$'000	2030-31 \$'000	2031-32 \$'000
	Inflows / (Outflows)				
Cash flows from operating activities					
Rates and charges	84,236	86,267	87,628	88,850	91,017
Statutory fees and fines	2,247	2,298	2,352	2,405	2,456
User fees	19,663	20,096	20,540	21,002	21,472
Grants - operating	5,924	6,056	6,195	6,335	6,475
Grants - capital	2,112	2,139	2,183	2,256	2,301
Contributions - monetary	149	152	156	159	163
Interest received	159	162	165	169	172
Dividends received	-	-	-	-	-
Trust funds and deposits taken	-	-	-	-	-
Other receipts	926	947	968	989	1,012
Net GST refund / payment	-	-	-	-	-
Employee costs	(42,956)	(44,105)	(45,284)	(46,494)	(47,538)
Materials and services	(44,603)	(45,591)	(46,599)	(47,634)	(48,693)
Trust funds and deposits repaid	-	-	-	-	-
Other payments	(6,762)	(6,915)	(7,069)	(7,228)	(7,392)
Net cash provided by / (used in) operating activities	21,095	21,505	21,235	20,809	21,446
Cash flows from investing activities					
Payments for property, infrastructure, plant and equipment	(14,590)	(15,045)	(15,760)	(16,278)	(16,791)
Proceeds from sale of property, infrastructure, plant and equipment	134	80	270	230	205
Payments for investments	-	-	-	-	-
Proceeds from sale of investments	-	-	-	-	-
Loan and advances made	-	-	-	-	-
Payments of loans and advances	-	-	-	-	-
Net cash provided by / (used in) investing activities	(14,456)	(14,965)	(15,490)	(16,048)	(16,586)
Cash flows from financing activities					
Finance costs	(178)	(107)	(65)	(33)	(7)
Proceeds from borrowings	-	-	-	-	-
Repayment of borrowings	(2,017)	(1,729)	(691)	(717)	(195)
Interest paid - lease liability	(22)	(22)	(23)	(23)	(24)
Repayment of lease liabilities	(431)	(440)	(450)	(460)	(471)
Net cash provided by / (used in) financing activities	(2,648)	(2,298)	(1,229)	(1,233)	(697)
Net increase / (decrease) in cash & cash equivalents	3,991	4,242	4,516	3,528	4,163
Cash and cash equivalents at the beginning of the financial year	15,494	19,485	23,727	28,243	31,771
Cash and cash equivalents at the end of the financial year	19,485	23,727	28,243	31,771	35,934

Statement of Capital Works

For the five years ending 30 June 2027

	Notes	Forecast	Budget	Projections			
		Budget	2022-23	2023-24	2024-25	2025-26	2026-27
		2021-22	2022-23	2023-24	2024-25	2025-26	2026-27
		\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Property							
Land		-	-	-	-	-	-
Land improvements		-	-	-	-	-	-
Total land		-	-	-	-	-	-
Buildings		3,319	1,020	310	470	775	1,325
Heritage buildings		-	-	-	-	-	-
Building improvements		-	-	-	-	-	-
Leasehold improvements		-	-	-	-	-	-
Total buildings		3,319	1,020	310	470	775	1,325
Total property		3,319	1,020	310	470	775	1,325
Plant and equipment							
Heritage plant and equipment		-	-	-	-	-	-
Plant, machinery and equipment		1,005	1,584	1,589	1,125	1,200	1,230
Fixtures, fittings and furniture		132	300	240	335	295	295
Computers and telecommunications		-	-	-	-	-	-
Library books		-	-	-	-	-	-
Total plant and equipment		1,137	1,884	1,829	1,460	1,495	1,525
Infrastructure							
Roads		8,865	2,191	2,756	2,719	3,224	3,089
Bridges		379	150	100	175	200	400
Footpaths and cycleways		1,947	760	730	775	850	850
Drainage		723	650	350	660	750	750
Recreational, leisure and community facilities		24,449	3,977	4,731	3,970	4,125	4,365
Waste management		6,310	2,026	2,579	-	-	-
Parks, open space and streetscapes		1,859	310	310	695	702	547
Aerodromes		-	-	-	-	-	-
Off street car parks		-	-	-	-	-	-
Other infrastructure		5,337	1,277	1,739	2,802	2,105	1,965
Total infrastructure		49,869	11,341	13,295	11,796	11,956	11,966
Total capital works expenditure	4.5.1	54,325	14,245	15,434	13,726	14,226	14,816
Represented by:							
New asset expenditure		15,093	864	625	240	415	690
Asset renewal expenditure		7,101	9,842	10,400	8,545	8,676	8,736
Asset expansion expenditure		2,394	889	1,179	760	795	795
Asset upgrade expenditure		29,737	2,650	3,230	4,181	4,340	4,595
Total capital works expenditure	4.5.1	54,325	14,245	15,434	13,726	14,226	14,816
Funding sources represented by:							
Grants		18,943	2,242	2,184	2,134	2,004	2,064
Contributions		1,821	-	-	-	-	-
Council cash		26,561	12,003	13,250	11,592	12,222	12,752
Borrowings		7,000	-	-	-	-	-
Total capital works expenditure	4.5.1	54,325	14,245	15,434	13,726	14,226	14,816

Statement of Capital Works Forward Estimates
For the five years ending 30 June 2032

	Forward Estimates				
	2027-28 \$'000	2028-29 \$'000	2029-30 \$'000	2030-31 \$'000	2031-32 \$'000
Property					
Land	-	-	-	-	-
Land improvements	-	-	-	-	-
Total land	-	-	-	-	-
Buildings	1,325	595	615	690	720
Heritage buildings	-	-	-	-	-
Building improvements	-	-	-	-	-
Leasehold improvements	-	-	-	-	-
Total buildings	1,325	595	615	690	720
Total property	1,325	595	615	690	720
Plant and equipment					
Heritage plant and equipment	-	-	-	-	-
Plant, machinery and equipment	814	665	1,545	1,155	1,265
Fixtures, fittings and furniture	350	370	395	410	425
Computers and telecommunications	-	-	-	-	-
Library books	-	-	-	-	-
Total plant and equipment	1,164	1,035	1,940	1,565	1,690
Infrastructure					
Roads	3,289	3,469	3,609	3,639	3,529
Bridges	200	210	220	230	250
Footpaths and cycleways	1,000	1,040	1,090	1,140	1,180
Drainage	825	860	875	915	950
Recreational, leisure and community facilities	4,775	4,450	4,605	4,850	5,095
Waste management	-	-	-	-	-
Parks, open space and streetscapes	630	500	515	540	570
Aerodromes	-	-	-	-	-
Off street car parks	-	-	-	-	-
Other infrastructure	1,927	3,452	2,872	3,302	3,412
Total infrastructure	12,646	13,981	13,786	14,616	14,986
Total capital works expenditure	15,135	15,611	16,341	16,871	17,396
Represented by:					
New asset expenditure	500	-	-	-	-
Asset renewal expenditure	9,069	10,035	10,895	11,053	11,305
Asset expansion expenditure	950	990	1,040	975	1,020
Asset upgrade expenditure	4,616	4,586	4,406	4,844	5,071
Total capital works expenditure	15,135	15,611	16,341	16,872	17,396
Funding sources represented by:					
Grants	2,114	2,144	2,184	2,254	2,304
Contributions	-	-	-	-	-
Council cash	13,021	13,467	14,157	14,617	15,092
Borrowings	-	-	-	-	-
Total capital works expenditure	15,135	15,611	16,341	16,871	17,396

Statement of Human Resources

For the five years ending 30 June 2027

	Forecast	Budget	Projections			
	Budget	2022-23	2023-24	2024-25	2025-26	2026-27
	2021-22	\$'000	\$'000	\$'000	\$'000	\$'000
Staff expenditure						
Employee costs - operating	35,940	37,455	38,204	38,968	39,748	40,543
Total staff expenditure	35,940	37,455	38,204	38,968	39,748	40,543
Staff numbers						
Permanent EFT numbers	314.43	320.24	320.24	320.24	320.24	320.24
Limited tenures	7.16	5.36	8.00	6.00	4.00	4.00
Total staff numbers	321.59	325.60	328.24	326.24	324.24	324.24

Statement of Human Resources Forward Estimates

For the five years ending 30 June 2032

	Forward Estimates				
	2027-28	2028-29	2029-30	2030-31	2031-32
	\$'000	\$'000	\$'000	\$'000	\$'000
Staff expenditure					
Employee costs - operating	41,353	42,181	43,024	43,885	44,762
Total staff expenditure	41,353	42,181	43,024	43,885	44,762
Staff numbers					
Permanent EFT numbers	320.24	320.24	320.24	320.24	320.24
Limited tenures	4.00	4.00	4.00	4.00	4.00
Total staff numbers	324.24	324.24	324.24	324.24	324.24

A summary of human resources expenditure categorised according to the organisational structure of Council is included below:

Directorate	Budget 2022-23 \$'000	Composition			
		Permanent		Casual	Temp
		Full time \$'000	Part time \$'000	\$'000	\$'000
Operations and Infrastructure	13,868	12,041	1,504	-	323
Planning and Community Safety	7,831	6,546	1,285	-	-
Community Services	6,623	3,094	3,185	-	344
Corporate Services	6,392	5,870	522	-	-
Governance, Communications and Engagement	2,741	2,461	280	-	-
Total expenditure	37,455	30,012	6,776	-	667

A summary of the number of full time equivalent (FTE) Council staff in relation to the above expenditure is included below:

Directorate	Budget 2022-23	Composition		
		Permanent		Temp
		Full time	Part time	
Operations and Infrastructure	128.10	110.45	15.65	2.00
Planning and Community Safety	70.54	55.60	14.94	-
Community Services	57.04	24.60	29.08	3.36
Corporate Services	47.65	43.00	4.65	-
Governance, Communications and Engagement	22.27	19.00	3.27	-
Total staff	325.60	252.65	67.59	5.36

Summary of Planned Human Resources Expenditure
For the five years ending 30 June 2027

	Budget	Projections			
	2022-23 \$'000	2023-24 \$'000	2024-25 \$'000	2025-26 \$'000	2026-27 \$'000
Operations and Infrastructure					
Permanent - Full time	12,018	12,258	12,534	12,816	13,104
Female	2,873	2,930	2,996	3,063	3,132
Male	9,145	9,328	9,538	9,753	9,972
Self-described gender	-	-	-	-	-
Permanent - Part time	1,527	1,558	1,593	1,629	1,666
Female	1,203	1,228	1,256	1,284	1,313
Male	324	330	337	345	353
Self-described gender	-	-	-	-	-
Total Operations and Infrastructure	13,545	13,816	14,127	14,445	14,770
Planning and Community Safety					
Permanent - Full time	6,537	6,667	6,817	6,970	7,127
Female	3,499	3,569	3,649	3,731	3,815
Male	3,038	3,098	3,168	3,239	3,312
Self-described gender	-	-	-	-	-
Permanent - Part time	1,294	1,320	1,349	1,380	1,411
Female	797	813	831	850	869
Male	497	507	518	530	542
Self-described gender	-	-	-	-	-
Total Planning and Community Safety	7,831	7,987	8,166	8,350	8,538
Community Services					
Permanent - Full time	3,094	3,156	3,227	3,299	3,374
Female	2,737	2,791	2,854	2,918	2,984
Male	358	365	373	381	390
Self-described gender	-	-	-	-	-
Permanent - Part time	3,185	3,249	3,322	3,397	3,473
Female	2,926	2,985	3,052	3,121	3,191
Male	259	264	270	276	282
Self-described gender	-	-	-	-	-
Total Community Services	6,279	6,405	6,549	6,696	6,847
Corporate Services					
Permanent - Full time	5,870	5,988	6,123	6,261	6,402
Female	2,421	2,469	2,525	2,582	2,640
Male	3,450	3,519	3,598	3,679	3,762
Self-described gender	-	-	-	-	-
Permanent - Part time	521	532	544	556	569
Female	521	532	544	556	569
Male	-	-	-	-	-
Self-described gender	-	-	-	-	-
Total Corporate Services	6,391	6,520	6,667	6,817	6,971
Governance, Communications and Engagement					
Permanent - Full time	2,452	2,501	2,557	2,614	2,673
Female	2,179	2,223	2,273	2,324	2,376
Male	273	278	284	290	297
Self-described gender	-	-	-	-	-
Permanent - Part time	289	295	302	310	318
Female	289	295	302	309	316
Male	-	-	-	-	-
Self-described gender	-	-	-	-	-
Total Governance, Communications and Engagement	2,741	2,796	2,859	2,924	2,991

Summary of Planned Human Resources Expenditure
For the five years ending 30 June 2032

	Forward Estimates				
	2027-28 \$'000	2028-29 \$'000	2029-30 \$'000	2030-31 \$'000	2031-32 \$'000
Operations and Infrastructure					
Permanent - Full time	13,398	13,699	14,008	14,323	14,645
Female	3,202	3,274	3,348	3,423	3,500
Male	10,196	10,425	10,660	10,900	11,145
Self-described gender	-	-	-	-	-
Permanent - Part time	1,704	1,742	1,781	1,821	1,862
Female	1,343	1,373	1,404	1,436	1,468
Male	361	369	377	385	394
Self-described gender	-	-	-	-	-
Total Operations and Infrastructure	15,102	15,441	15,789	16,144	16,507
Planning and Community Safety					
Permanent - Full time	7,288	7,452	7,620	7,792	7,967
Female	3,901	3,989	4,079	4,171	4,265
Male	3,387	3,463	3,541	3,621	3,702
Self-described gender	-	-	-	-	-
Permanent - Part time	1,443	1,475	1,508	1,542	1,576
Female	889	909	929	950	971
Male	554	566	579	592	605
Self-described gender	-	-	-	-	-
Total Planning and Community Safety	8,731	8,927	9,128	9,334	9,543
Community Services					
Permanent - Full time	3,450	3,528	3,607	3,688	3,771
Female	3,051	3,120	3,190	3,262	3,335
Male	399	408	417	426	436
Self-described gender	-	-	-	-	-
Permanent - Part time	3,551	3,630	3,712	3,796	3,881
Female	3,263	3,336	3,411	3,488	3,566
Male	288	294	301	308	315
Self-described gender	-	-	-	-	-
Total Community Services	7,001	7,158	7,319	7,484	7,652
Corporate Services					
Permanent - Full time	6,546	6,694	6,845	6,999	7,157
Female	2,699	2,760	2,822	2,885	2,950
Male	3,847	3,934	4,023	4,114	4,207
Self-described gender	-	-	-	-	-
Permanent - Part time	582	595	608	622	636
Female	582	595	608	622	636
Male	-	-	-	-	-
Self-described gender	-	-	-	-	-
Total Corporate Services	7,128	7,289	7,453	7,621	7,793
Governance, Communications and Engagement					
Permanent - Full time	2,733	2,795	2,858	2,922	2,987
Female	2,429	2,484	2,540	2,597	2,655
Male	304	311	318	325	332
Self-described gender	-	-	-	-	-
Permanent - Part time	323	330	337	345	353
Female	323	330	337	345	353
Male	-	-	-	-	-
Self-described gender	-	-	-	-	-
Total Governance, Communications and Engagement	3,056	3,125	3,195	3,267	3,340

Summary of Planned Human Resources Expenditure
For the five years ending 30 June 2027

	Budget	Projections			
	2022-23 FTE	2023-24 FTE	2024-25 FTE	2025-26 FTE	2026-27 FTE
Operations and Infrastructure					
Permanent - Full time	110.45	110.45	110.45	110.45	110.45
Female	24.45	24.45	24.45	24.45	24.45
Male	86.00	86.00	86.00	86.00	86.00
Self-described gender	-	-	-	-	-
Permanent - Part time	15.65	15.65	15.65	15.65	15.65
Female	12.39	12.39	12.39	12.39	12.39
Male	3.26	3.26	3.26	3.26	3.26
Self-described gender	-	-	-	-	-
Total Operations and Infrastructure	126.10	126.10	126.10	126.10	126.10
Planning and Community Safety					
Permanent - Full time	55.60	55.60	55.60	55.60	55.60
Female	29.60	29.60	29.60	29.60	29.60
Male	26.00	26.00	26.00	26.00	26.00
Self-described gender	-	-	-	-	-
Permanent - Part time	14.94	14.94	14.94	14.94	14.94
Female	9.11	9.11	9.11	9.11	9.11
Male	5.83	5.83	5.83	5.83	5.83
Self-described gender	-	-	-	-	-
Total Planning and Community Safety	70.54	70.54	70.54	70.54	70.54
Community Services					
Permanent - Full time	24.60	24.60	24.60	24.60	24.60
Female	21.60	21.60	21.60	21.60	21.60
Male	3.00	3.00	3.00	3.00	3.00
Self-described gender	-	-	-	-	-
Permanent - Part time	29.08	29.08	29.08	29.08	29.08
Female	26.78	26.78	26.78	26.78	26.78
Male	2.30	2.30	2.30	2.30	2.30
Self-described gender	-	-	-	-	-
Total Community Services	53.68	53.68	53.68	53.68	53.68
Corporate Services					
Permanent - Full time	43.00	43.00	43.00	43.00	43.00
Female	21.00	21.00	21.00	21.00	21.00
Male	22.00	22.00	22.00	22.00	22.00
Self-described gender	-	-	-	-	-
Permanent - Part time	4.65	4.65	4.65	4.65	4.65
Female	4.65	4.65	4.65	4.65	4.65
Male	-	-	-	-	-
Self-described gender	-	-	-	-	-
Total Corporate Services	47.65	47.65	47.65	47.65	47.65
Governance, Communications and Engagement					
Permanent - Full time	19.00	19.00	19.00	19.00	19.00
Female	17.00	17.00	17.00	17.00	17.00
Male	2.00	2.00	2.00	2.00	2.00
Self-described gender	-	-	-	-	-
Permanent - Part time	3.27	3.27	3.27	3.27	3.27
Female	3.27	3.27	3.27	3.27	3.27
Male	-	-	-	-	-
Self-described gender	-	-	-	-	-
Total Governance, Communications and Engagement	22.27	22.27	22.27	22.27	22.27

Summary of Planned Human Resources Expenditure
For the five years ending 30 June 2032

	Forward Estimates				
	2027-28 FTE	2028-29 FTE	2029-30 FTE	2030-31 FTE	2031-32 FTE
Operations and Infrastructure					
Permanent - Full time	110.45	110.45	110.45	110.45	110.45
Female	24.45	24.45	24.45	24.45	24.45
Male	86.00	86.00	86.00	86.00	86.00
Self-described gender	-	-	-	-	-
Permanent - Part time	15.65	15.65	15.65	15.65	15.65
Female	12.39	12.39	12.39	12.39	12.39
Male	3.26	3.26	3.26	3.26	3.26
Self-described gender	-	-	-	-	-
Total Operations and Infrastructure	126.10	126.10	126.10	126.10	126.10
Planning and Community Safety					
Permanent - Full time	55.60	55.60	55.60	55.60	55.60
Female	29.60	29.60	29.60	29.60	29.60
Male	26.00	26.00	26.00	26.00	26.00
Self-described gender	-	-	-	-	-
Permanent - Part time	14.94	14.94	14.94	14.94	14.94
Female	9.11	9.11	9.11	9.11	9.11
Male	5.83	5.83	5.83	5.83	5.83
Self-described gender	-	-	-	-	-
Total Planning and Community Safety	70.54	70.54	70.54	70.54	70.54
Community Services					
Permanent - Full time	24.60	24.60	24.60	24.60	24.60
Female	21.60	21.60	21.60	21.60	21.60
Male	3.00	3.00	3.00	3.00	3.00
Self-described gender	-	-	-	-	-
Permanent - Part time	29.08	29.08	29.08	29.08	29.08
Female	26.78	26.78	26.78	26.78	26.78
Male	2.30	2.30	2.30	2.30	2.30
Self-described gender	-	-	-	-	-
Total Community Services	53.68	53.68	53.68	53.68	53.68
Corporate Services					
Permanent - Full time	43.00	43.00	43.00	43.00	43.00
Female	21.00	21.00	21.00	21.00	21.00
Male	22.00	22.00	22.00	22.00	22.00
Self-described gender	-	-	-	-	-
Permanent - Part time	4.65	4.65	4.65	4.65	4.65
Female	4.65	4.65	4.65	4.65	4.65
Male	-	-	-	-	-
Self-described gender	-	-	-	-	-
Total Corporate Services	47.65	47.65	47.65	47.65	47.65
Governance, Communications and Engagement					
Permanent - Full time	19.00	19.00	19.00	19.00	19.00
Female	17.00	17.00	17.00	17.00	17.00
Male	2.00	2.00	2.00	2.00	2.00
Self-described gender	-	-	-	-	-
Permanent - Part time	3.27	3.27	3.27	3.27	3.27
Female	3.27	3.27	3.27	3.27	3.27
Male	-	-	-	-	-
Self-described gender	-	-	-	-	-
Total Governance, Communications and Engagement	22.27	22.27	22.27	22.27	22.27

4. Notes to the financial statements

This section presents detailed information on material components of the financial statements. Council needs to assess which components are material, considering the dollar amounts and nature of these components.

4.1 Comprehensive Income Statement

4.1.1 Rates and charges

Rates and charges are required by the Act and the Regulations to be disclosed in Council's Annual Budget.

As per the Act, Council is required to have a Revenue and Rating Plan which is a four year plan for how Council will generate income to deliver the Council Plan, program and services and capital works commitments over a four-year period.

In developing the Budget, rates and charges were identified as an important source of revenue. Planning for future rate increases has therefore been an important component of the financial planning process. The Fair Go Rates System (FGRS) sets out the maximum amount councils may increase rates in a year. For 2022-2023 the FGRS cap has been set at 1.75 percent. The cap applies to general rates and is calculated on the basis of council's average rates and charges.

The level of required rates and charges has been considered in this context, with reference to Council's other sources of income and the planned expenditure on services and works to be undertaken for the community.

To achieve these objectives while maintaining service levels and a strong capital expenditure program, there will be a 1.75 percent rate cap applied to the average general rate.

Rates and charges are due on a quarterly instalment basis. The due dates for the 2022-2023 financial year will be:

- 30 September 2022,
- 30 November 2022,
- 28 February 2023 and
- 31 May 2023

(if any of these dates fall on a weekend, the due date will be the following Monday).

This will raise total rates and charges for 2022-2023 to \$73.87 million.

4.1.1 (a) The reconciliation of the total rates and charges to the Comprehensive Income Statement is as follows:

	Forecast	Budget	Change	
	2021-22	2022-23	\$'000	%
	\$'000	\$'000	\$'000	%
General rates	58,883	60,120	1,237	2.10
Waste management charge	10,771	13,167	2,396	22.24
Special rates and charges	279	295	16	5.73
Interest on rates and charges	234	284	50	21.25
Total rates and charges	70,167	73,866	3,699	5.27

4.1.1 (b) The rate in the dollar to be levied as general rates under section 158 of the Act for each type or class of land compared with the previous financial year:

Type or class of land	2021-22	2022-23	Change %
	Rate in Dollar	Rate in Dollar	
General	0.002718	0.002441	(10.19)
Farm Land	0.002310	0.002075	(10.17)
Commercial/Industrial	0.003153	0.002832	(10.18)
Vacant Land - Residential and Specified Low Density Residential Zones	0.004031	0.003662	(9.15)
Cultural and Recreational Land	0.001060	0.000952	(10.19)

4.1.1 (c) The estimated total amount to be raised by general rates in relation to each type or class of land, compared with the previous financial year:

Type or class of land	2021-22	2022-23	Change	
	\$'000	\$'000	\$'000	%
General	54,319	56,328	2,009	3.70
Farm Land	623	508	(115)	(18.46)
Commercial/Industrial	2,755	2,580	(175)	(6.35)
Vacant Land - Residential and Specified Low Density Residential Zones	1,079	776	(303)	(28.08)
Cultural and Recreational Land	4	4	-	-
Total amount to be raised by general rates	58,780	60,196	1,416	2.41

4.1.1 (d) The number of assessments in relation to each type or class of land, compared with the previous financial year:

Type or class of land	2021-22	2022-23	Change	
	Number	Number	Number	%
Residential	22,314	22,623	309	1.38
Farm Land	169	140	(29)	(17.16)
Commercial / Industrial	1,003	1,003	-	-
Vacant Land - Residential and Specified Low Density Residential Zones	484	319	(165)	(34.09)
Cultural and Recreational Land	2	2	-	-
Total number of assessments	23,972	24,087	115	0.48

The movement in the number of assessments has been primarily driven by the growth in rateable properties occurring across the Shire.

4.1.1 (e) The basis of valuation to be used is the Capital Improved Value (CIV), this is in compliance with the Fair Go Rates System and the Local Government Act.

4.1.1 (f) The estimated total value of each type or class of land, and the estimated total value of land, compared with the previous financial year:

Type or class of land	2021-22	2022-23	Change	
	\$'000	\$'000	\$'000	%
Residential	19,984,620	23,075,713	3,091,093	15.47
Farm Land	269,810	244,975	(24,835)	(9.20)
Commercial / Industrial	873,767	911,015	37,248	4.26
Vacant Land - Residential and Specified Low Density Residential Zones	267,775	211,940	(55,835)	(20.85)
Cultural and Recreational Land	4,075	4,350	275	6.75
Total value of land	21,400,047	24,447,993	3,047,946	14.24

4.1.1 (g) The rate or unit amount to be levied for each type of service rate or charge under Section 162 of the Act compared with the previous financial year per rateable property:

Type of Charge	2021-22	2022-23	Change	
	\$	\$	\$	%
Waste Management - Standard service	477.73	582.73	105.00	21.98
Waste Management - 80 litre landfill bin	382.18	466.18	84.00	21.98
Waste Management - 2 x 120 litre landfill bin	668.82	815.82	147.00	21.98
Waste Management - 140 litre landfill bin	525.50	641.00	115.50	21.98
Waste Management - 120 litre landfill bin – weekly collection	859.91	1,048.91	189.00	21.98
Waste Management - Elderly persons units - bin	119.43	145.68	26.25	21.98

Council has proposed to increase the domestic waste service standard charge by 21.98%.

4.1.1 (h) The estimated total amount to be raised by each type of service rate or charge, compared with the previous financial year:

Type of Charge	2021-22	2022-23	Change	
	\$	\$	\$	%
Waste Management - Residential - Standard Service	8,992,790	10,856,260	1,863,470	20.72
Waste Management - Residential - 80 Litre Red Bins	203,702	258,264	54,562	26.79
Waste Management - Residential - 2 Red Bins	1,195,850	1,568,006	372,156	31.12
Waste Management - Residential - 140 L (Fortnightly Garbage)	263,276	394,856	131,580	49.98
Waste Management - Residential - 120L (Weekly Garbage)	52,455	76,570	24,115	45.97
Waste Management - Elderly Persons Units - Bin	10,988	13,403	2,415	21.98

The movement in the projected income is reflective of the movement in assessments.

4.1.1 (i) The estimated total amount to be raised by all rates and charges compared with the previous financial year:

	2021-22	2022-23	Change	
	\$	\$	\$	%
General rates	58,780,166	60,196,396	1,416,230	2.41
Service charges	10,719,059	13,167,359	2,448,300	22.84
Total Rates and charges	69,499,225	73,363,755	3,864,530	5.56

The above table only includes rates and charges generated and excludes any applicable rebates and special rates.

4.1.1 (j) Fair Go Rates System (FGRS) Compliance

Nillumbik Shire Council is fully compliant with the State Government's Fair Go Rates System

	2021-22	2022-23
Number of rateable properties	23,970	24,085
Base Average Rates	\$2,415.71	\$2,456.53
Maximum Rate Increase (set by the State Government)	1.50%	1.75%
Council Rate Cap Applied	1.50%	1.75%
Capped Average Rate based on Council rate cap	\$2,452.06	\$2,499.16
Budgeted General Rates Revenue subject to FGRS	\$ 58,775,847	\$ 60,192,255

4.1.1 (k) Any significant changes that may affect the estimated amounts to be raised by rates and charges:

There are no known significant changes which may affect the estimated amounts to be raised by rates and charges. However, the total amount to be raised by rates and charges may be affected by:

- The making of supplementary valuations;
- The variation of returned levels of value (e.g. valuation appeals);
- Changes of use of land such that rateable land becomes non-rateable land and vice versa; and
- Changes of use of land such that residential land becomes business land.

4.1.1 (l) Differential rates

Rates to be levied

The rate and amount of rates payable in relation to land in each category of differential are:

- A general rate of 0.2441 percent (0.2441 cents in the dollar of CIV) for all rateable residential properties and ordinary vacant land;
- A general rate of 0.2075 percent (0.2075 cents in the dollar of CIV) for all rateable farm land properties;
- A general rate of 0.2832 percent (0.2832 cents in the dollar of CIV) for all rateable commercial and industrial properties;
- A general rate of 0.3662 percent (0.3662 cents in the dollar of CIV) for all rateable vacant land - residential and specified low density residential zones; and
- A general rate of 0.0952 percent (0.0952 cents in the dollar of CIV) for all rateable cultural and recreational properties.

Each differential rate will be determined by multiplying the Capital Improved Value (CIV) of each rateable land (categorised by the characteristics described below) by the relevant percentages indicated above.

Council considers that each differential rate will contribute to the equitable and efficient carrying out of Council functions. Details of the objectives of each differential rate, the types of classes of land, which are subject to each differential rate and the uses of each differential rate, are set out below.

Commercial land - any land used for commercial purposes

Occupied for the principal purpose of carrying out the trade in goods and services.
Unoccupied but zoned commercial under the State Planning Scheme.

Industrial – any land used for industrial purposes

Occupied for the principal purpose of carrying out the manufacture or production of goods and services.
Unoccupied but zoned industrial under the State Planning Scheme.

Farm land

Land not less than 2 hectares in area; that is used primarily for grazing (including agistment), dairying, pig-farming, poultry-farming, tree farming, bee-keeping, viticulture, horticulture, fruit-growing or the growing of crops of any kind or for any combination of those activities; that is used by a business.

Land that has a significant and substantial commercial purpose or character; and that seeks to make a profit on a continuous or repetitive basis from its activities on the land; and that is making a profit from its activities on the land, or that has a reasonable prospect of making a profit from its activities on the land if it continues to operate in the way that it is operating.

Farm land with Sustainable Agriculture Rebate land

Used by the applicant for a single farm enterprise must comprise and aggregate of a minimum 30 hectares;
The property in respect of which the rebate is sought is classified as Farm Land; the applicant shall satisfy detailed criteria relating to sustainable farming practices and land care principles as developed by Council.

Other land

Unoccupied land which is not farm land, commercial/industrial land or vacant land - residential and specified low density residential zones.

Vacant Land - Residential and Specified Low Density Residential Zones

General Residential / Activity Centre Zone / Neighbourhood Residential Zones and Low Density Residential Zones (LDRZ) to which Development Planning Overlay 4 applies, on which no habitable dwelling exists.

Lots greater than 8,000 square metres in the Plenty LDRZ are excluded.

This is a higher differential to encourage construction of new dwellings in preferred locations across the Shire.

Rateable land under this definition includes Vic Roads land that is not used for transport or for residential properties.

On submission of a valid building or planning permit for a dwelling or occupiable building/s, the property rate type will revert to the general rate.

Cultural and Recreational Land

Council is required to determine an amount payable as rates in respect to recreational lands.

Recreational lands are described as lands which are:

- Vested in or occupied by any body corporate or unincorporate which exists for the purpose of providing or promoting cultural or sporting recreational facilities or objectives.
- Which applies its profits in promoting its objectives and prohibits the payment of dividend or amount to members used for outdoor sporting recreational or cultural purposes or similar outdoor activities.

4.1.2 Statutory fees and fines

	Forecast	Budget	Change	
	2021-22	2022-23	\$'000	%
	\$'000	\$'000	\$'000	%
Animal infringements	60	73	13	20.93
Infringements & costs	461	556	95	20.61
PERIN court recoveries	20	20	-	-
Town planning fees	1,000	1,124	124	12.40
Building fees	220	250	30	13.64
Total statutory fees and fines	1,761	2,023	262	14.88

Statutory fees and fines (\$0.26 million increase)

Statutory fees relate mainly to fees and fines levied in accordance with legislation and include animal registrations, *Public Health and Wellbeing Act 2008* registrations and parking fines.

A detailed listing of statutory fees is included in Appendix 1.

4.1.3 User fees

	Forecast	Budget	Change	
	2021-22	2022-23	\$'000	%
	\$'000	\$'000	\$'000	%
Adult education	170	218	48	28.47
Building services	153	200	47	30.72
Child care/children's programs	259	389	130	50.19
Edendale farm	248	310	62	24.84
Environmental health	247	250	3	1.21
Hall & sports ground hire	316	392	76	24.05
Leisure centre and recreation	12,895	13,839	944	7.32
Pound release	20	37	17	85.00
Registration fees	800	823	23	2.93
Subdivision supervision	241	256	15	6.22
Waste management services	543	643	100	18.42
Other fees and charges	236	225	(11)	(4.66)
Total user fees	16,128	17,582	1,454	9.02

User fees (\$1.45 million increase)

User charges relate mainly to the recovery of service delivery costs through the charging of fees to users of Council's services. These include use of leisure and other community facilities and the provision of human services such as family day care and home help services. In setting the Budget, the key principle for determining the level of user charges has been to ensure that increases are generally consistent with cost increases.

Revenue generated from user charges has increased driven by the increase in charges as listed in **Appendix 1 - Nillumbik Shire Council 2022-2023 Fees and Charges**. There is an overall projected increase in revenue generated by 9.02 percent, driven by a change in facility related contracts.

4.1.4 Grants

Grants are required by the Act and the Regulations to be disclosed in Council's annual budget.

	Forecast 2021-22 \$'000	Budget 2022-23 \$'000	Change	
			\$'000	%
Grants were received in respect of the following:				
Summary of grants:				
Commonwealth funded grants	2,339	3,651	1,312	56.09
State funded grants	23,738	3,909	(19,829)	(83.53)
Total grants received	26,077	7,560	(18,517)	(71.01)
(a) Operating Grants				
Recurrent - Commonwealth Government				
Aged care	355	300	(55)	(15.49)
Family and children	254	220	(34)	(13.39)
Financial Assistance Grants	1,730	3,131	1,401	80.98
Recurrent - State Government				
Adult education	443	415	(28)	(6.32)
Aged care	299	-	(299)	(100.00)
Community health	17	17	-	-
Family and children	561	504	(57)	(10.16)
Maternal and child health	496	418	(78)	(15.73)
Recreation	15	18	3	20.00
School crossing supervisors	295	295	-	-
Total recurrent grants	4,465	5,318	853	19.10
Non-recurrent - Commonwealth Government				
Environment	62	-	(62)	(100.00)
Non-recurrent - State Government				
Aged Care	16	-	(16)	(100.00)
Corporate Support	263	-	(263)	(100.00)
Emergency Management	526	-	(526)	(100.00)
Environment	402	-	(402)	(100.00)
Family and children	398	-	(398)	(100.00)
Recreation	2	-	(2)	(100.00)
Roads	98	-	(98)	(100.00)
Pandemic response	771	-	(771)	(100.00)
Bushfire recovery	20	-	(20)	(100.00)
Tourism and Business Support	111	-	(111)	(100.00)
Total non-recurrent grants	2,669	-	(2,669)	(100.00)
Total operating grants	7,134	5,318	(1,816)	(25.46)

	Forecast 2021-22 \$'000	Budget 2022-23 \$'000	Change	
			\$'000	%
(b) Capital Grants				
Non-recurrent - Commonwealth Government				
Drainage	175	-	(175)	100.00
Environment	-	19	19	100.00
Other Infrastructure	-	49	49	100.00
Recreational, leisure and community facilities	1,186	1,411	225	100.00
Roads	5,799	738	(5,061)	(87.27)
Non-recurrent - State Government				
Family and children	6	-	(6)	(100.00)
Recreational, leisure and community facilities	10,293	-	(10,293)	(100.00)
Roads	1,193	-	(1,193)	(100.00)
Other infrastructure	291	25	(266)	(91.41)
Total non-recurrent grants(capital)	18,943	2,242	(16,701)	(88.16)
Total capital grants	18,943	2,242	(16,701)	(88.16)
Total Grants	26,077	7,560	(18,517)	(71.01)

Grants - Operating (\$1.82 million decrease)

Operating grants include all monies received from State and Federal sources for the purposes of funding the delivery of Council's services to ratepayers. Overall, the level of operating grants is expected to decrease by 25.46 percent or \$1.82 million. This is mainly due to a large number one-off non-recurrent grants received in 2021-2022.

Grants - Capital (\$18.52 million decrease)

Capital grants include all monies received from State, Federal and community sources for the purposes of funding the capital works program. Overall, the level of capital grants has decreased by 71.01 percent or \$18.52 million mainly due to specific funding for large capital works projects in 2021-2022.

Section 4.5 Capital works program includes further detailed analysis of the grants and contributions expected to be received during the 2022-2023 year.

4.1.5 Contributions

	Forecast 2021-22 \$'000	Budget 2022-23 \$'000	Change	
			\$'000	%
Monetary	2,184	134	(2,050)	(93.86)
Non-monetary	-	-	-	-
Total contributions	2,184	134	(2,050)	(93.86)

Contributions (\$2.05 million decrease)

Contributions relate to monies paid by residents in regard to road construction schemes, developer contributions or monies paid by clubs for other minor capital works.

Contributions are projected to decrease \$2.05 million when compared to the 2021-2022 Budget forecast. This is mainly due to the one off receipt of contributions tied to capital projects in 2021-2022.

4.1.6 Other income

	Forecast	Budget	Change	
	2021-22	2022-23	\$'000	%
	\$'000	\$'000	\$'000	%
Interest on investments	171	150	(21)	(12.28)
Other rent	289	311	22	7.61
Sale of valuations	10	10	-	-
WorkCover insurance recoveries	184	150	(34)	(18.48)
Reimbursements	198	183	(15)	(7.58)
Other	185	176	(9)	(4.86)
Total other income	1,037	980	(57)	(5.50)

Other income (\$57,000 decrease)

Other revenue is showing a slight decrease of 5.5 percent compared to the prior financial year.

4.1.7 Employee costs

	Forecast	Budget	Change	
	2021-22	2022-23	\$'000	%
	\$'000	\$'000	\$'000	%
Casual staff	816	448	(368)	(45.10)
Fringe benefits tax and WorkCover	208	150	(58)	(27.88)
Oncost recoveries	7,192	7,920	728	10.12
Wages and salaries	28,606	30,055	1,449	5.07
Total employee costs	36,822	38,573	1,751	4.76

Employee benefits (\$1.75 million increase)

Employee costs include all labour related expenditure including; wages and salaries and on-costs for both casual employees and permanent employees. Salaries and wages have been increased based on Council's Enterprise Agreement. The superannuation rate has been increased to 10.50 percent to reflect changes in the superannuation guarantee legislation.

4.1.8 Materials and services

	Forecast	Budget	Change	
	2021-22 \$'000	2022-23 \$'000	\$'000	%
Contract payments:				
Audit	227	197	(30)	(13.22)
External labour hire	538	161	(377)	(70.07)
HACC contracts	251	224	(27)	(10.76)
Leisure	12,670	13,170	500	3.95
Other	1,875	1,747	(128)	(6.83)
Valuations	61	55	(6)	(9.84)
Waste services	6,691	7,298	607	9.07
Materials and Services:				
Building maintenance	383	387	4	1.04
Communications	229	224	(5)	(2.18)
Corporate information	49	49	-	-
Corporate support	96	96	-	-
Emergency management	241	246	5	2.07
Fleet operations	897	894	(3)	(0.33)
Insurances	1,325	1,325	-	-
IT & telephone	2,218	2,035	(183)	(8.25)
Materials, maintenance & equip	10,243	7,438	(2,805)	(27.38)
Other	528	556	28	5.30
Planning & building services	14	29	15	107.14
Stationery, printing & postage	414	395	(19)	(4.59)
Subscriptions, Publications & Memberships	231	222	(9)	(3.90)
Utilities	1,100	1,147	47	4.27
Waste services	1,939	2,322	383	19.75
Total materials and services	42,220	40,217	(2,003)	(4.74)

Materials and services (\$2 million decrease)

Materials and services include the purchases of consumables, payments to contractors for the provision of services and utility costs.

4.1.9 Depreciation and amortisation

	Forecast	Budget	Change	
	2021-22 \$'000	2022-23 \$'000	\$'000	%
Property	733	871	138	18.83
Plant & equipment	251	1,608	1,357	540.64
Infrastructure	11,015	9,683	(1,332)	(12.09)
Total depreciation and amortisation	11,999	12,162	163	1.36

Depreciation and amortisation (\$0.16 million increase)

Depreciation is an accounting measure which attempts to allocate the value of Council's property, plant and equipment including infrastructure such as roads and drains assets over their useful life.

4.1.10 Amortisation - Right of use assets

	Forecast	Budget	Change	
	2021-22	2022-23		
	\$'000	\$'000	\$'000	%
Plant & equipment	370	386	16	4.32
Total amortisation - right of use assets	370	386	16	4.32

4.1.11 Other expenses

	Forecast	Budget	Change	
	2021-22	2022-23		
	\$'000	\$'000	\$'000	%
Aged & family services	718	82	(636)	(88.58)
Arts and cultural services	532	522	(10)	(1.88)
Community development	288	142	(146)	(50.69)
Council support	3	3	-	-
Councillors' allowances	265	265	-	-
Economic development	377	393	16	4.24
Environmental works	99	99	-	-
Leisure & education services	19	5	(14)	(73.68)
Library contributions (Yarra Plenty Regional Library)	2,999	3,052	53	1.77
Municipal laws	162	148	(14)	(8.64)
Short-term lease hire	227	238	11	4.85
Other	810	768	(42)	(5.19)
Payment agents & bank fees	182	198	16	8.79
Planning & building	97	97	-	-
Strategic planning	37	38	1	2.70
Youth services	16	14	(2)	(12.50)
Total other expenses	6,831	6,064	(767)	(11.23)

Other expenses (\$0.77 million decrease)

Other expenses are forecast to decrease by 11.23 percent or \$0.77 million. This is mainly as a result of reductions in aged and family services related expenditure.

4.2 Balance Sheet

4.2.1 Assets

Current Assets (\$9.55 million decrease)

Cash and cash equivalents include cash and investments such as cash held in the bank and the value of investments in deposits with short term maturities of twelve months or less.

Trade and other receivables are monies owed to Council primarily by ratepayers. Short and long term debtors are not expected to change significantly and continue to be monitored by Council.

Other assets includes items such as prepayments for expenses, inventories in Council's services and other revenues due to be received in the next 12 months.

The movement is reflective of the draw down of grant monies received for specific purposes.

Non-Current Assets (\$0.62 million increase)

Property, infrastructure, plant and equipment is the largest component of Council's worth and represents the value of all the land, buildings, roads, vehicles and equipment. The increase in this balance is attributable to the net result of the capital works program, and ongoing commitments to maintain and improve community facilities.

4.2.2 Liabilities

Current Liabilities (\$8.25 million decrease)

The decrease is driven by the recognition of unearned grants and contract liabilities under Australian Accounting Standard.

Non Current Liabilities (\$4.21 million decrease)

The decrease in non-current liabilities is mainly due to timing interest-bearing liabilities and provision movements.

4.2.3 Borrowings

The table below shows information on borrowings specifically required by the Regulations.

	2021-22	2022-23
	\$	\$
Amount borrowed as at 30 June of the prior year	13,387	16,925
Amount proposed to be borrowed	7,000	-
Amount projected to be paid	(3,462)	(3,406)
Amount of borrowings as at 30 June	16,925	13,519

4.2.4 Leases by category

As a result of the introduction of AASB 16 Leases, right-of-use assets and lease liabilities have been recognised as outlined in the table below.

	Forecast	Budget
	2021-22	2022-23
	\$'000	\$'000
Right-of-use assets		
Plant and equipment	1,480	1,234
Total right-of-use assets	1,480	1,234
Lease liabilities		
Current lease Liabilities		
Plant and equipment	406	414
Total current lease liabilities	406	414
Non-current lease liabilities		
Plant and equipment	1,075	821
Total non-current lease liabilities	1,075	821
Total lease liabilities	1,481	1,235

Where the interest rate applicable to a lease is not expressed in the lease agreement, Council applies the average incremental borrowing rate in the calculation of lease liabilities.

4.3 Statement of changes in Equity

4.3.1 Reserves

4.3.1 (a) Statutory reserves (\$1.34 million decrease)

These funds must be applied for specified statutory purposes in accordance with various legislative and contractual requirements. The decrease projected is illustrating the use of funds received for specific purposes.

4.3.1 (b) Discretionary reserves (\$0.74 million decrease)

These funds are not tied to a specific purpose. In this case Council has made decisions regarding the future use of these funds and unless there is a Council resolution these funds are to be used for those purposes. The decisions about future use of these funds has been reflected in Council's Budget.

4.3.2 Equity

Equity (\$3.54 million increase)

Total equity must equal net assets and is made up of the following components:

- Asset revaluation reserve which represents the difference between the previously recorded value of assets and their current valuations.
- Other reserves that are funds that Council wishes to separately identify as being set aside to meet a specific purpose in the future and to which there is no existing liability. These amounts are transferred from the Accumulated Surplus of the Council to be separately disclosed.
- Accumulated surplus which is the value of all net assets less reserves that have accumulated over time.

The movement in other reserves reflects the net position of usage of investment cash reserves to partly fund the capital works program or operating project expenditure and additional transfers to reserves from transactions like developer contributions and asset sales.

4.4 Statement of Cash Flows

4.4.1 Net cash flows provided by/used in operating activities (\$7.37 million decrease)

The decrease is driven by one off capital works funding through external contributions received and in materials and services.

4.4.2 Net cash flows provided by/used in investing activities (\$31.36 million decrease)

The overall decrease is a reflection of timing of cash flows associated with the capital works program for the 2022-2023 year. The statement of capital works provides a full detail of projects for the 2022-2023 year.

4.4.3 Net cash flows provided by/used in financing activities (\$6.99 million increase)

This increase is attributable to new loans to be taken in 2021-22 (\$7 million). Council continues to make repayments on existing loans.

4.5 Capital works program

This section presents a listing of the capital works projects that will be undertaken for the 2022-23 year, classified by expenditure type and funding source.

4.5.1 Summary

	Forecast	Budget	Change	
	2021-22	2022-23	\$'000	%
Property	3,319	1,020	(2,299)	(69.27)
Plant and equipment	1,137	1,884	747	65.71
Infrastructure	49,869	11,341	(38,528)	(77.26)
Total	54,325	14,245	(40,080)	(73.78)

* Forecast includes capital works projects carried forward from 2020-2021 - \$30.53 million

4.5.1 (a) Property (\$1.02 million)

The property class comprises buildings and building improvements including community facilities, municipal offices, sports facilities and pavilions.

4.5.1 (b) Plant and equipment (\$1.88 million)

Plant and equipment includes plant, machinery and equipment, computers and telecommunications.

The more significant projects include ongoing cyclical replacement of the plant and vehicle fleet (\$1.58 million).

4.5.1 (c) Infrastructure (\$11.34 million)

Infrastructure includes roads, bridges, footpaths and cycleways, drainage, recreation, leisure and community facilities, parks, open space and streetscapes, off street car parks and other structures.

For the 2022-2023 year, \$2.19 million will be expended on road projects. The more significant projects include:

- Road and carpark renewal (\$1.85 million);
- Road safety (\$0.34 million);

\$3.98 million will be expended on recreational, leisure and community facilities, key projects being:

- Buildings renewal (including public toilets) (\$2.2 million);
- Carpark upgrades (\$0.65 million);
- Sports infrastructure renewal (\$0.45 million);
- Trails renewal works (\$0.30 million)
- Trail upgrades works (\$0.20 million);

\$0.76 million will be expended on footpath construction and renewal program projects.

\$0.65 million will be expended on drainage renewal and upgrade projects.

Two million will be expended on waste management in relation to the rehabilitation of the Kangaroo Ground landfill site.

\$0.15 million will be expended on bridge works.

Other infrastructure expenditure includes

- BMX facility (\$0.75 million);
- Disability access works (\$0.15 million);
- Street tree planting (\$0.13 million); and
- Townships and streetscapes (\$0.10 million).

Asset Class	Project Cost	Asset expenditure types			
		Renewal	Upgrade	Expansion	New
		\$'000	\$'000	\$'000	\$'000
Property	3,201	350	2,701	150	-
Plant and equipment	1,884	1,784	100	-	-
Infrastructure	9,160	5,527	2,030	739	864
Total	14,245	7,661	4,831	889	864

A distinction is made between expenditure on new assets, asset renewal, upgrade and expansion. Expenditure on asset renewal is expenditure on an existing asset, or on replacing an existing asset that returns the service of the asset to its original capability. Expenditure on new assets does not have any element of expansion or upgrade of existing assets but will result in an additional burden for future operation, maintenance and capital renewal.

Asset Class	Project Cost	Summary of Funding Sources			
		Grants	Contrib. and Other Funding	Council Cash	Borrowings
		\$'000	\$'000	\$'000	\$'000
Property	3,201	260	-	2,941	-
Plant and equipment	1,884	-	-	1,884	-
Infrastructure	9,160	1,982	-	7,178	-
Total	14,245	2,242	-	12,003	-

Grants - Capital (\$2.24 million)

Capital grants include all monies received from State and Federal governments for the purposes of funding the capital works program. Significant grants budgeted to be received for 2022-2023 include funding for a BMX Facility, road and carpark renewal, carpark upgrades and trail upgrades. A list of projects with their funding source is provided below in 4.5.2.

Council Cash (\$12 million)

It is expected that in 2022-2023, \$10.04 million of rates revenue will be used to fund various capital projects.

For 2022-2023, \$2.16 million of reserve fund will be used to fund part of the new capital works program including:

- Kangaroo Ground landfill rehabilitation (\$1.28 million); and
- Dixon/Alistair public toilets (\$0.35 million).

4.5.2 Capital works program

For the year ending 30 June 2023

* The below is a schedule of proposed and planned works for the 2022-2023 financial year. It is not a list of Council assets.

Capital Works Area	Project Cost \$'000	Summary of funding sources			
		Grants \$'000	Contrib \$'000	Council Cash \$'000	Borrowings \$'000
PROPERTY					
LAND	-	-	-	-	-
LAND IMPROVEMENTS	-	-	-	-	-
BUILDINGS					
Asset renewal expenditure					
Dixon/Alistair public toilets	350	-	-	350	-
Total asset renewal expenditure - buildings	350	-	-	350	-
Asset upgrade expenditure					
Buildings upgrade	300	-	-	300	-
Buildings renewal (including public toilets)	2,181	-	-	2,181	-
Climate Action Fund	110	-	-	110	-
Kangaroo Ground War Memorial, Caretaker's Cottage	110	110	-	-	-
Total asset upgrade expenditure - buildings	2,701	110	-	2,591	-
Asset expansion expenditure					
Eltham and District Woodworkers extension	150	150	-	-	-
Total asset expansion expenditure - buildings	150	150	-	-	-
TOTAL BUILDINGS	3,201	260	-	2,941	-
BUILDING IMPROVEMENTS	-	-	-	-	-
LEASEHOLD IMPROVEMENTS	-	-	-	-	-
HERITAGE BUILDINGS	-	-	-	-	-
TOTAL PROPERTY	3,201	260	-	2,941	-
PLANT AND EQUIPMENT					
PLANT, MACHINERY AND EQUIPMENT (PM&E)					
Asset renewal expenditure					
Fleet replacement	805	-	-	805	-
Major plant replacement	779	-	-	779	-
Total asset renewal expenditure - PM&E	1,584	-	-	1,584	-
TOTAL PLANT, MACHINERY & EQUIPMENT	1,584	-	-	1,584	-
FIXTURES, FITTINGS AND FURNITURE (FF&F)					
Asset renewal expenditure					
Playground renewal	200	-	-	200	-
Total asset renewal expenditure -FF&F	200	-	-	200	-
Asset upgrade expenditure					
Playground upgrade	100	-	-	100	-
Total asset upgrade expenditure -FF&F	100	-	-	100	-
TOTAL FIXTURES, FITTINGS AND FURNITURE	300	-	-	300	-
COMPUTERS AND TELECOMMUNICATIONS	-	-	-	-	-
HERITAGE PLANT AND EQUIPMENT	-	-	-	-	-
LIBRARY BOOKS	-	-	-	-	-
TOTAL PLANT AND EQUIPMENT	1,884	-	-	1,884	-

Capital Works Area	Summary of funding sources				
	Project Cost \$'000	Grants \$'000	Contrib \$'000	Council Cash \$'000	Borrowings \$'000
INFRASTRUCTURE					
ROADS					
Asset renewal expenditure					
Road and carpark renewal	1,851	539	-	1,312	-
Total asset renewal expenditure - roads	1,851	539	-	1,312	-
Asset expansion expenditure					
Road safety	340	-	-	340	-
Total asset expansion expenditure - roads	340	-	-	340	-
TOTAL ROADS	2,191	539	-	1,652	-
BRIDGES					
Asset renewal expenditure					
Bridge renewal	150	-	-	150	-
Total asset renewal expenditure - bridges	150	-	-	150	-
TOTAL BRIDGES	150	-	-	150	-
FOOTPATHS AND CYCLEWAYS					
Asset renewal expenditure					
Footpath renewal	400	-	-	400	-
Total asset renewal expenditure - footpaths	400	-	-	400	-
Asset expansion expenditure					
Footpaths new	360	-	-	360	-
Total asset expansion expenditure - footpaths	360	-	-	360	-
TOTAL FOOTPATHS AND CYCLEWAYS	760	-	-	760	-
DRAINAGE					
Asset renewal expenditure					
Drainage (reactive)	200	-	-	200	-
Total asset renewal expenditure - drainage	200	-	-	200	-
Asset upgrade expenditure					
Drainage (proactive)	450	-	-	450	-
Total asset upgrade expenditure - drainage	450	-	-	450	-
TOTAL DRAINAGE	650	-	-	650	-

Capital Works Area	Project Cost \$'000	Summary of funding sources			
		Grants \$'000	Contrib \$'000	Council Cash \$'000	Borrowings \$'000
RECREATIONAL, LEISURE AND COMMUNITY FACILITIES					
Asset renewal expenditure					
Sports infrastructure renewal	450	-	-	450	-
Trails renewal	300	-	-	300	-
Total asset renewal expenditure - RL&CF	750	-	-	750	-
Asset upgrade expenditure					
Trail upgrades	200	200	-	-	-
Total asset upgrade expenditure - RL&CF	200	200	-	-	-
New asset expenditure					
Quantity surveyor and planning for future grant funding opportunities	95	-	-	95	-
Total new asset expenditure - RL&CF	95	-	-	95	-
TOTAL RECREATIONAL, LEISURE AND COMMUNITY FACILITIES	1,045	200	-	845	-
PARKS, OPEN SPACE AND STREETSCAPES (POSS)					
Asset renewal expenditure					
Public open space infrastructure renewal	150	-	-	150	-
Total asset renewal expenditure - POSS	150	-	-	150	-
Asset upgrade expenditure					
Panton Hill bushland reserves management plan implementation	60	-	-	60	-
Public open space infrastructure upgrade	100	100	-	-	-
Carpark upgrades	650	200	-	450	-
Sports Infrastructure upgrade	100	100	-	-	-
Total asset upgrade expenditure - POSS	910	400	-	510	-
TOTAL PARKS, O/SPACE & STREETSCAPES	1,060	400	-	660	-
WASTE MANAGEMENT					
Asset renewal expenditure					
Landfill rehabilitation	2,026	-	-	2,026	-
Total asset renewal expenditure - Waste Management	2,026	-	-	2,026	-
TOTAL WASTE MANAGEMENT	2,026	-	-	2,026	-
AERODROMES	-	-	-	-	-
OFF STREET CAR PARKS	-	-	-	-	-
OTHER INFRASTRUCTURE					
Asset upgrade expenditure					
Street trees	130	-	-	130	-
Disability access works upgrade	150	-	-	150	-
Signage (non-regulatory) upgrade	40	-	-	40	-
Place Activation Concept (The Great Wall of Nillumbik)	30	30	-	-	-
Diamond Valley Sports Complex vegetation planting	19	19	-	-	-
Townships and streetscapes	100	-	-	100	-
Total asset upgrade expenditure - Other Infrastructure	469	49	-	420	-

Capital Works Area	Project Cost \$'000	Summary of funding sources			
		Grants \$'000	Contrib \$'000	Council Cash \$'000	Borrowings \$'000
Asset expansion expenditure					
Fire fighting water storage tanks	39	25	-	14	-
Total asset expansion expenditure - Other Infrastructure	39	25	-	14	-
New asset expenditure					
Mural - Karingal Road, Briar Hill	19	19	-	-	-
BMX Facility	750	750	-	-	-
Total new asset expenditure - Other Infrastructure	769	769	-	-	-
TOTAL OTHER INFRASTRUCTURE	1,277	843	-	434	-
TOTAL INFRASTRUCTURE	9,160	1,982	-	7,178	-
TOTAL CAPITAL WORKS 2022-2023	14,245	2,242	-	12,003	-

2. Summary

Capital Works Area	Project Cost \$'000	Summary of funding sources			
		Grants \$'000	Contrib \$'000	Council Cash \$'000	Borrowings \$'000
Asset renewal expenditure	7,661	539	-	7,122	-
Asset upgrade expenditure	4,831	759	-	4,072	-
Asset expansion expenditure	889	175	-	714	-
New asset expenditure	864	769	-	95	-
TOTAL CAPITAL WORKS	14,245	2,242	-	12,003	-

5. Financial performance indicators

The following table highlights Council's current and projected performance across a range of key financial performance indicators. These indicators provide a useful analysis of Council's financial position and performance and should be interpreted in the context of the organisation's objectives.

Indicator	Measure	Notes	Forecast 2021-22	Budget 2022-23	Strategic Resource Plan Projections			Trend +/-
					2023-24	2024-25	2025-26	
Operating position								
Adjusted underlying result	Adjusted underlying surplus (deficit) / Adjusted underlying revenue	1	(2.7%)	1.8%	3.4%	3.8%	4.3%	+
Liquidity								
Working Capital	Current assets / current liabilities	2	107%	103%	94%	96%	97%	-
Unrestricted cash	Unrestricted cash / current liabilities	3	27.1%	(8.4%)	(12.2%)	(7.0%)	(5.9%)	-
Obligations								
Loans and borrowings	Interest bearing loans and borrowings / rate revenue	4	24.1%	18.3%	15.1%	12.2%	9.3%	+
Loans and borrowings	Interest and principal repayments on interest bearing loans and borrowings / rate revenue		5.7%	5.4%	3.2%	3.1%	3.0%	+
Indebtedness	Non-current liabilities / own source revenue		29.9%	23.7%	18.4%	12.7%	6.5%	+
Asset renewal	Asset renewal expenses / depreciation	5	59.2%	80.9%	84.5%	68.9%	69.3%	+
Stability								
Rates concentration	Rate revenue / adjusted underlying revenue	6	72.9%	74.0%	74.4%	74.4%	74.4%	o
Rates effort	Rate revenue / CIV of rateable properties in the municipality		0.33%	0.30%	0.31%	0.32%	0.32%	o
Efficiency								
Expenditure level	Total expenses/ no. of property assessments		\$4,122	\$4,069	\$4,111	\$4,169	\$4,229	o
Revenue level	Residential rate revenue / no. of residential property assessments		\$2,899	\$3,046	\$3,091	\$3,147	\$3,210	o
Workforce turnover	No. of permanent staff resignations & terminations / average no. of permanent staff for the financial year		13.9%	10.0%	10.0%	10.0%	10.0%	o

Key to Forecast Trend:

- + Forecasts improvement in Council's financial performance/financial position indicator
- o Forecasts that Council's financial performance/financial position indicator will be steady
- Forecasts deterioration in Council's financial performance/financial position indicator

Notes to indicators

1. Adjusted underlying result

An indicator of the sustainable operating result required to enable Council to continue to provide core services and meet its objectives. Improvement in financial performance expected over the period.

Council is projecting to achieve surpluses and projected financial sustainability remains a priority and challenge for Council.

2. Working Capital

The proportion of current liabilities represented by current assets. The working capital forecast remains steady, Council will continue to maintain the ability to service short term obligations.

The working capital indicator is showing Council will be able to service its projected short-term obligations into the future. The result also considers specific purpose grant funding which contributes to the trend.

3. Unrestricted cash

The trend is reflective of Council's ongoing reliance on grant funding to deliver projects / programs.

This further highlights the need for Council to explore other revenue generating streams to maintain financial sustainability in the longer term.

4. Debt compared to rates

The results illustrate Council's commitment to pay down existing loans.

5. Asset renewal

A strong focus is placed on Council's capital works program with asset renewal playing a significant role. The trend indicates Council will maintain an adequate level of renewal spending over the next ten years.

6. Rates concentration

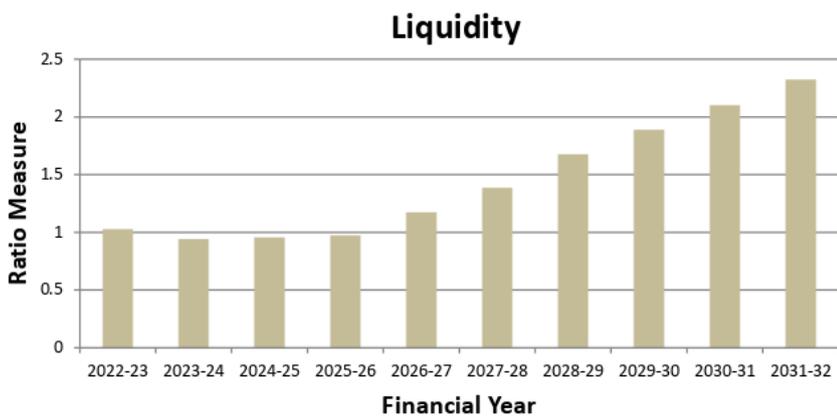
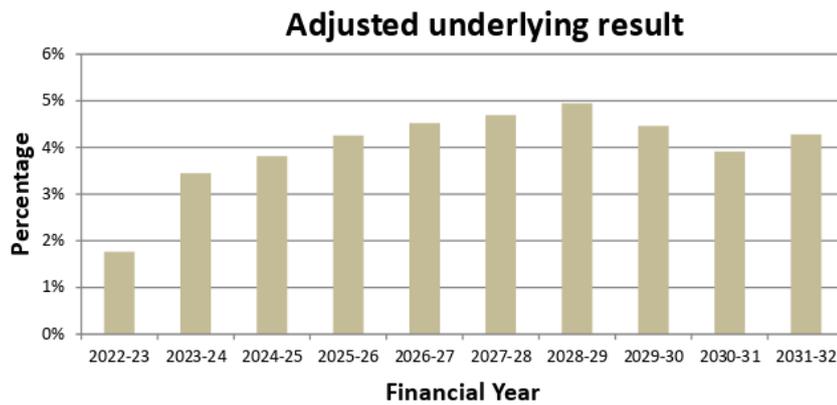
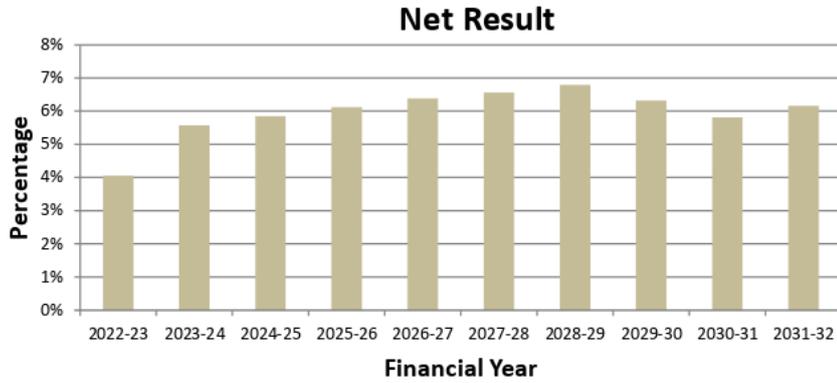
Reflects extent of reliance on rate revenues to fund all of Council's on-going services. The trend indicates Council will have a continual reliance on rate revenue compared to all other revenue sources.

No significant changes are projected to Council operations, with the reliance on rates projected to remain consistent indicating no significant growth in rateable assessments.

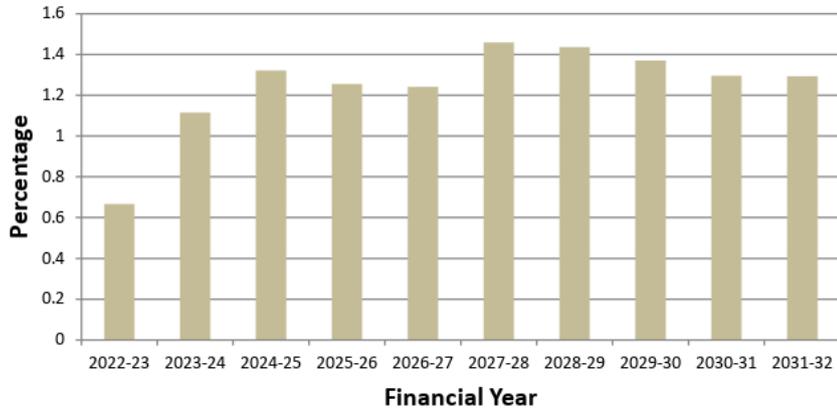
Financial Sustainability Performance

This appendix outlines Council's performance against the adopted financial sustainability plan indicators for the period 2022-23 to 2031-32

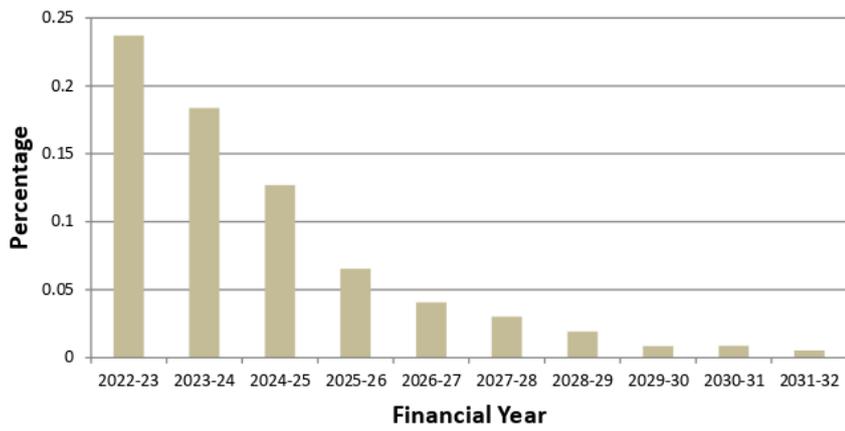
Financial Sustainability Plan indicators



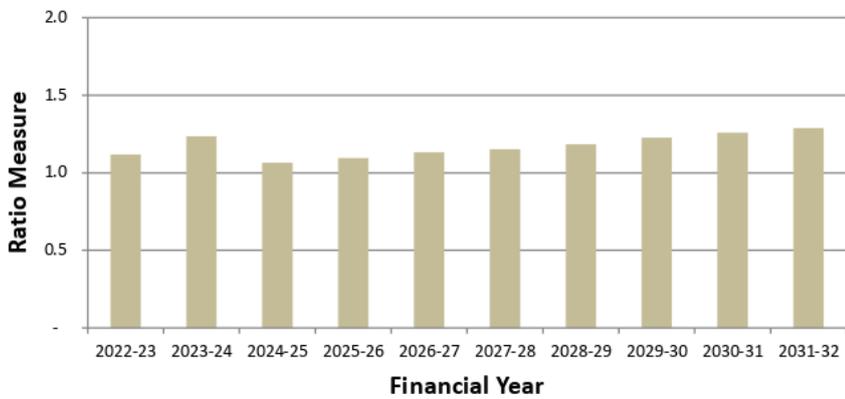
Internal Financing

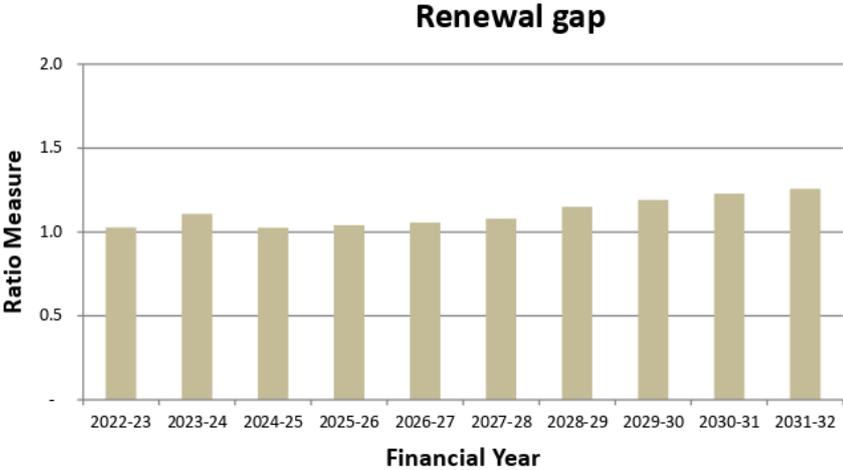


Indebtedness



Capital Replacement Ratio





CM.021/22 Draft Budget 2022-2023
Attachment 1. Draft Budget 2022-2023

Appendix 1
Fees and Charges

Nillumbik Shire Council 2022-23 Fees & Charges

Note: * Indicates Statutory Fee

Description of Fee	Unit of Measure	Fee Status	Taxable Supply	Adopted Fee 2021-22 \$	Proposed Fee (GST Inclusive) 2022-23 \$
Waste Management					
Bin towe	Each	Discretionary	Y	30.00	30.00
120 litre green waste bin	Each	Discretionary	Y	80.00	80.00
240 litre green waste bin	Each	Discretionary	Y	95.00	95.00
80 litre landfill bin	Each	Discretionary	Y	70.00	70.00
120 litre landfill bin	Each	Discretionary	Y	80.00	80.00
140 litre landfill bin	Each	Discretionary	Y	85.00	85.00
120 litre recycling bin	Each	Discretionary	Y	80.00	80.00
240 litre recycling bin	Each	Discretionary	Y	95.00	95.00
Recycling & Recovery Centre					
Minimum charge	1	Discretionary	Y	25.00	25.00
Car boot	1	Discretionary	Y	30.00	32.00
Station wagon	1	Discretionary	Y	62.00	64.00
Small utility van	1	Discretionary	Y	75.00	79.00
Medium utility van	1	Discretionary	Y	114.00	118.00
Large ute	1	Discretionary	Y	120.00	124.00
Large van	1	Discretionary	Y	139.00	144.00
6 x 4 trailer	1	Discretionary	Y	102.00	100.00
6 x 4 trailer high side	1	Discretionary	Y	141.00	145.00
7 x 5 trailer	1	Discretionary	Y	118.00	122.00
7 x 5 trailer high side	1	Discretionary	Y	139.00	144.00
Medium utility or van	1	Discretionary	Y	114.00	118.00
8 x 6 tandem trailer	1	Discretionary	Y	141.00	150.00
8 x 6 tandem trailer high side	1	Discretionary	Y	152.00	165.00
White goods - refrigerator, air conditioners, freezer etc.	1	Discretionary	Y	45.00	47.00
Mattress - King / queen / double	1	Discretionary	Y	48.00	50.00
Mattress - single / baby	1	Discretionary	Y	34.00	35.00
Cart tyre	1	Discretionary	Y	19.00	20.00
Cart tyre with rim	1	Discretionary	Y	22.00	23.00
4WD tyre	1	Discretionary	Y	23.00	24.00
4WD tyre with rim	1	Discretionary	Y	26.00	27.00
Motor bike tyre	1	Discretionary	Y	16.00	17.00
Motor bike tyre with rim	1	Discretionary	Y	16.00	17.00
Truck tyre	1	Discretionary	Y	42.00	44.00
Truck tyre with rim	1	Discretionary	Y	48.00	50.00
Large tractor tyre	1	Discretionary	Y	173.00	179.00
Motor oil	Per litre	Discretionary		No charge	No charge
Car battery	1	Discretionary		No charge	No charge
Scrap metal (including stoves and washing machines)	1	Discretionary		No charge	No charge
Household recycling - paper, cardboard & containers	1	Discretionary		No charge	No charge
Council Over the Counter native vegetation offset program					
General habitat unit (GSHU) - over the counter native vegetation offset	Per unit	Discretionary		141,885.00	141,885.00
Species habitat unit (SHU) - over the counter native vegetation offset	Per unit	Discretionary		147,000.00	147,000.00
Infrastructure					
Dispersal fees	Building over easement (maximum fee)	Statutory		294.70	As per Building Control Commission Rates (TBA)
	Front fence at corner (maximum fee)	Statutory		294.70	As per Building Control Commission Rates (TBA)
	Land subject to flooding (maximum fee)	Statutory		294.70	As per Building Control Commission Rates (TBA)
Subdivision supervision and plan checking	3.25% of actual costs of works - fees set by Subdivision Act plus GST (Fee rate set by requirements of the Subdivision Act)	Statutory	Y	As per the Subdivision Act - 0.075% cost of works for plan checking and 2.5% cost of works for supervision.	As per Building Control Commission Rates (TBA)
Subdivision plan checking resubmission fee	3.25% of actual costs of works - fees set by Subdivision Act plus GST (Fee rate set by requirements of the Subdivision Act)	Statutory	Y	140.00	As per Building Control Commission Rates (TBA)
Minor drainage supervision and plan checking	Flat rate (scaled for number of allotments)	Discretionary	Y	1-3 lots: 6620.00 4-10 lots: 6830.00 >10 lots: 3.25% of estimated cost of works	1-3 lots: 6622.00 4-10 lots: 6963.00 >10 lots: 3.25% of estimated cost of works
Minor drainage plan checking resubmit fee	Flat rate	Discretionary	Y	140.00	154.00
PK opening - excluding traffic management	Per hour	Discretionary	Y	95.00	105.00
Copy of additional approved engineering plans	Flat rate	Discretionary	Y	130.00	143.00
Endorse Traffic Guidance Scheme (not applicable to community run events)	Per traffic guidance scheme	Discretionary	Y	190.00	165.00
Capital Works					
Storm water and drainage information		Statutory		146.80	As per Building Control Commission Rates (TBA)
Road opening permits - works (other than minor works detailed below):					
Arterial road - conducted on any part of the roadway, shoulder or pathway	Per site	Statutory		649.30	Monetary Fee Unit
Arterial road - not conducted on any part of the roadway, shoulder or pathway	Per site	Statutory		453.90	Monetary Fee Unit
Local road where maximum speed limit at anytime is more than 50 kph - conducted on any part of the roadway, shoulder or pathway	Per site	Statutory		647.80	Monetary Fee Unit
Local road where maximum speed limit at anytime is more than 50 kph - not conducted on any part of the roadway, shoulder or pathway	Per site	Statutory		353.20	Monetary Fee Unit
Local road where maximum speed limit at anytime is not more than 50 kph - conducted on any part of the roadway, shoulder or pathway	Per site	Statutory		353.20	Monetary Fee Unit
Local road where maximum speed limit at anytime is not more than 50 kph - not conducted on any part of the roadway, shoulder or pathway	Per site	Statutory		90.20	Monetary Fee Unit
Minor works conducted by utilities or public transport provider that are traffic impact works:					
Arterial road - conducted on any part of the roadway, shoulder or pathway	Per site	Statutory		240.50	Monetary Fee Unit
Arterial road - not conducted on any part of the roadway, shoulder or pathway	Per site	Statutory		142.80	Monetary Fee Unit
Local road where maximum speed limit at anytime is more than 50 kph - conducted on any part of the roadway, shoulder or pathway	Per site	Statutory		139.80	Monetary Fee Unit
Local road where maximum speed limit at anytime is more than 50 kph - not conducted on any part of the roadway, shoulder or pathway	Per site	Statutory		90.20	Monetary Fee Unit
Local road where maximum speed limit at anytime is not more than 50 kph - conducted on any part of the roadway, shoulder or pathway	Per site	Statutory		139.80	Monetary Fee Unit
Local road where maximum speed limit at anytime is not more than 50 kph - not conducted on any part of the roadway, shoulder or pathway	Per site	Statutory		90.20	Monetary Fee Unit
Vehicle crossing	Per site	Discretionary		250.00	300.00
Landscaping of nature strip	Per site	Statutory		90.20	Monetary Fee Unit

Fees and Charges

Nilumbik Shire Council 2022-23 Fees & Charges

Note: * Indicates Statutory Fee

Description of Fee	Unit of Measure	Fee Status	Taxable Supply	Adopted Fee 2021-22 \$	Proposed Fee (GST Inclusive) 2022-23 \$
Stormwater drainage connection:					
- Easement or connection not requiring road opening	Per site	Discretionary		90.20	Monetary Fee Unit
- Connection requiring road opening	Per site	Discretionary		139.60	Monetary Fee Unit
Asset protection		Discretionary	Y	376.00	435.00
Reinstatement costs					
Asset reinstatements	Council claims actual cost of works plus a 30% surcharge plus GST	Discretionary	Y		
Road pavements	2m ² to 10m ² (per m ²) Greater than 10m ² (per m ²)	Discretionary	Y	As per contract rates	As per contract rates plus a 3% administration charge
Footpath & crossovers - minimum charge of 2 m² or 2 linear metres. These rates are charged for all reinstatements unless prior agreement to alternative arrangements (eg. cost plus 30%):					
- Footpaths	Asphalt, 75mm concrete, picher or flag type (per m ²)	Discretionary	Y	As per contract rates	As per contract rates plus a 3% administration charge
- Crossovers	150mm concrete (per m ²)	Discretionary	Y	As per contract rates	As per contract rates plus a 3% administration charge
Industrial vehicular crossing	Up to 175mm reinforced concrete (per m ²)	Discretionary	Y	As per contract rates	As per contract rates plus a 3% administration charge
Kerb & channel	Concrete, dish gutters and spoon drains concrete kerb (per linear m)	Discretionary	Y	As per contract rates	As per contract rates plus a 3% administration charge
Saw cutting	Per linear metre	Discretionary	Y	As per contract rates	As per contract rates plus a 3% administration charge
Traffic control	Per controller (per hour)	Discretionary	Y	As per contract rates	As per contract rates plus a 3% administration charge
Following surcharges will apply for all concrete reinstatement works:					
Under 10m ²	- 30% surcharge on invoice price				
Under 20m ²	- 15% surcharge on invoice price				
Above 20 m ²	- no surcharge applied				
Edendale Farm Community Environment Centre					
School program fees					
School program	Per child (1 hour)	Discretionary	Y	Fee for service	Fee for service
School program	Per child - 1/2 Day	Discretionary	Y	Fee for service	Fee for service
School program	Per child - 3/4 Day	Discretionary	Y	Fee for service	Fee for service
School program	Per child - Full day	Discretionary	Y	Fee for service	Fee for service
Preschool (excursion)	Per child (1 session)	Discretionary	Y	Fee for service	Fee for service
Preschool (excursion)	Per child (2 sessions)	Discretionary	Y	Fee for service	Fee for service
Preschool (excursion)	Per child (3 sessions)	Discretionary	Y	Fee for service	Fee for service
Incursions	Per class	Discretionary	Y	Fee for service	Fee for service
School visit / talk	Flat rate per hour	Discretionary	Y	Fee for service	Fee for service
Workshops	Total direct costs of course divided by minimum number of enrolments. Direct costs (e.g.) - tutor - materials - equipment - venue hire - catering Plus indirect costs - staffing & administration calculated at \$26 per program hour All costs take into account CPI and GST where applicable. Fees will be adjusted to take into consideration the target group i.e. holders of concession cards.	Discretionary	Y	Fee for service	Fee for service
Other fees					
Festival and event entry	Per person	Discretionary	Y	10.00 - 50.00	Fee for service
Admissions - child (age 2 and over)	Child	Discretionary	Y	Donation	Donation
Admission - adult	Adult	Discretionary	Y	Donation	Donation
Farm tour	Per child	Discretionary	Y	9.50	10.00
Farm tour	Per adult	Discretionary	Y	10.50	11.00
Farm tour	Adult concession	Discretionary	Y	8.00	9.00
Room hire - standard (Mummary and Macey rooms)					
Any day	4 hours	Discretionary	Y	190.50	200.00
Any day	Per hour (min. 2 hours)	Discretionary	Y	51.50	53.00
Room hire - community, local small business & not for profit organisations (Mummary & Macey Rooms)					
Any day	4 hours	Discretionary	Y	136.00	140.00
Any day	Per hour (min. 2 hours)	Discretionary	Y	36.00	37.00
Room hire - Council and LLN (Mummary & Macey rooms)					
Any day	4 hours	Discretionary	Y	136.00	140.00
Any day	Per hour (min. 2 hours)	Discretionary	Y	36.00	37.00
Room hire - standard (Gaston, Cox and Thomas Cool rooms)					
Any day	4 hours	Discretionary	Y	136.00	140.00
Any day	Per hour (min. 2 hours)	Discretionary	Y	36.00	40.00
Room hire - community, local small business & not for profit organisations (Gaston, Cox and Thomas Cool Rooms)					
Any day	4 hours	Discretionary	Y	101.00	105.00
Any day	Per hour (min. 2 hours)	Discretionary	Y	35.00	30.00
Room hire - Council and LLN (Gaston, Cox and Thomas Cool Rooms)					
Any day	Day time - 4 hours	Discretionary	Y	101.00	105.00
Any day	Per hour (min. 2 hours)	Discretionary	Y	35.00	30.00
Additional room hire services					
Kitchen use charge	Per day	Discretionary	Y	43.00	45.00
Clearing levy	Per event (if required)	Discretionary	Y	167.00	175.00
Bond	Per event (if required)	Discretionary		250.00 - 1,000.00	250.00 - 1,000.00
Staff lock up fee	Night time	Discretionary	Y	162.00	165.00
PA Hire	Per session	Discretionary	Y	33.50	35.00
Set up fee	Per session	Discretionary	Y	43.00	45.00
Shelter hire outdoor spaces					
Ironbark shelter	Exclusive group with public liability insurance				
Birthday party shelter hire	Per session	Discretionary	Y	200.50	205.00
Peppercorn & sheok shelter	Exclusive group with public liability insurance				
Birthday party shelter hire	Group	Discretionary	Y	103.00	105.00
Acacia, elm & apricot shelter	Exclusive group with public liability insurance				
Birthday party shelter hire	Per session	Discretionary	Y	81.00	85.00

Fees and Charges

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Note: * Indicates Statutory Fee

Description of Fee	Unit of Measure	Fee Status	Taxable Supply	Adopted Fee 2021-22 \$	Proposed Fee (GST Inclusive) 2022-23 \$
Optional birthday party services					
Waste free party kit	Per session	Discretionary	Y	43.00	45.00
Birthday party self guided ram to ur	Per session	Discretionary	Y	n/a	65.00
Birthday party guinea pigs patting (mini party)	Per session	Discretionary	Y	81.00	85.00
Birthday party farm tour	Per session	Discretionary	Y	180.00	185.00
Hire of other spaces					
Hire of amphitheatre	4 hours	Discretionary	Y	175.00 - 230.00	200.00 - 300.00
Hire of amphitheatre	Per hour (min. 2 hours)	Discretionary	Y	n/a	60.00 - 90.00
Hire of designated lawn area	Per session	Discretionary	Y	100.00 - 1,200.00	100.00 - 1,500.00
Hire of whole site	Exclusive use	Discretionary	Y	1,000.00 - 4,000.00	2,000.00 - 6,000.00
Event bond	per event	Discretionary	Y	n/a	\$290.00 - \$1,000.00
Event Infrastructure					
Marquee Hire	Per marquee	Discretionary	Y	n/a	100.00
Site parking	Per event	Discretionary	Y	n/a	200.00 - 1,000.00
Power stepdown box	Per Box	Discretionary	Y	n/a	90.00
Leisure Centre Facilities					
Eltham Leisure Centre	Per contract	Contract	Y	Per contract	Per contract
Diamond Valley Sports and Fitness Centre	Per contract	Contract	Y	Per contract	Per contract
Diamond Creek Pool	Per contract	Contract	Y	Per contract	Per contract
Yarrambat Golf Course	Per contract	Contract	Y	Per contract	Per contract
Diamond Creek Community Centre	Per contract	Contract	Y	Per contract	Per contract
Community Bank Stadium	Per contract	Contract	Y	Per contract	Per contract
Hurstbridge Sports Stadium	Per hour	Contract	Y	Per contract	Per contract
Leisure & Recreation					
Summer					
A grade	Per team	Discretionary	Y	886.20	912.80
B grade	Per team	Discretionary	Y	770.40	793.30
C grade	Per team	Discretionary	Y	654.50	674.20
D grade	Per team	Discretionary	Y	533.70	549.70
Winter					
A grade	Per team	Discretionary	Y	1,510.30	1,565.80
B grade	Per team	Discretionary	Y	1,394.70	1,436.50
C grade	Per team	Discretionary	Y	1,263.80	1,301.70
D grade	Per team	Discretionary	Y	1,142.90	1,177.20
Pavilion use					
Use of pavilion in conjunction with ground hire	Per season	Discretionary	Y	n/a	200.00
Ground use discounts for under-represented groups					
Clubs demonstrating initiative or events for LGBTQ+, CALD or First Nations people - 5%					
Clubs accredited with good sports - 5%					
Junior or veteran teams - 30%					
Teams for people with a disability - 90%					
Casual ground use					
Commercial hire	Per day	Discretionary	Y	402.80	414.90
Commercial hire	Per 1/2 day	Discretionary	Y	241.70	249.00
Commercial use	Additional hourly charge	Discretionary	Y	115.80	119.30
Commercial use	Per day	Discretionary	Y	120.80	124.40
Commercial use	Per 1/2 day	Discretionary	Y	73.30	75.70
Commercial use	Additional hourly charge	Discretionary	Y	26.20	27.00
School fees					
Schools within Nilumbik	Per hour	Discretionary	Y	27.20	28.00
Schools outside Nilumbik	Per hour	Discretionary	Y	42.30	43.80
Zone events	Per day	Discretionary	Y	258.80	266.60
Zone events	Per 1/2 day	Discretionary	Y	131.90	135.90
Synthetic soccer pitch					
Local club use	Per hour	Discretionary	Y	46.30	47.70
School use	Per hour	Discretionary	Y	63.40	65.30
Other user groups	Per hour	Discretionary	Y	69.50	71.80
Academy programs	Per hour	Discretionary	Y	84.60	87.20
Floodlight use (casual users only)	Per hour	Discretionary	Y	59.40	61.20
Personal training / group fitness					
Monthly hire	Recurring	Discretionary	Y	125.90	129.70
Casual hire	Half day	Discretionary	Y	196.40	202.30
Casual hire	Full day	Discretionary	Y	302.10	311.20
Building Services					
Building permit (within Nilumbik)	Value of works between \$1 - \$5,000	Discretionary	Y	PGA - Minimum \$750 (includes a maximum of 2 inspections)	PGA - Minimum \$775 (includes a maximum of 2 inspections)
Building permit (within Nilumbik)	Value of works between \$5,001 - \$15,000	Discretionary	Y	PGA - Minimum \$1,000 (includes a maximum of 2 inspections)	PGA - Minimum \$1,030 (includes a maximum of 2 inspections)
Building permit (within Nilumbik)	Value of works between \$15,001 - \$30,000	Discretionary	Y	PGA - Minimum \$1,200 (includes a maximum of 3 inspections)	PGA - Minimum \$1,135 (includes a maximum of 3 inspections)
Building permit (within Nilumbik)	Value of works between \$30,001 - \$100,000	Discretionary	Y	PGA - Minimum \$1,345 (includes a maximum of 3 inspections)	PGA - Minimum \$1,300 (includes a maximum of 3 inspections)
Building permit (within Nilumbik)	Value of works between \$100,001 - \$150,000	Discretionary	Y	PGA - Minimum \$1,545 (includes a maximum of 4 inspections)	PGA - Minimum \$1,650 (includes a maximum of 4 inspections)
Building permit (within Nilumbik)	Value of works between \$150,001 - \$200,000	Discretionary	Y	PGA - Minimum \$1,957 (includes a maximum of 4 inspections)	PGA - Minimum \$1,900 (includes a maximum of 4 inspections)
Building permit (within Nilumbik)	Value of works between \$200,001 - \$300,000	Discretionary	Y	PGA - Minimum \$2,000 (includes a maximum of 4 inspections)	PGA - Minimum \$2,060 (includes a maximum of 4 inspections)
Building permit (within Nilumbik)	Value of works between \$300,001 - \$400,000	Discretionary	Y	PGA - Minimum \$2,230 (includes a maximum of 4 inspections)	PGA - Minimum \$2,320 (includes a maximum of 4 inspections)
Building permit (within Nilumbik)	Value of works between \$400,001 - \$1,000,000	Discretionary	Y	PGA - Minimum \$2,350 (includes a maximum of 4 inspections)	PGA - Minimum \$2,420 (includes a maximum of 4 inspections)
Building permit (within Nilumbik) - additional inspections	Fee per additional inspection (beyond quantity provided for in permit contract)	Discretionary	Y	PGA	PGA - Minimum \$110 (maximum 1 hour)
Building inspection (within Nilumbik) - commercial	Per hour	Discretionary	Y	175.00	190.00

Fees and Charges

Nilumbik Shire Council 2022-23 Fees & Charges

Note: * Indicates Statutory Fee

Description of Fee	Unit of Measure	Fee Status	Taxable Supply	Adopted Fee 2021-22 \$	Proposed Fee (GST Inclusive) 2022-23 \$
Building Inspection (outside Nilumbik boundaries)	Per hour	Discretionary	Y	220.00	220.00
Multiple dwelling application (within Nilumbik)	Per application (excludes apartment building applications - considered under commercial)	Discretionary	Y	PQA	PQA
Building permit (within Nilumbik) - demolition permit	Per demolition permit application	Discretionary	Y	750.00	PQA - Minimum \$750 (Includes a maximum of 2 inspections)
Building permit (within Nilumbik) - sheds, carports, non masonry garages, verandas (\$15,000 - \$30,000)	Per building permit application	Discretionary	Y	990.00	990.00
Additional application fee	Fee in addition to relevant Building Permit fee, depending on the complexity of the application and extent of assistance/extra time required to process the application	Discretionary	Y	PQA - Min \$100 (\$220 per hour for Building Surveyor & \$80 per hour for administration support)	PQA - Min \$100 (\$220 per hour for Building Surveyor & \$80 per hour for administration support)
Building permit (outside Nilumbik boundaries)	Fee per building permit application	Discretionary	Y	PQA	PQA
Multiple dwelling application (outside Nilumbik boundaries)	Per application (Excludes apartment building applications - considered under commercial)	Discretionary	Y	PQA	PQA
Report & consents (dispensation)	As set by Victorian Building Authority (VBA)	Statutory	Y	294.70	294.70 + CPI
Amended plans	Per application to amend plans	Discretionary	Y	PQA - Min \$250	PQA - Min \$250
Extension of time	Per application for extension of time	Discretionary	Y	300.00	310.00
Above ground swimming pool (within Nilumbik)	Per application	Discretionary	Y	850.00	PQA - Min \$875 (includes a maximum of 2 inspections)
Certificate of pool and spa barrier compliance	Per application - includes 3 inspections	Discretionary	Y	650.00 (less \$150.00 for each inspection not utilised)	\$350 (includes 1 inspection, any additional required inspection to be charged at a rate of \$150 per inspection)
Lodgement fee for registration of pools and spas	Per application	Statutory	N	32.30	32.30 + CPI
Pools and spas search fee	Per application - Not applicable if the application to register a swimming pool with Council includes a copy of CFI or building permit that confirms date of construction of the swimming pool/spa	Statutory	N	47.95	47.95 + CPI
Lodgement of certificate of swimming pool and spa barrier compliance	Per application	Statutory	N	20.70	20.70 + CPI
Lodgement of certificate of pool and spa barrier noncompliance	Per application	Statutory	N	390.75	390.75 + CPI
Building Inspection for selected private building surveyor (within Nilumbik)	Per building inspection	Discretionary	Y	250.00	250.00
Building Inspection for selected private building surveyor (outside Nilumbik boundaries)	Per building inspection	Discretionary	Y	300.00	300.00
Building prosecution administration and withdrawal fee	Per building order withdrawal (Fee maybe waived/credited at the discretion of the Municipal Building Surveyor in circumstances where the issue of the Building Order has occurred due to events that have been outside the owner(s) control - e.g. house fire, vehicular collision)	Discretionary	Y	850.00	850.00
Building notice administration and withdrawal fee	Per request for withdrawal of building notice (Fee maybe waived/credited at the discretion of the Municipal Building Surveyor, where the issue of the Building Notice is as a result of factors that have been outside the owner(s) control)	Discretionary	Y	650.00	650.00
Permission to retain illegal structures	Value of works	Discretionary	Y	PQA	PQA
Building miscellaneous	Per property information request - Building form 10, As advised by VBA	Statutory	Y	47.90	47.90 + CPI
Building miscellaneous	Per priority request - additional charge for priority property information request - 24 hour turn around	Discretionary	Y	40.00	40.00
Building miscellaneous	Per request for house plans (electronic copies only)	Discretionary	Y	110.00	0.00
Building miscellaneous	Non-refundable retrieval fee (per application)	Discretionary	Y	0.00	30.00
Building miscellaneous	Certificate of building permit	Discretionary	Y	0.00	75.00
Building miscellaneous	Certificate of occupancy permit	Discretionary	Y	0.00	75.00
Building miscellaneous	Certificate of domestic work insurance	Discretionary	Y	0.00	75.00
Building miscellaneous	Plans / computations / reports - plans	Discretionary	Y	0.00	150.00
Building miscellaneous	Plans / computations / reports - soil report	Discretionary	Y	0.00	150.00
Building miscellaneous	Plans / computations / reports - truss computations	Discretionary	Y	0.00	150.00
Building miscellaneous	All available permit information (per application)	Discretionary	Y	0.00	250.00
Building miscellaneous	Per request for Commercial & Industrial Plans (Depends on number of plans - electronic copies only)	Discretionary	Y	200.00	PQA - Minimum \$300 (includes up to a maximum of 1 hour search time)
Building miscellaneous	Printing/copying charges for A4 paper (black and white per page)	Discretionary	Y	0.20	0.20
Building miscellaneous	Printing/copying charges for A3 paper (black and white per page)	Discretionary	Y	0.50	0.50
Building miscellaneous	Printing/copying charges for A0 paper (black and white per page)	Discretionary	Y	5.00	5.15
Building miscellaneous	Per external lodgement - commercial (Set by VBA)	Statutory	Y	123.70	123.70 + CPI
Building miscellaneous	Per external lodgement - residential (Set by VBA)	Statutory	Y	123.70	23.70 + CPI
Building surveying consultancy	Consultancy services/advice per hour - General building surveying advice, pre-application advice. Applications which require additional work/effort or technical advice will attract consultancy charges. Any application where priority service is requested will attract a consultancy charge.	Discretionary	Y	220.00	220.00
Liquor licence inspection and report fee	Per inspection and report request	Discretionary	Y	750.00	770.00
Bushfire attack level	Per request and assessment	Discretionary	Y	315.00	325.00
Report and consent 604	Per application	Statutory	Y	299.10	299.10 + CPI
Hoarding permit (street occupation)	Per occupied area, or minimum fee	Discretionary	Y	\$5 per m2 per week or min \$200 per week	\$5 per m2 per week or min \$200 per week
Commercial building permits (within or outside Nilumbik)	Value of works up to \$50,000	Discretionary	Y	PQA (fees to be determined at a rate of \$220 per hour for Building Surveying support, \$80 per hour for administrative support, and \$165 per required inspection)	PQA (fees to be determined at a rate of \$220 per hour for Building Surveying support, \$80 per hour for administrative support, and \$165 per required inspection)
Commercial building permits (within or outside Nilumbik)	Value of works between \$50,001 - \$200,000	Discretionary	Y	PQA (fees to be determined at a rate of \$220 per hour for Building Surveying support, \$80 per hour for administrative support, and \$165 per required inspection)	PQA (fees to be determined at a rate of \$220 per hour for Building Surveying support, \$80 per hour for administrative support, and \$165 per required inspection)
Commercial building permits (within or outside Nilumbik)	Value of works between \$200,001 - \$1,000,000	Discretionary	Y	PQA (fees to be determined at a rate of \$220 per hour for Building Surveying support, \$80 per hour for administrative support, and \$165 per required inspection)	PQA (fees to be determined at a rate of \$220 per hour for Building Surveying support, \$80 per hour for administrative support, and \$165 per required inspection)
Commercial building permits (within or outside Nilumbik)	Value of works greater than \$1,000,001	Discretionary	Y	PQA (fees to be determined at a rate of \$220 per hour for Building Surveying support, \$80 per hour for administrative support, and \$165 per required inspection)	PQA (fees to be determined at a rate of \$220 per hour for Building Surveying support, \$80 per hour for administrative support, and \$165 per required inspection)
Commercial building inspection (within or outside Nilumbik)	Per inspection	Discretionary	Y	200.00	205.00

Fees and Charges

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Description of Fee	Unit of Measure	Fee Status	Taxable Supply	Adopted Fee 2021-22 \$	Proposed Fee (GST Inclusive) 2022-23 \$
Occupancy permit - place of public entertainment (POPE)	Event conducted by Council or community based organisation with less than 5,000 attendees at any one time - site inspection during business hours.	Discretionary		No fee charged	No fee charged
Occupancy permit - place of public entertainment (POPE)	Event conducted by Council or community based organisation with less than 5,000 attendees at any one time - site inspection outside business hours.	Discretionary		220.00	225.00
Occupancy permit - place of public entertainment (POPE)	Event conducted through Council or community based organisation with greater than 5,000 attendees at any one time	Discretionary	Y	460.00	475.00
Occupancy permit - place of public entertainment (POPE)	Event conducted by a natural person or body corporate (business) with less than 5,000 attendees at any one time	Discretionary	Y	765.00	785.00
Occupancy permit - place of public entertainment (POPE)	Event conducted by a natural person or body corporate (business) with greater than 5,000 attendees at any one time	Discretionary	Y	1,430.00	1,825.00
Occupancy permit - place of public entertainment (POPE)	Inspection fee per hour if an inspection is required outside standard business hours - for event conducted by a natural person or body corporate (business)	Discretionary	Y	200.00	205.00
Occupancy permit - place of public entertainment (POPE) - events held within a building	Event conducted within a building	Discretionary	Y	PGA	PGA
Siting of temporary structures	Per siting request/application approval	Discretionary	Y	330.00	340.00
Siting of temporary structures	Inspection fee per hour if an inspection is required outside standard business hours	Discretionary	Y	200.00	205.00
Community Safety					
Impounding livestock	Labour - ordinary per hour	Discretionary		53.00	54.00
Impounding livestock	Labour - time and a half per hour	Discretionary		80.00	82.00
Impounding livestock	Labour - double time per hour	Discretionary		105.00	107.00
Impounding livestock	Trespass sheep/goat/pig per head	Discretionary		27.00	28.00
Impounding livestock	Trespass other cattle per head	Discretionary		32.00	33.00
Impounding livestock	Transport - Monday to Saturday	Discretionary		105.00	External Contractors Rate
Impounding livestock	Transport - Sunday/Public Holidays	Discretionary		134.00	External Contractors Rate
Impounding small livestock	Sustenance - chicken/rabbit/duck per day	Discretionary		5.30	6.00
Impounding medium livestock	Sustenance - sheep/goat/pig per day	Discretionary		22.00	23.00
Impounding large livestock	Sustenance - cattle/horse per day	Discretionary		27.00	28.00
Impounding livestock	Pound fees	Discretionary		22.00	23.00
Impounding livestock	Posting notice	Discretionary		27.00	35.00
Impounding livestock	Insertion of notice in newspapers	Discretionary		47.30	At cost + 10% administration fee
Impounding livestock	Advertisement cost	Discretionary		At cost	At cost + 10% administration fee
Dog pound - release	Release same day	Discretionary	Y	57.00	58.00
Dog pound - release	Release - one day	Discretionary	Y	90.00	91.00
Dog pound - sustenance	Sustenance per day	Discretionary	Y	32.00	33.00
Animal registration	Dog maximum fee	Discretionary		200.00	200.00
Animal registration	Dog reduced fee (Micro chipped only. Excludes new registrations)	Discretionary		102.00	103.00
Animal registration	Dog minimum fee (Desexed)	Discretionary		32.00	33.00
Animal registration	Cat maximum fee	Discretionary		300.00	300.00
Animal registration	Cat reduced fee (Micro chipped only)	Discretionary		102.00	103.00
Animal registration	Cat minimum fee (Desexed)	Discretionary		32.00	33.00
Animal registration	Transfer	Discretionary		10.30	11.00
Animal registration	Replacement tag	Discretionary	Y	11.00	12.00
Animal registration	Penioner registration of any animal	Discretionary		1/2 Std Fee	1/2 standard fee
Animal registration	Domestic animal business	Discretionary		385.00	390.00
Animal registration	Dangerous/restricted breed	Discretionary		385.00	390.00
Animal registration	Microchipping service	Discretionary		n/a	35.00
Local law permits	More than animals specified in Local Law	Discretionary		110.00	112.00
Local law permits	Penioner concession - animal permit	Discretionary		35.00	36.00
Local law bonds	Cat cage holding fee (refundable)	Discretionary		30.00	30.00
Local law permits	Outdoor eating facilities - 1st table	Discretionary		194.00	194.00
Local law permits	- The 2nd table	Discretionary		102.00	102.00
Local law permits	Temporary signs and A Frames	Discretionary		122.00	122.00
Local law permits	Temporary real estate signage (multiple signs/year)	Discretionary		300.00	310.00
Local law permits	Goods/rubbish on footpaths	Discretionary		204.00	204.00
Local law permits	Bushy per day	Discretionary		20.00	20.00
Local law permits	Commercial rates	Discretionary		1,935.00	1,950.00
Local law permits	Storage on roads per day	Discretionary		47.30	48.00
Local law permits	Slips	Discretionary		47.30	48.00
Local law permits	Slip tin - annual consent	Discretionary		330.00	335.00
Local law permits	Use of motorised toy vehicles on private property	Discretionary		95.00	110.00
Local law permits	Burning off	Discretionary		-	-
Local law permits	Road side vending (per day)	Discretionary		185.00	185.00
Local law permits	Road side vending (half day = 4 hrs)	Discretionary		97.00	97.00
Local law permits	Road side vending (per annum)	Discretionary		n/a	1,400.00
Local law permits	Road Side Vending (pro rata/month)	Discretionary		n/a	Pro Rata annual fee
Local law permits	Caravans	Discretionary		104.00	105.00
Local law permits	Camping on Council land per day	Discretionary		27.00	27.00
Local law permits	Unless otherwise stated local law permits	Discretionary		n/a	130.00
Local law releases	Shopping trolleys per item	Discretionary	Y	104.00	120.00
Local law releases	Charity bins per item	Discretionary	Y	400.00	420.00
Local law releases	Slips per item	Discretionary	Y	750.00	785.00
Local law releases	Caravans, boats and trailers	Discretionary	Y	400.00	420.00
Local law releases	A frames & signs	Discretionary	Y	120.00	125.00
Local law releases	Miscellaneous small items	Discretionary	Y	104.00	109.00
Local law releases	Miscellaneous medium items	Discretionary	Y	250.00	263.00
Local law releases	Miscellaneous large items	Discretionary	Y	400.00	420.00
* Parking fines	Section 87(4) of the Road Safety Act 1995 60% of one penalty unit	Statutory		0.6 Penalty Units	0.6 Penalty Units
* Parking fines	Infringe merit court fees (as advised)	Statutory		As advised	As advised
* Parking fines	Witness fees (as awarded)	Statutory		As awarded	As awarded
Delect vehicles	Release	Discretionary	Y	209.00	219.00
Delect vehicles	Towing	Discretionary	Y	175.00	184.00
Delect vehicles	Storage per additional day - motor vehicles, caravans, trailers	Discretionary	Y	25.00	27.00
Parking permits	Resident schemes	Discretionary		32.00	35.00
Parking permits	Resident schemes - temporary 3-day	Discretionary		32.00	35.00
Parking permits	Private parking permits	Discretionary		22.00	23.00
Parking permits	Disabled parking	Discretionary		-	-
Parking permits	Disabled parking - replacement	Discretionary		-	-

Fees and Charges

Nilumbik Shire Council 2022-23 Fees & Charges

Note: * Indicates Statutory Fee

Description of Fee	Unit of Measure	Fee Status	Taxable Supply	Adopted Fee 2021-22 \$	Proposed Fee (GST Inclusive) 2022-23 \$
Parking permits	Bham Trades Permit Scheme - annual permit	Discretionary		100.00	105.00
Parking permits	Bham Trades Permit Scheme - casual permit	Discretionary		2.00	2.00
Parking permits	Trade/builders parking permit / day	Discretionary		32.00	35.00
Flinting permits	Application fee - flinting	Discretionary		200.00	210.00
Flinting permits	Application fee - skills photography	Discretionary		100.00	105.00
Flinting permits	Application fee (student or not for profit)	Discretionary		-	-
Flinting permits	Use of Council reserve / facility - per day	Discretionary		700.00	735.00
Flinting permits	Use of Council reserve / facility - half day	Discretionary		350.00	365.00
Flinting permits	Parking - car / day	Discretionary		40.00	42.00
Flinting permits	Parking - truck / day	Discretionary		80.00	84.00
Flinting permits	Low Impact permit fee (in addition to application fee)	Discretionary		150.00	156.00
Flinting permits	High Impact permit fee (in addition to application fee)	Discretionary		500.00	525.00
Environmental Health					
Initial registration of food premises	Class one premises	Discretionary		655.00	665.00
Initial registration of food premises	Class two premises	Discretionary		765.00	775.00
Initial registration of food premises	Class three premises	Discretionary		455.00	460.00
Plans approval fee of premises	Premises	Discretionary		175.00	180.00
Initial registration of food premises	Community group - class 2	Discretionary		600.00	600.00
Initial registration of food premises	Community group - class 3	Discretionary		450.00	450.00
Notification of food premises	Class four premises	Discretionary		-	-
Renewal registration of food premises	Class one premises	Discretionary		570.00	580.00
Renewal registration of food premises	Class two premises	Discretionary		670.00	680.00
Renewal registration of food premises	Class three premises	Discretionary		375.00	380.00
Renewal registration of food premises	Community group - class 2	Discretionary		345.00	350.00
Renewal registration of food premises	Community group - class 3	Discretionary		187.00	190.00
Food premises additional inspection	Other than mandatory inspection and 1 follow up	Discretionary		150.00	160.00
Food premises associated activity	Where a proprietor chooses to register fixed premises and associated mobile premises together this additional fee applies to the mobile premises (instead of individual street trader fees)	Discretionary		124.00	125.00
Temporary food premises permit	Single event	Discretionary		90.00	90.00
Temporary food premises permit	Community group single event	Discretionary		45.00	45.00
Pre purchase inspection	Food or health premises	Discretionary		182.00	180.00
Failed sampling result	2nd and subsequent sampling results	Discretionary		187.00	190.00
Street-trader registration	Class two premises	Discretionary		254.00	255.00
Street-trader registration	Class three premises	Discretionary		170.00	173.00
Street-trader registration	Community group - class 2	Discretionary		128.00	130.00
Street-trader registration	Community group - class 3	Discretionary		85.00	85.00
Additional component	Per additional component (eg bakery, butcher, deli) to main activity	Discretionary		150.00	155.00
Additional staff	Additional charge per staff FTE over 5 for all premises	Discretionary		10.00	10.30
Handdresser registration - initial only	1	Discretionary		178.00	180.00
Beauty therapy registration	1	Discretionary		208.00	212.00
Beauty therapy renewal	1	Discretionary		208.00	212.00
Skin penetration registration	1	Discretionary		254.00	258.00
Skin penetration renewal	1	Discretionary		254.00	258.00
Prescribed accommodation	Fee for <= 10 beds	Discretionary		250.00	255.00
	Fee for 10 - 20 beds	Discretionary		470.00	475.00
	Fee for > 20 beds	Discretionary		600.00	610.00
Aquatic facility registration	Category 1 aquatic facility	Discretionary		275.00	280.00
Aquatic facility renewal	Category 1 aquatic facility	Discretionary		275.00	280.00
Health - colonic irrigation registration	1	Discretionary		208.00	210.00
Health - colonic irrigation renewal	1	Discretionary		208.00	210.00
Domestic Wastewater Management (cost recovery)					
* Septic application	1	Statutory		734.70	48.88 fee units
* Minor alteration to CWMs	1	Statutory		359.90	37.25 fee units
* Transfer a permit	1	Statutory		149.20	9.93 fee units
* Amend a permit	1	Statutory		156.00	10.38 fee units
* Renew a permit	1	Statutory		124.90	8.31 fee units
* Exemption	1	Statutory		220.50	14.67 fee units
* Report and consent	1	Statutory		294.70	As advised
Search for septic plans	1	Discretionary		47.30	48.00
Application to retain septic system in indicated area	Includes site inspection, records search and on-site water sample analysis	Discretionary		415.00	48.88 fee units
Statutory Planning					
Planning miscellaneous - history	Per request - general planning information (permits & dates etc.)	Discretionary	Y	153.00	153.00
Planning miscellaneous - written planning advice	Per request - for written planning information/advice	Discretionary	Y	153.00	165.00
Planning miscellaneous - copy of permit	Copy of permit (price per permit, without endorsed plans)	Discretionary		70.00	70.00
Planning miscellaneous - permit information (1 Permits)	Planning permit details (copies of permits, including endorsed plans, price per permit) - One permit	Discretionary	Y	132.60	132.60
Planning miscellaneous - permit information (2 Permits)	Planning permit details (copies of permits, including endorsed plans, price per permit) - Search last permit - Two permits	Discretionary	Y	249.90	249.90
Planning miscellaneous - multiple permit information	Planning permit details (copies of permits, including endorsed plans, price per permit) - Search all permits	Discretionary	Y	377.40	377.40
* Planning miscellaneous - form 29A building demolition request	Per request - Section 29A Building Demolition Request	Statutory		86.40	86.40 + CPI
Planning - miscellaneous consents	Miscellaneous consents (eg. S173)	Discretionary	Y	331.50	331.50
Planning - fast track miscellaneous consent	Miscellaneous consent fast track (eg. S173)	Discretionary		n/a	611.50
Planning - extension of time (1st)	Request for extension of time to permit - first request	Discretionary	Y	325.00	330.00
Planning - extension of time (Subsequent)	Request for extension of time to permit - subsequent requests	Discretionary	Y	425.00	430.00
* Planning - amendment to application	Request for amendment to application - after notice	Statutory		Variable - 40% of original fee	Variable - 40% of original fee
Permit application class:					
* Planning	Class 1	Statutory		1,337.70	1,337.70 + CPI
* Planning	Class 2	Statutory		202.90	202.90 + CPI
* Planning	Class 3	Statutory		638.80	638.80 + CPI
* Planning	Class 4	Statutory		1,307.60	1,307.60 + CPI
* Planning	Class 5	Statutory		1,412.80	1,412.80 + CPI
* Planning	Class 6	Statutory		1,518.00	1,518.00 + CPI
* Planning	Class 7	Statutory		202.90	202.90 + CPI
* Planning	Class 8	Statutory		435.90	435.90 + CPI
* Planning	Class 9	Statutory		202.90	202.90 + CPI
* Planning	Class 10	Statutory		202.90	202.90 + CPI
* Planning	Class 11	Statutory		1,164.80	1,164.80 + CPI
* Planning	Class 12	Statutory		1,570.60	1,570.60 + CPI

Fees and Charges

Nilumbik Shire Council 2022-23 Fees & Charges

Note: * Indicates Statutory Fee

Description of Fee	Unit of Measure	Fee Status	Taxable Supply	Adopted Fee 2021-22 \$	Proposed Fee (GST Inclusive) 2022-23 \$
* Planning	Class 13	Statutory		3,454.40	3,454.40 + CPI
* Planning	Class 14	Statutory		8,830.10	8,830.10 + CPI
* Planning	Class 15	Statutory		26,039.50	26,039.50 + CPI
* Planning	Class 16	Statutory		58,526.80	58,526.80 + CPI
* Subdivision	Class 17	Statutory		1,337.70	1,337.70 + CPI
* Subdivision	Class 18	Statutory		1,337.70	1,337.70 + CPI
* Subdivision	Class 19	Statutory		1,337.70	1,337.70 + CPI
* Subdivision	Class 20	Statutory		1,337.70	1,337.70 + CPI
* Subdivision	Class 21	Statutory		1,337.70	1,337.70 + CPI
* Planning	Class 22	Statutory		1,337.70	1,337.70 + CPI
Request for amendment to permit/class:					
* Planning	Class 1	Statutory		1,337.70	1,337.70 + CPI
* Planning	Amendment to change permit premise or conditions (other than for a single dwelling)	Statutory		1,337.70	1,337.70 + CPI
* Planning	Class 2	Statutory		202.90	202.90 + CPI
* Planning	Class 3	Statutory		638.80	638.80 + CPI
* Planning	Class 4	Statutory		1,307.60	1,307.60 + CPI
* Planning	Class 5	Statutory		1,412.80	1,412.80 + CPI
* Planning	Class 6	Statutory		1,412.80	1,412.80 + CPI
* Planning	Class 7	Statutory		202.90	202.90 + CPI
* Planning	Class 8	Statutory		435.90	435.90 + CPI
* Planning	Class 9	Statutory		202.90	202.90 + CPI
* Planning	Class 10	Statutory		202.90	202.90 + CPI
* Planning	Class 11	Statutory		1,164.80	1,164.80 + CPI
* Planning	Class 12	Statutory		1,370.60	1,370.60 + CPI
* Planning	Class 13	Statutory		3,454.40	3,454.40 + CPI
* Planning	Class 14	Statutory		3,454.40	3,454.40 + CPI
* Planning	Class 15	Statutory		3,454.40	3,454.40 + CPI
* Planning	Class 16	Statutory		3,454.40	3,454.40 + CPI
* Subdivision	Class 17	Statutory		1,337.70	1,337.70 + CPI
* Subdivision	Class 18	Statutory		1,337.70	1,337.70 + CPI
* Subdivision	Class 19	Statutory		1,337.70	1,337.70 + CPI
* Subdivision	Class 20	Statutory		1,337.70	1,337.70 + CPI
* Subdivision	Class 21	Statutory		1,337.70	1,337.70 + CPI
* Planning	Class 22	Statutory		1,337.70	1,337.70 + CPI
* Certification	Certification of subdivision (per 100 lots)	Statutory		177.40	177.40 + CPI
* Certification	Alteration of plan	Statutory		112.70	112.70 + CPI
* Certification	Amendment to certified plan	Statutory		142.80	142.80 + CPI
* Certification	Reclassification of a plan or subdivision	Statutory		142.80	142.80 + CPI
* Planning - satisfaction matter	Satisfaction matter	Statutory		330.70	330.70 + CPI
* Planning - certificate of compliance	Certificate of compliance	Statutory		330.70	330.70 + CPI
* Planning - section 173 change	For an agreement to amend or end a Section 173 Agreement - consent request	Statutory		666.80	666.80 + CPI
PS copying/scanning (not including written objections)	A3 copies	Discretionary	Y	5.00	5.00
PS copying/scanning (not including written objections)	A4 copies	Discretionary	Y	5.00	5.00
PS copying/scanning (not including written objections)	A1 copies	Discretionary	Y	20.00	20.00
Digitalisation of hard copy submissions	A4 and A3	Discretionary	Y	55.00	55.00
Digitalisation of hard copy submissions	Larger than A3	Discretionary	Y	110.00	110.00
Advertising	Mail out up to 10 notices	Discretionary	Y	125.00	130.00
Advertising	Additional notices	Discretionary	Y	n/a	12.00
Advertising	11-20 notices	Discretionary	Y	200.00	n/a
Advertising	21-30 notices	Discretionary	Y	250.00	n/a
Advertising	31-40 notices	Discretionary	Y	300.00	n/a
Advertising	41-50 notices	Discretionary	Y	350.00	n/a
Advertising	51-75 letters more	Discretionary	Y	425.00	n/a
Advertising	76 letters or more	Discretionary	Y	500.00	n/a
Advertising	1 site notice	Discretionary	Y	75.00	75.00
Advertising	2 site notices	Discretionary	Y	100.00	100.00
Advertising	3 site notices	Discretionary	Y	125.00	125.00
Advertising	4+ site notices	Discretionary	Y	150.00	130.00
Advertising	Additional signs - Installation Service	Discretionary	Y	42.35	46.40
Advertising	Planning notice installation service	Discretionary	Y	193.60	199.65
Advertising	Notice in local paper	Discretionary	Y	Cost plus 10% administration charge	Cost plus 10% administration charge
Plans to satisfy permit conditions	First submission of plans to satisfy Condition 1 of planning permit	Discretionary	Y	-	-
Plans to satisfy permit conditions	Resubmission of plans to satisfy Condition 1 of planning permit	Discretionary	Y	140.00	140.00
Removal of trees < 2 (Arborist) - fast-track - associated with a dwelling	Per application (must be charged in conjunction with appropriate statutory application fee)	Discretionary	Y	270.30	280.00
Removal of trees < 2 (Arborist) - fast-track - non - other development	Per application (must be charged in conjunction with appropriate statutory application fee)	Discretionary	Y	n/a	280.00
Request for secondary consent approval (<=3 Changes)	3 itemised changes	Discretionary	Y	375.00	375.00
Request for secondary consent approval (>3 Changes)	4 or more itemised changes	Discretionary	Y	525.00	525.00
Planning Scheme Amendment					
* Planning	Planning Scheme amendment (stage 1)	Statutory		3,096.20	3,096.20 + CPI
* Planning	Planning Scheme amendment (stage 2 - <= 10 submissions)	Statutory		15,345.60	15,345.60 + CPI
* Planning	Planning Scheme amendment (stage 2 - 11-20 submissions)	Statutory		30,661.20	30,661.20 + CPI
* Planning	Planning Scheme amendment (stage 2 - > 20 submissions)	Statutory		40,986.80	40,986.80 + CPI
* Planning	Planning Scheme amendment (stage 3)	Statutory		483.50	483.50 + CPI
* Planning	Planning Scheme amendment (stage 4)	Statutory		483.50	483.50 + CPI
Arts & Culture					
Nilumbik prize for contemporary writing entry fee	*Open* per entry (max 3 entries)	Discretionary	Y	25.00	25.00
Nilumbik prize for contemporary writing entry fee	*Local* per entry (max 3 entries)	Discretionary	Y	no charge	no charge
Hire Etham Gallery	Per week	Discretionary	Y	40.00	40.00
Nilumbik prize for contemporary art entry fee	*Open* per entry	Discretionary	Y	25.00	25.00
Nilumbik prize for contemporary art entry fee	*Local* per entry	Discretionary	Y	n/a	10.00
Artist residency fee	Per week	Discretionary	Y	100.00	n/a

Fees and Charges

Nilumbik Shire Council 2022-23 Fees & Charges

Note: * Indicates Statutory Fee

Description of Fee	Unit of Measure	Fee Status	Taxable Supply	Adopted Fee 2021-22 \$	Proposed Fee (GST Inclusive) 2022-23 \$
Community Programs					
Social support group					
- Low	Per session (means tested)	Discretionary		9.45	9.70
- Medium	Per session (means tested)	Discretionary		9.70	10.00
- High	Per session (means tested)	Discretionary		10.65	11.00
Occasional child care					
Child care for booked users - Eriham	1 child per session	Discretionary		75.00	80.50
Child care for booked users - Pantion Hill	1 child per session	Discretionary		73.50	76.00
Child care for casual users - Eriham	1 child per session	Discretionary		83.00	86.00
Child care for casual users - Pantion Hill	1 child per session	Discretionary		78.50	82.00
Preschool					
Centralised preschool enrolments	Per child - 3 year old preschool	Discretionary		38.00	40.00
Centralised preschool enrolments	Per child - 4 year old preschool	Discretionary		38.00	40.00
Centralised preschool enrolments	Per child - continued 3 and 4 year old preschool	Discretionary		45.00	45.00
Community transport					
Community transport	Per trip (one way)	Discretionary		2.20	2.30
One on one transport	Per trip inside shire boundary - one way	Discretionary		6.60	6.80
One on one transport	Per trip outside shire boundary - one way	Discretionary		10.30	10.85
Community bus tie	Full day	Discretionary	Y	120.00	130.00
Community bus tie	Half day	Discretionary	Y	70.00	75.00
Living & Learning Nilumbik					
Fee for service courses	Total direct costs of course divided by minimum number of enrolments: Direct costs (e.g.) - tutor - materials, marketing - equipment - venue hire - catering Plus indirect costs - staffing & administration calculated at \$26 per program hour All costs take into account GST where applicable. Fees will take into consideration the target group i.e. holders of concession cards	Discretionary	Y		
Co-ops (untutored self-help interest groups)		Discretionary	Y	Fees calculated as fee for Service	Fees calculated as fee for Service
Government funded training	As per ministerial directive	Discretionary	Y	Fees calculated as fee for Service	Fees calculated as fee for Service
Corporate, business and institutional course delivery	Per course or per attendee, depending on delivery model	Discretionary	Y	PQR	PQR
Living & Learning Nilumbik Eriham					
Pavilion	Up to 25 people for meeting; includes kitchen facilities				
	- Standard rate (per hour)	Discretionary	Y	62.50	63.50
	- Community rate (per hour)	Discretionary	Y	31.50	32.00
	- Unfunded voluntary group occasional	Discretionary	Y	14.50	14.50
Sunroom	Up to 15 people; includes kitchen facilities (across needs to be arranged)				
	- Standard rate (per hour)	Discretionary	Y	49.50	50.50
	- Community rate (per hour)	Discretionary	Y	23.00	23.50
	- Unfunded voluntary group occasional	Discretionary	Y	14.50	14.50
Kitchen	Up to 12 people				
	- Standard rate (per hour)	Discretionary	Y	26.00	26.50
	- Community rate (per hour)	Discretionary	Y	21.00	21.50
	- Unfunded voluntary group	Discretionary	Y	14.50	14.50
Art studio 2 (small)	Up to 20 people; includes kitchen facilities				
	- Standard rate (per hour)	Discretionary	Y	49.00	50.00
	- Community rate (per hour)	Discretionary	Y	20.00	20.50
	- Unfunded voluntary group	Discretionary	Y	14.50	14.50
Clay studio	Additional individual bookings by current class participants				
	- Standard rate (per hour)	Discretionary	Y	49.00	50.00
	- Community rate (per hour)	Discretionary	Y	20.00	20.50
	- Unfunded voluntary group	Discretionary	Y	14.50	14.50
Training room	Up to 14 people				
	- Standard rate (per hour)	Discretionary	Y	49.50	50.50
	- Community rate (per hour)	Discretionary	Y	23.00	23.50
	- Unfunded voluntary group	Discretionary	Y	14.50	14.50
War memorial hall	Up to 25 people for meeting; includes kitchen facilities				
	- Standard rate (per hour)	Discretionary	Y	n/a	63.50
	- Community rate (per hour)	Discretionary	Y	n/a	32.00
	- Unfunded voluntary group	Discretionary	Y	n/a	14.50
Living & Learning Nilumbik Pantion Hill					
Banksia/Eucalyptus	Up to 25 people - standard rate				
	- Standard rate (per hour)	Discretionary	Y	36.50	37.00
	- Community rate (per hour)	Discretionary	Y	26.50	26.00
	- Unfunded voluntary group	Discretionary	Y	14.50	14.50
Sunroom	Up to 10 people; kitchen facilities				
	- Standard rate (per hour)	Discretionary	Y	31.00	31.50
	- Community rate (per hour)	Discretionary	Y	20.50	21.00
	- Unfunded voluntary group	Discretionary	Y	14.50	14.50
Kitchen	Up to 15 people				
	- Standard rate (per hour)	Discretionary	Y	36.50	37.00
	- Community rate (per hour)	Discretionary	Y	26.50	26.00
	- Unfunded voluntary group	Discretionary	Y	14.50	14.50
Living & Learning Nilumbik Diamond Creek					
Downstairs classroom	Up to 15 people for meeting; includes kitchen facilities				
	- Standard rate (per hour)	Discretionary	Y	31.00	31.50
	- Community rate (per hour)	Discretionary	Y	20.50	21.00
	- Unfunded voluntary group	Discretionary	Y	14.50	14.50
Upstairs classroom	Up to 25 people; includes kitchen facilities				
	- Standard rate (per hour)	Discretionary	Y	36.50	37.00
	- Community rate (per hour)	Discretionary	Y	26.00	26.50
	- Unfunded voluntary group	Discretionary	Y	14.50	14.50
Computer room	Up to 11 people; includes kitchen facilities				
	- Standard rate (per hour)	Discretionary	Y	26.00	26.50
	- Community rate (per hour)	Discretionary	Y	20.50	21.00
	- Unfunded voluntary group	Discretionary	Y	14.50	14.50
Community Halls Network					
Eriham Community & Reception Centre (ECRC)					
Function	Friday Saturday & Sunday				
	- Standard rate	Discretionary	Y	1,215.00	1,215.00
	- Community rate	Discretionary	Y	850.00	850.00
Event	Rate per event/day				
	- Standard rate	Discretionary	Y	910.00	910.00
	- Community rate	Discretionary	Y	637.00	637.00
Event - whole of ECRC	Rate per event/day				
	- Standard rate	Discretionary	Y	1,365.00	1,365.00
	- Community rate	Discretionary	Y	955.00	955.00

Fees and Charges

Nilumbik Shire Council 2022-23 Fees & Charges

Note: * Indicates Statutory Fee

Description of Fee	Unit of Measure	Fee Status	Taxable Supply	Adopted Fee 2021-22 \$	Proposed Fee (GST Inclusive) 2022-23 \$
ECRC function weekends	Rate per event/day				
	- Standard rate	Discretionary	Y	1,825.00	1,825.00
1x hall weekdays	- Community rate	Discretionary	Y	1,275.00	1,275.00
	Rate per hour				
1x hall week evenings Mon-Thur	- Standard rate	Discretionary	Y	60.00	60.00
	- Community rate	Discretionary	Y	42.00	42.00
ECRC weekdays	Rate per hour				
	- Standard rate	Discretionary	Y	90.00	90.00
ECRC week evenings	- Community rate	Discretionary	Y	63.00	63.00
	Rate per hour				
Additional hours	- Standard rate	Discretionary	Y	125.00	125.00
	- Community rate	Discretionary	Y	88.00	88.00
Cutlery / crockery / glassware	Rate per hour				
	- Standard rate	Discretionary	Y	150.00	150.00
Use of Kitchen	- Community rate	Discretionary	Y	105.00	105.00
	Rate per hour				
Eitham Performing Arts Centre	- Standard rate	Discretionary	Y	37.00	37.00
	- Community rate	Discretionary	Y	26.00	26.00
Eitham Library Multi Purpose Room	Performance rate				
	- Standard rate	Discretionary	Y	360.00	360.00
Outdoor Performance Centre	- Community rate	Discretionary	Y	392.00	392.00
	Rate per hour				
The Emergency Operations Centre/ Kangaroo Ground Hall	- Standard rate	Discretionary	Y	37.00	37.00
	- Community rate	Discretionary	Y	26.00	26.00
Huralbridge Hall	Rate per hour				
	- Standard rate	Discretionary	Y	25.00	25.00
Eitham North Hall	- Community rate	Discretionary	Y	18.00	18.00
	School concerts				
North Warrandyte Family Centre	- Standard rate	Discretionary	Y	250.00	250.00
	- Community rate	Discretionary	Y	175.00	175.00
Senior citizens - Diamond Creek	Rate per hour				
	- Standard rate	Discretionary	Y	34.00	34.00
Small meeting room	- Community rate	Discretionary	Y	24.00	24.00
	Function				
Hall/Large meeting room	- Standard rate	Discretionary	Y	360.00	360.00
	- Community rate	Discretionary	Y	392.00	392.00
Senior citizens - Eitham	Rate per hour				
	- Standard rate	Discretionary	Y	37.00	37.00
Annexe	- Community rate	Discretionary	Y	26.00	26.00
	Function				
Large hall	- Standard rate	Discretionary	Y	360.00	360.00
	- Community rate	Discretionary	Y	392.00	392.00
Diamond Creek East community building - Coniston St	Rate per hour				
	- Standard rate	Discretionary	Y	34.00	34.00
Facility hire charge	- Community rate	Discretionary	Y	24.00	24.00
	Function				
Eitham North Maternal & Child Health Centre	- Standard rate	Discretionary	Y	360.00	360.00
	- Community rate	Discretionary	Y	392.00	392.00
Facility hire charge	1 day hire - concession				
	1/2 day hire - concession				
Hall/Large meeting room	Hourly rate - concession				
	1 day hire - concession				
Senior citizens - Eitham	1/2 day hire - concession				
	Hourly rate - concession				
Annexe	1 day hire - concession				
	1/2 day hire - concession				
Large hall	Hourly rate - concession				
	1 day hire - concession				
Diamond Creek East community building - Coniston St	1/2 day hire - concession				
	Hourly rate - concession				
Facility hire charge	Hourly rate	Discretionary	Y	11.00	11.00
Wedding function	Per function	Discretionary	Y	100.00	100.00
Facility hire charge	Hourly rate	Discretionary	Y	11.00	11.00

Fees and Charges

Nillumbik Shire Council 2022-23 Fees & Charges

Note: * Indicates Statutory Fee

Description of Fee	Unit of Measure	Fee Status	Taxable Supply	Adopted Fee 2021-22 \$	Proposed Fee (GST Inclusive) 2022-23 \$
Hursbridge Community Hub					
Community room	Standard rate	Discretionary	Y	69.50	69.50
	Community benefit	Discretionary	Y	35.50	35.50
	Community group	Discretionary	Y	21.50	21.50
Training room	Standard rate	Discretionary	Y	48.00	48.00
	Community benefit	Discretionary	Y	23.50	23.50
	Community group	Discretionary	Y	14.50	14.50
Meeting room 1	Standard rate	Discretionary	Y	37.50	25.00
	Community benefit	Discretionary	Y	18.50	12.50
	Community group	Discretionary	Y	11.00	7.50
Meeting room 2	Standard rate	Discretionary	Y	37.50	37.50
	Community benefit	Discretionary	Y	18.50	18.50
	Community group	Discretionary	Y	11.00	11.00
Community Kitchen	Standard rate	Discretionary	Y	48.00	48.00
	Community benefit	Discretionary	Y	23.50	23.50
	Community group	Discretionary	Y	14.50	14.50
Allied health room	Standard rate	Discretionary	Y	31.00	31.00
	Community benefit	Discretionary	Y	15.50	15.50
	Community group	Discretionary	Y	9.50	9.50
Emergency management					
Compulsory clearance	Per Fire Prevention Notice	Discretionary	Y	As per contract rates	As per contract rates
Compulsory clearance - administration fee	Per Fire Prevention Notice	Discretionary	Y	180.00	180.00
Freedom of Information					
* Freedom of Information - application fee	Per application	Statutory		30.10	30.10 + CPI
* Search time	Per hour	Statutory		22.50	22.50 + CPI
* Photocopy fee	Per A4 page	Statutory		0.20	0.20
* Suspension of document inspections	Per hour	Statutory		22.50	22.50 + CPI
Finance					
Printing of duplicate rate notices	Per notice	Discretionary	Y	15.00	15.00
* Land information certificate	Per application	Statutory		27.40	As Advised
Dishonoured cheque fee (Australia Post)	Per dishonoured cheque	Discretionary		25.00	25.00
Direct debit dishonour fee	Per payment	Discretionary		10.00	10.00
Legal collection fee	Per assessment	Discretionary		As per agency schedule of fees	As per agency schedule of fees
Merchant fees		Discretionary		0.40%	0.40%
Shire maps					
Colour map (aerial photos)	A1	Discretionary	Y	31.50	31.50
	A2	Discretionary	Y	26.00	26.00
	A3	Discretionary	Y	15.00	15.00
	A4	Discretionary	Y	10.50	10.50
Custom mapping	Per hour	Discretionary	Y	74.00	74.00

Nillumbik Audit and Risk Committee minutes
Monday 14 February 2022
Via Zoom



Held Monday 14 February 2022 at 4pm, Via Zoom

1 Pre-meeting In Camera

No members raised matters they wished to discuss in camera.

2 Present

Independent members: John Watson (Chair), Greg Rimmer-Hollyman, Chris Eddy

Councillors:

Mayor Cr Frances Eyre, Deputy Mayor Cr Ben Ramcharan

Council officers:

Vince Lombardi (Chief Financial Officer), Blaga Naumoski (Executive Manager Governance, Communications and Engagement), Hjalmar Philipp (Director Operations and Infrastructure), Jeremy Livingston (Executive Manager Business Transformation and Performance), Melika Sukunda (Finance Manager), Sally Picket (HR Manager), Eddie Cheng (IT Manager)

Other invitees:

Nick Walker (HLB Mann Judd), Donna Attard (HLB Mann Judd), Graham Noriskin (Pitcher Partners), Richard Wilson (Pitcher Partners)

3 The Chair welcomed attendees, in particular Councillor Ben Ramcharan joining the Committee as a councillor member for the first time, and acknowledged the traditional owners and custodians of the lands on which attendees were meeting.

The Chair took the opportunity at the start of a new meeting to briefly state the purpose of the committee:

- Guided by the Audit and Risk Committee Charter, established by Council resolution in June 2020
- The Committee is an advisory Committee with no decision making authority
- Internal auditors and management work through all areas of organisational activity, the objective being identifying opportunities for improvement and minimisation of risk.

4 Apologies

Carl Cowie (Chief Executive Officer), Craig Commane (Risk and Safety Lead)

The Committee extended their best wishes to Craig for his speedy recovery.

5 Disclosure of any conflicts of interests

Nil

6 Declarations

- i. CEO – Any impending legal action, legislation breaches or instances of fraud.

Nil

- ii. Internal Auditors – Any obstructions to the work of the internal audit.

Nil

7 Adoption of the minutes of the meeting held 10 November 2021

Decision

The minutes of the Audit and Risk Committee meeting held on 10 November 2021 were accepted as a true record.

8 CEO Update

The CEO update was presented to the Committee.

Decision

The CEO update was received and noted.

9 Table of actions arising

The table of actions arising was presented to the Committee.

Decision

The table of actions arising was received and noted.

10 Cybersecurity – Ransomware update

The cybersecurity – ransomware update was presented to the Committee.

Decision

The cybersecurity – ransomware update was received and noted.

11 Sexual Harassment in Local Government – progress update

The Sexual Harassment in Local Government – progress update was presented to the Committee.

Decision

The Sexual Harassment in Local Government – progress update was received and noted.

The Committee endorsed the value of strong messaging from the senior management and Council.

The Committee noted advice that a more recent people matters survey had shown some improvement in results.

The Committee requested a paper be presented at the next meeting comparing the VAGO survey results with the People Matters survey results.

Management agreed to look at the survey messages that could assist in the identification of areas for further focus/ management action.

12 Draft 2021/2022 VAGO Audit Strategy

The draft 2021/2022 VAGO Audit Strategy was presented to the Committee.

Decision

The draft 2021/2022 VAGO Audit Strategy was received and noted.

13 Recreation and Leisure Internal Audit Report

The Recreation and Leisure Internal Audit Report was presented to the Committee.

Decision

The Recreation and Leisure Internal Audit Report was received and noted.

14 Internal Audit Status Report

The internal audit status report was presented to the Committee.

Decision

The internal audit status report was received and noted.

15 Proposed Internal Audit Plan

The proposed Internal Audit Plan was presented to the Committee.

Decision

The proposed Internal Audit Plan was received and endorsed, subject to the Pool Regulation audit being scheduled as the final audit in 2022/23 with the possibility of another subject area replacing it, in particular the impacts of with regard to health and well-being and OHS relating to the pandemic.

The Committee request a brief paper identifying any implications for Council as a result of the passage of the Draft Sex Work Decriminalisation Bill.

16 Recent Risk and Issues Brief

The Recent Risk and Issues Brief was presented to the Committee.

Decision

The Recent Risk and Issues Brief was received and noted.

17 Pending audit recommendations report

The status report of pending audit recommendations report was presented to the Committee.

Decision

The pending audit recommendations report was received and noted.

18 Risk and Safety report

The Risk and Safety report was presented to the Committee.

Decision

The Risk and Safety report was received and noted.

19 Transformation at Nillumbik (T@N) Update

The T@N update was presented to the Committee.

Decision

The T@N update was received and noted.

20 December Quarter Financial Report Summary and December Quarter Financial Report

The December Quarter Financial Report Summary and December Quarter Financial Report were presented to the Committee.

Decision

The December Quarter Financial Report Summary and December Quarter Financial Report was received and noted.

21 Rates in Arrears report

The rates in arrears report was presented Committee.

Decision

The Rates in arrears report was received and noted.

22 Councillor Expenses report

The Councillor Expenses report was presented to the Committee.

Decision

The Councillor Expenses report was received and noted.

23 Other Business

Reappointment of the Internal Auditor

The Committee endorsed the recommendation to Council for the reappointment of the Internal Auditor Pitcher Partners.

The Committee extends their appreciation to Pitcher Partners for their contribution for the period of the contract to date.

24 Audit Committee work plan

The Audit Committee work plan was presented to the Committee

Decision

The Audit Committee work plan was received and noted.

25 Other Business

Local Government sector issues

Impacts of the impending state and federal elections were discussed.

26 Next meeting

The next Audit and Risk Committee meeting is scheduled to be held on 16 May 2022, 4pm, to be confirmed if via zoom or at Council Offices, Civic Drive Greensborough.

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Draft Access Equity and Inclusion Policy – March 2022

DRAFT



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If you require the Access Equity and Inclusion Policy in an alternative format, please email nillumbik@nillumbik.vic.gov.au or call 9433 3111.

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Acknowledgement of Country

Nillumbik Shire Council respectfully acknowledges the Wurundjeri Woi-wurrung people as the Traditional Owners of the Country on which Nillumbik is located, and we value the significance of the Wurundjeri people's history as essential to the unique character of the shire. We pay tribute to all First Nations People living in Nillumbik, give respect to Elders past, present and future, and extend that respect to all First Nations People.

We respect the enduring strength of the Wurundjeri Woi-wurrung and acknowledge the ongoing impacts of past trauma and injustices from European invasion, massacres and genocide committed against First Nations People. We acknowledge that sovereignty was never ceded.

Wurundjeri Woi-wurrung people hold a deep and ongoing connection to this place. We value the distinctive place of our First Nations People in both Nillumbik and Australia's identity; from their cultural heritage and care of the land and waterways, to their ongoing contributions in many fields including academia, agriculture, art, economics, law, sport and politics.

Inclusion statement

The following statement is intended to be a short version of our Policy commitment for use after the Acknowledgement of Country in Council publications:

Nillumbik Shire Council is committed to creating a fair, equitable and inclusive community where human rights are respected, participation is facilitated, barriers are reduced and diversity is celebrated. We support the rights of all people regardless of age, gender, ability or background. We value the diverse and changing nature of our community and understand that some groups and individuals experience more barriers than others.



- Council can be contacted through the [National Relay Service](#) (NRS). The NRS is available as a phone solution for people who are deaf or have a hearing or speech impairment. All calls are confidential. Users must be registered via www.relayservice.gov.au to make and receive calls:
- TTY users phone 133 677, then ask for Council on 9433 3111.
- Speak and Listen (speech-to-speech) users phone 1300 555 727, then ask for Council on 9433 3111.
- A Hearing loop is located at the Civic Drive Customer Service Counter, Civic Centre, Civic Drive Greensborough
- Communication boards are available at the Civic Drive Customer Service Counter, Civic Centre, Civic Drive Greensborough.
- Interpreting services are available.

Purpose

This Nillumbik Access, Equity and Inclusion Policy outlines Councils commitment to equitable and inclusive practice across all council activities. The purpose of the policy is to:

- Demonstrate leadership
- Apply a lens over all council services
- Inform council decision making and investment
- Identify when and how we advocate
- Identify and consider unique and intersecting needs of priority groups
- Commit to strengthening relationships with partners, local service providers, organisation and community.

Context

The role of local government

Local government plays an important role in promoting access, equity and inclusion. As a public authority, Council must act in accordance with legislation that outlines the role of local government in creating equal and inclusive communities including:

- The *Victorian Local Government Act 2020* emphasises the role of local government in community engagement and consideration of the needs of the community in decision making. It also requires that councils provide accessible and equitable services that are responsive to the diverse needs of the community.
- The *Victorian Gender Equality Act 2020* formalises the critical role local government plays in creating more equal and inclusive communities.
- The *Victorian Public Health and Wellbeing Act 2008* recognises the significant role of councils in improving the health and wellbeing of people in their municipality. It also requires councils to support the implementation of state priorities which include a focus on priority groups to reduce health inequalities and achieve a fair and equal society.
- The *Victorian Charter of Human Rights and Responsibilities Act 2006* requires Councils to give proper consideration to human rights when delivering services, developing policies and projects, managing risks, making decisions and managing complaints. This includes the right to:
 - Respect – encouraging a culture of respect and responsibility that celebrates diversity and encourages participation
 - Equality – encouraging innovation in how we respect, promote and protect access, equity and inclusion
 - Freedom – promoting freedom of violence, harassment and bullying by ensuring human rights protections are in place
 - Dignity – our decisions will be informed by the varying needs of people within the community at different life stages and abilities.
- The *Victorian Disability Act 2006* requires local governments to develop a Disability Plan that focuses on reducing barriers to accessing facilities and employment, promoting inclusion and changing attitudes and practices towards people with a disability.
- The *Climate Change Act 2017* outlines the role of local government in supporting vulnerable communities and promoting social justice and

intergenerational equity. It also includes principles of equity and community engagement to inform decision making.

Achieving a fair and inclusive community requires more than compliance with legislation and the law. It requires a culture where shared attitudes, values and behaviours that influence the decision making, service provision, and operational practices of our organisation uphold the human rights and principles of equity and inclusion. It also relies on the use of evidence to inform decision making and collaboration from community and partners with local experience and expertise.

Community context

Resilient communities and individuals bounce back better from adversity, disaster, pressure and stress. The Nillumbik community has demonstrated its resilience and resourcefulness through experiences such as bushfire and the COVID-19 pandemic. Although everyone in the community is affected by these events, some people and groups are more vulnerable to the effects of these disasters.

The nature of disadvantage and inequality continues to evolve. In the context of the COVID-19 Pandemic, many people are experiencing crisis and accessing support services for the first time. Other experiences that can lead to barriers or discrimination that will be considered when applying this policy include:

- Chronic disease or disability
- Disaster, emergency or extreme weather event
- Family violence
- Financial insecurity
- Homelessness or housing insecurity
- Loneliness and social isolation
- Mental illness
- Unemployment or under-employment.

Priority groups

For some people living in our community, there may be additional challenges in feeling included, accessing places, spaces, resources and opportunities. We recognise that some groups have been disadvantaged by inequality and discrimination, meaning that these groups may need additional assistance to reduce the barriers to access and participation. In supporting these groups, Council's focus is on achieving equality of outcomes for people by providing additional support to ensure that these groups are able to access the same opportunities as everyone else. Priority groups in Nillumbik include:

- First Nations People
- LGBTIQ+ people
- People of low socio-economic status
- Older people
- People from cultural and linguistically diverse backgrounds
- People who live rurally or are geographically isolated
- People with a disability and/or chronic disease
- Refugees and people seeking asylum

- Women

Principles

The following principles represent values that will inform the application of this policy.

Leadership

Leadership is being accountable and transparent to the community. It involves modelling best practice within the community, in our decision making and our organisational culture. Demonstrating leadership means taking chances and advocating with and for the community to achieve fair and equitable outcomes.

Community

Everybody has a role in creating a more equal society. We value collective experience and knowledge of the community and will work together to ensure people can make decisions that impact them and take action on issues that are important to them. Collaboration with community will be achieved through partnerships, participation and deliberative community engagement approaches.

Equity

Equity is the commitment to apply a fair and just approach to Council practices. Equity recognises that all groups and individuals are different and some experience intersecting lifestyle, health, identity and social factors that create more barriers to positive outcomes than others.

Intersectionality

Intersectionality describes how systems and structures interact on multiple and intersecting levels to create overlapping barriers and discrimination based on characteristics. Customised responses are required in order for everyone to achieve a fair outcome appropriate with their rights and needs. Intersecting identities include characteristics such as:

- ability
- age
- faith
- gender expression
- language
- location
- mental health
- nationality
- race
- sexual orientation
- socio-economic status

Human rights and social justice

“Social justice and human rights both highlight the importance of equality, democracy, participation, transparency, accountability and inclusion. And

both place the concept of “justice” front and center in efforts to forge a more stable and equitable world.”¹

Respect for human rights and social justice is the cornerstone of strong communities in which everyone can make a contribution and be included. Progressing human rights and social justice requires strong advocacy, no tolerance for discrimination and proactive action to tackle structural and systemic discrimination, oppression, power and privilege.

Council has adopted a social justice and human rights based approach which:

- regards human rights as an opportunity to improve our decision making
- makes human rights a part of our everyday work
- treats everyone as contributing to a human rights culture
- allows us to monitor progress over time in reducing inequality and discrimination.

These strategies aim to ensure the participation of people affected by policy interventions, with a view to empowering all members of our community.

Our commitment

We will:

- Consider access, equity and inclusion in all decision making.
- Use evidence to inform deliberate and meaningful advocacy.
- Demonstrate Council’s values to protect and enhance inclusion in the community.
- Empower community to meaningfully shape decisions that impact their lives and stand up for themselves and each other.
- Celebrate the diversity of our community and actively work to reduce inequalities.
- Model inclusive and flexible workplace culture and practice.
- Invest in Councillor, employee and volunteer development to increase knowledge and practices that promote access, equity and inclusion.
- Provide accessible and adaptive information and communications that are representative of the community, regardless of physical, social and cultural barriers
- Foster democratic representation and meaningful community engagement.
- Champion equity, participation and inclusion as we work to eliminate barriers and reduce discrimination.
- Design and deliver services that meet the diverse and future needs of our community and reduce barriers to access and inclusion.

¹ United Nations (2009) Launch of the World Day of Social Justice, February 10 Highlights from Panel Discussion. Available at:

https://www.un.org/esa/socdev/social/intldays/IntlJustice/launch10Feb09/highlights_panel.pdf

- Plan, design and maintain places and spaces that are welcoming, safe, accessible and inclusive of the needs of all community members.
- Celebrate, embrace and be informed by our unique identity and acknowledge our changing community.

Application

This policy applies to the delivery of Council services, programs and activities as well as the design, provision and management of facilities, infrastructure and open spaces.

All Councillors, employees, volunteers and contractors carrying out work on behalf of Council are required to comply with this policy.

Implementation and review

This policy is supported by strategies, plans and programs across Council to ensure that Council's commitments are implemented and maintained. Progress will be monitored and outcomes will be reported regularly to the community through Council's annual report.

This policy will be reviewed every four years following the adoption of the four-year Nillumbik Health and Wellbeing Plan. A review will consider how effectively principles and policy commitments have been embedded across the organisation, strength of partnerships and community impact.

Opportunities to improve access, equity and inclusion are also identified and monitored through Gender Impact Assessments which are undertaken when developing new policies, programs and service reviews.

Complaints

We are committed to enabling members of our community to raise their concerns about Council with ease and confidence and managing these complaints fairly, objectively and in a timely manner.

A complaint is a way for members of our community to let Council know that they are dissatisfied with:

- the quality of an action, decision made, facility or service provided by a Council or a contractor engaged by Council
- the delay by Council or contractor engaged by Council in taking action, making a decision or providing a service
- policy decision made by Council or contractor engaged by Council.

Complaints provide Council with important information about its services, our customers' experiences, and can create an opportunity to address customer concerns, build greater community advocacy for Council and its services, as well as identify areas of service that need improvement.

Complaints can be made in accordance with Nillumbik Shire Council's Complaints Handling Policy. For additional information or including our Complaints Handling Policy, please visit [Making a complaint - Nillumbik Shire Council](#)

Supporting Council policies, strategies and plans

- Arts and Culture Strategy (under development)
- Ageing Well in Nillumbik Action Plan 2019 – 2022
- Climate Action Plan (under development)
- Community Engagement Policy
- Community Vision – Nillumbik 2040
- Complaints Handling Policy
- Council Plan 2022 – 2025
- Customer First Strategy
- Disability Action Plan 2020 – 2024
- Gender Equality Action Plan 2021 – 2025
- Housing Strategy (to be developed)
- Municipal Emergency Management Plan
- Municipal Planning Strategy
- Nillumbik Health and Wellbeing Plan 2021 – 2025
- Nillumbik Placemaking Framework
- Open Space Strategy (to be developed)
- Reconciliation Action Plan (to be developed)
- Reconciliation Charter
- Recreation and Leisure Strategy (under development)
- Youth Strategy 2022 – 2026

Supporting legislation

Commonwealth

- *Age Discrimination Act 2004*
- *Australian Human Rights Commission Act 1986*
- *Disability Discrimination Act 1992*
- *Racial Discrimination Act 1975*
- *Sex Discrimination Act 1984*

State

- *Charter of Human Rights and Responsibilities Act 2006*
- *Children, Youth and Families Act 2005*
- *Climate Change Act 2017*
- *Crimes Act 2005*
- *Disability Act 2006*
- *Equal Opportunity Act 2010*
- *Freedom of Information Act 1982*
- *Gender Equality Act 2020*
- *Local Government Act 2020*
- *Mental Health Act 1986*
- *Occupational Health and Safety Act 1985*

- *Public Health and Wellbeing Act 2008*
- *Racial and Religious Tolerance Act 2001*

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Glossary

Class is a system of structured inequality based on unequal distributions of power, education, wealth and income that determine social position and status.

Diversity is what makes each of us unique and includes our backgrounds, personality, life experiences and beliefs. It is a combination of our differences that shape our view of the world, our perspective and our approach. Diversity is also about recognising, respecting and valuing differences.

Disadvantage is a term that is often used to describe inequity faced by people of lower social position. It is socially constructed, imposed on people and limits their opportunities in life or health.

Equality is the state of affairs that prevails when all individuals and/or groups of people are given equal treatment, regardless of need or outcome.

Equity is the state of affairs that prevails when support or resources are distributed according to need, the purpose being to ensure more equal outcomes for all.

Family violence is a broader term than domestic violence, as it refers not only to violence between intimate partners but also to violence between family members.

Gender is the socially learnt roles, behaviours, activities and attributes that any given society considers appropriate for men and women; gender defines masculinity and femininity. Gender expectations vary between cultures and can change over time.

Human rights are basic entitlements that belong to every one of us, regardless of our background, where we live, what we look like, what we think or what we believe.

Inclusion occurs when people feel, and are, valued and respected. Regardless of their personal characteristic or circumstance.

Intersectionality describes how systems and structures interact on multiple and intersecting levels to create overlapping barriers and discrimination based on characteristics.

Sex is the biological and physical characteristics used to define humans as male or female.

Social inclusion is about people being able to participate in society and creating conditions for equal opportunities for all. Social inclusion requires that all individuals be able to 'secure a job; access services; connect with family, friends, work, personal interests and local community; deal with personal crisis; and have their voices heard.

Social justice seeks to create equal political, economic, and social rights for all people.

Vulnerability refers to the inability of people, organisations, and societies to withstand adverse impacts from multiple stressors to which they are exposed.



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Draft Access Equity and Inclusion Policy - Frequently Asked Questions

What is the purpose of the Policy?

The policy formalises Council's commitment to access, equity and inclusion. It will provide direction for our work at both a strategic and operational level. The policy will shape our practice and inform our engagement activities, strategies, policies, plans, projects, programs and services.

How was the Policy developed?

The Draft Policy has been informed by:

- relevant legislation and frameworks
- evidence in the [Nillumbik Community Profile 2021](#)
- recent community consultation and evidence of our local context
- alignment with Council strategic documents
- existing Council commitments related to access, equity and inclusion
- best-practice from government and community.

Why are these priority groups identified?

For some people living in our community, there may be additional challenges in feeling included, accessing places, spaces, resources and opportunities. We recognise that some groups have been disadvantaged by inequality and discrimination, meaning that these groups may need additional assistance to reduce the barriers to access and participation. We have identified the following priority groups for Nillumbik based on information

- **First Nations People** - 3 in 4 Aboriginal and Torres Strait Islander people regularly experience race-based discrimination.¹ Aboriginal and Torres Strait Islander People may also experience barriers to culturally appropriate health, education and justice services. 230 people (0.4%) living in Nillumbik identify as Aboriginal and/or Torres Strait Islander.²
- **LGBTIQA+ people** - Four per cent of Nillumbik residents identify as LGBTIQA+.³ However, this may be an underrepresentation - it is estimated that 11 per cent of the national population may identify as LGBTIQA+.⁴ Almost 1 in 4 (22%) survey respondents in a recently conducted Nillumbik Youth Survey identified as LGBTIQA+.
- **Older people** – Growth in the ageing population of Nillumbik means that issues faced by the older population will increase. These include limited transportation options, social and geographic isolation, limited housing options and access to services and facilities. 30 per cent of the Nillumbik population is over 55 years.⁵
- **People from cultural and linguistically diverse backgrounds** – 16 per cent of Nillumbik residents were born overseas⁶, 9 per cent speak a language other than English⁷ and there are 5635 non-English speakers living in Nillumbik Shire.⁸ In Australia, one in five people have experienced race-based

discrimination and two in five people have been a target of verbal racial abuse.⁹

- **People who live rurally or are geographically isolated** – access to goods, services, employment and social interaction opportunities (e.g. public transport, education, health services, internet, housing choices) can be limited for people who live rurally. Risks associated with extreme weather events can also be higher.
- **People of low socio-economic status** - There were 5,376 people in low income households living in Nillumbik Shire. The unemployment rate in Nillumbik is 4.3 per cent. This is higher among young people (22%).¹⁰
- **People with a disability and/or chronic disease** - 1 in 5 people in Nillumbik are estimated to have a disability, which is forecast to increase by 67% by 2026. 1 in 2 people over 65 years have a disability.¹¹ The majority of the burden of disease in Australia is from chronic diseases including cancer, cardiovascular diseases, muscolotskeletal conditions, mental health conditions and substance use. Populations in remote areas, in low socioeconomic groups and Aboriginal and/or Torres Strait Islander People are more likely to face burdens of disease.¹²
- **Refugees and people seeking asylum** - Most refugees and asylum seekers arrive in Australia having experienced poverty, torture and trauma in countries with different racial, social, economic and linguistic backgrounds.¹³ Nillumbik has a small population of Syrian refugees who settled in Eltham in 2017.
- **Women and gender diverse people** – women and gender diverse people are particularly impacted by gender inequity and experience higher rates of family violence. Violence against women is the biggest contributor to death, disability and illness in women aged 15-44 years in Victoria. Reports of family violence incidents have been increasing in Nillumbik and children were present in one-third of these incidents.¹⁴

Other experiences that can lead to barriers or discrimination that will be considered when applying this policy include:

- disaster, emergency or extreme weather event
- family violence
- financial insecurity
- homelessness or housing insecurity
- loneliness and social isolation
- mental illness
- unemployment or under-employment.

How is inequality changing in Nillumbik?

Inequalities are increasing, with the impacts of the pandemic starting to show. More people than ever have reached out to access support services including family violence, housing, emergency and food relief in Nillumbik.

Our community cares deeply for the environment and are both environmentally engaged and progressive, but at the same time significant impacts of climate change are being experienced – this will continue to increase inequalities.

“People are just getting priced out of rentals in Diamond Creek. There are no affordable housing options around anymore. That is the problem” “People are

moving out of the area because they just can't make ends meet" Local service provider

'We are seeing an increase in staff from services (disability support, Aboriginal House services, VACCA, enhanced maternal child health) who are quite worried about their clients and are seeking food assistance and other material aid on their client's behalf ' Local food relief

What is Council already doing to create a more fair and inclusive Shire?

- Undertaking Gender Impact Assessments on all new strategies, policies, plans, projects, programs and services
- Strengthening flexible and inclusive workplace practice through implementation of the Gender Equality Action Plan
- Engaging access consultants to inform planning process
- Reconciliation commitments
- In home family mentoring for families experiencing challenges
- Providing Easy English translations of Council publications
- Maintaining high customer service standards
- Using the Complaints Policy and procedures to identify improvement opportunities
- Celebrating days of significance for priority groups (e.g. IDAHOBIT Day, NAIDOC Week, International Day of People with Disability, International Women's Day).

How will the Policy be implemented?

Access equity and inclusion considerations are already being embedded across Council. This policy will strengthen and build on current action and commitments and will be supported by existing strategies, plans and programs and projects across Council to ensure the policy commitments are implemented and maintained.

There are three phases we will take to embed access, equity and inclusion principles and policy commitments across Council:

1. **Initiate** - establish our policy commitment and undertake community engagement to confirm opportunities and gaps.
2. **Build capacity and drive culture change** - deliver training, upskill staff, deliver pilot programs, identify champions and collect relevant information.
3. **Sustain**: measured through effective partnerships, longer-term systems and process changes, monitoring, evaluation and learning to continue to build on strengths and address gaps.

I have a complaint related to Council regarding access, equity and inclusion. What should I do?

The easiest way to submit a complaint or feedback is via our online form: <https://au.openforms.com/Form/83029857-a40a-4499-887a-ce17e5e81408>

Alternatively, you can:

- Email nillumbik@nillumbik.vic.gov.au
- Call 03 9433 3111
- Write to PO BOX 476, Greensborough VIC 3088
- Visit 32 Civic Drive, Greensborough

National Relay Service
TTY call 133 677
Speak and listen call 1300 555 727

When making a complaint and/or providing feedback to Council, we encourage you to provide as much information as possible so that we can address your concern.

We respect the need to manage and protect your privacy, and we do accept and respond to anonymous complaints if we have received enough information to do so.

The following information is helpful to include in your complaint:

- your name and contact details
- identify the action, decision, service or policy you are complaining about, and why you are dissatisfied
- relevant details, such as dates, times, location or reference numbers, and documents that support your complaint
- the outcome you are seeking from making your complaint
- whether you have any communication needs.

For additional information or including our Complaints Handling Policy, please visit [Making a complaint - Nillumbik Shire Council](#)

End notes

¹ All Together Now, Racism in Australia [website], Available at <https://alltogethernow.org.au/racism-in-australia>.

² Australian Bureau of Statistics (2016). *Census of Population and Housing. SEIFA data*. Collated by Forecast .id. Available at <https://profile.id.com.au/nillumbik/Who-are-we>

³ Victorian Agency for Health Information (2020). *The health and wellbeing of the lesbian, gay, bisexual, transgender, intersex and queer population in Victoria: Findings from the Victorian Population Health Survey 2017*, State of Victoria, Melbourne.

⁴ Australian Human Rights Commission (2014). *Face the facts: Lesbian, Gay, Bisexual, Trans and Intersex People*. Available at: https://humanrights.gov.au/sites/default/files/7_FTF_2014_LGBTI.pdf

⁵ Forecast .id (2020). Discontinued. Available at: <https://www.planning.vic.gov.au/land-use-and-populationresearch/victoria-in-future>

⁶ Australian Bureau of Statistics (2016). *Census of Population and Housing*. Collated by Profile .id. Available at: <https://profile.id.com.au/nillumbik/overseas-communities-interest?BMACOIID=10>

⁷ Australian Bureau of Statistics (2016). *Census of Population and Housing*. Collated by Profile .id. Available at: <https://profile.id.com.au/nillumbik/non-english-speaking-introduction?BMACOIID=10>

⁸ Australian Bureau of Statistics (2016). *Census of Population and Housing*. Collated by Profile .id. Available at: <https://profile.id.com.au/nillumbik/non-english-speaking-introduction?WebID=10>

⁹ All Together Now, Racism in Australia [website], <https://alltogethernow.org.au/racism-in-australia>, accessed February 2022.

¹⁰ Australian Bureau of Statistics (2016). *Census of Population and Housing, Labour force data*. Collated by Profile .id. Available at: <https://profile.id.com.au/nillumbik/employment-status>

¹¹ Australian Bureau of Statistics (2018). *Disability, Ageing and Carers, Australia: Summary of Findings, 2018*. Available at <https://www.abs.gov.au/statistics/health/disability/disability-ageing-and-carers-australia-summary-findings/latest-release#data-download>

¹² State of Victoria (2019). *Victorian Public Health and Wellbeing Plan 2019-2023*. Available at: <https://www2.health.vic.gov.au/about/health-strategies/public-health-wellbeing-plan>

¹³ Camacho, D. (1999). *The social, economic and industrial issues specific to migrant workers over 45 Years of age seeking employment, or establishing a business, following Unemployment (a quantitative approach)*, Standing Committee On Employment, Education And Work Place Relations (Submission 33), Australian Parliament House, Canberra

¹⁴ Department of Premier and Cabinet (2026) *Safe and Strong: A Victorian Gender Equality Strategy*. Available at <https://www.vic.gov.au/safe-and-strong-victorian-gender-equality#download-the-pdf>

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Draft Access Equity and Inclusion Policy - Engagement Plan summary

Stakeholder	Details	Method	Questions	Supporting materials
Broader community		<ul style="list-style-type: none"> Survey via Participate Social media E-newsletters Nillumbik News Post-cards and hard copy of policies seeking feedback at: Neighbourhood Houses, Community Centres, health services, Council facilities, markets/whole of community events, Leisure Centres and Libraries 	<p>Do you have any feedback on the draft policy?</p> <p>Are there opportunities to work together to create an inclusive Nillumbik?</p>	<ul style="list-style-type: none"> Draft Policy Easy English Draft Policy Translated Easy English Draft Policy – Mandarin and Arabic (from OPOPOF requests) Poster of Draft Policy inviting feedback (QR code to survey link) Post-cards seeking feedback (QR code to survey link) On all resources - ensure there is a sentence about alternative formats (with email and phone contacts) and write content in plain English etc. FAQs <ul style="list-style-type: none"> How was the policy developed? What is the purpose of the policy? Why are these priority groups identified? What is Council already doing? How will the policy be implemented?
Community leaders	<ul style="list-style-type: none"> Women's Leadership Program participants Australia Day Award recipients Community grant recipients 	<ul style="list-style-type: none"> Call or email to reach out and seek support engaging with their networks/community contacts 	<p>Do you have any feedback on the draft policy?</p> <p>Are there opportunities to work together to create an inclusive Nillumbik?</p>	
Advisory Committees Networks Community groups Sports clubs Businesses	<ul style="list-style-type: none"> Health and Wellbeing Positive ageing Disability Inclusion Araluen St John of God Brotherhood of St Lawrence Diamond Valley Special Development School Inclusion and Access Advisory Committee Disability Inclusion Network Arts and Cultural Development Living & Learning Youth Economic Development Environment Banyule Nillumbik Family Violence Network Community Services Network Banyule Nillumbik Youth Services Network Nillumbik Reconciliation Group Welcome to Eltham Montmorency Asylum Seeker Support Group Sports Clubs Oxfam/Amnesty International North East Metro Group/Human Rights groups Trader's associations 	<ul style="list-style-type: none"> Agenda item, presentation and discussion (or most appropriate activity as determined by committee lead) Email Phone call 	<p>Do you have any feedback on the draft policy?</p> <p>Are there opportunities to work together to create an inclusive Nillumbik?</p> <p>What does a fair and inclusive Nillumbik look like to you?</p>	

	<ul style="list-style-type: none"> • Early Years Community of Practice 			
Priority groups	<ul style="list-style-type: none"> • Aboriginal and/or Torres Strait Islander People • Children • Young people • Older people • LGBTQIA+ people • People with disability • People from a culturally and linguistically diverse background • Refugees and people seeking asylum • Lower socio-economic groups • Geographically isolated people/rural residents 	<ul style="list-style-type: none"> • Targeted focus groups • Discussion during programs 	<p>Do you have any feedback on the draft policy?</p> <p>What does a fair and inclusive Nillumbik look like to you?</p> <p>Are there opportunities to work together to create an inclusive Nillumbik?</p> <p>How could Council best work with you?</p> <p>Are these the right priority groups?</p>	
Staff		<ul style="list-style-type: none"> • Workshops with key groups • All staff meeting 	<p>Do you have any feedback on the draft policy?</p> <p>How can you change practice in your role to create a fair and inclusive Nillumbik? What support do you need to do this?</p> <p>Are these the right priority groups?</p>	

Nillumbik Youth Council

Terms of Reference

Classification:

Advisory Committee of Council

Purpose:

- To provide a formal platform for young people to have their say on issues, needs and aspirations important to them and relevant to Nillumbik.
- To inform the development of Council strategies, policies and projects.
- To lead the planning, development and evaluation of the Nillumbik Youth Strategy and Action Plan.
- To lead projects, events and activities that aim to support, empower and improve the lives of young people in Nillumbik.
- To build confidence, skills and knowledge in young people including leadership, community, team work and project management skills.
- To educate young people about local government and its role in shaping the community.

Objectives:

The Nillumbik Youth Council will consist of up to fifteen (15) young people aged 15-25 years of age who are passionate about being involved in their community and representing the diverse views, ideas and needs of young people in the Nillumbik area.

The Nillumbik Youth Council will:

- Act as an Advisory Committee to Council, advocating for opportunities, barriers and/or issues impacting on young people in Nillumbik.
- Provide advice to Council on how to best meet local youth needs.
- Develop local initiatives and projects for young people.

The Nillumbik Youth Council will be responsible for the planning, development and evaluation of the Nillumbik Youth Strategy and Action Plan. The Plan will set out the priorities and actions for young people to lead, with the support of Council, across their two-year term.

Membership and chairperson

Membership will consist of:

- One Councillor appointed by Council.
- Up to 15 Youth Councillors aged between 15-25 years of age, who live, work, volunteer, study or play in Nillumbik selected through an expression of interest process.
- Youth Councillors should represent the diverse and varied needs of the youth community in Nillumbik including but not limited to living in rural Nillumbik, LGBTIQ+, Aboriginal or Torres Strait Islander, People with a Disability and Culturally and Linguistically Diverse communities.
- The Youth Mayor or Deputy Youth Mayor will chair meetings with support from the appointed Councillor.
- Meetings will be attended and supported by the Manager, Community Partnerships or delegate and Team Leader Youth Development.

Co-opted members

- The Youth Council may invite suitable people to join in an advisory capacity, for a specified purpose and for a specified period of time.
- Where appropriate, working groups and sub-committees may be established to provide an opportunity for members to work collaboratively on specific projects, issues or areas. Membership of the working groups will be open to members and non-members. A working group or sub-committee member will be nominated to provide feedback at meetings.

Term of appointment

- Youth Councillors will be appointed for a two year term, however all Youth Councillors reserve the right to reconsider their role on Youth Council each financial year according to work, study or personal commitments.
- Should a member wish to resign prior to their term of appointment finishing, written notification (via email and/or mail) must be given to the Council Officer of their intent
- Where a member resigns before the end of their term a replacement committee member may be appointed by a Council Officer.
- The Youth Mayor will be elected by a majority of the Youth Council and will stand for a period not exceeding one (1) year. The Youth Mayor is responsible for chairing the Advisory Meetings of Youth Council with support of the appointed Councillor.
- The Deputy Youth Mayor will be elected by a majority of the Youth Council and will stand for a period not exceeding one (1) year. The Deputy Youth Mayor will chair the meetings when the Youth Mayor is unavailable.
- Should a member wish to resign prior to their term of appointment finishing, written notification must be sent to the Council officer with 14 days' notice.
- A member's term of appointment may cease if they fail to attend regular meetings without notice or fail to meet their obligations as a Youth Council member.

Payment

Youth Councillors will be reimbursed for their time and out of pocket expenses through a payment of \$500 per year, paid in four instalments of \$125 per quarter and only when 80% attendance is met throughout the year.

Member responsibilities

In order to fulfil the Committee's objectives, members are expected to:

- Using a collaborative approach, develop and prioritise the strategic goals and objectives for young people in Nillumbik.
- Actively participate in meetings, activities, events and professional development opportunities as required.
- Lead the planning and development of the two year Youth Strategy and Action Plan.
- Lead and support the implementation of actions as identified within the Action Plan.
- Advocate for the diverse range of needs of young people in their local communities.
- Provide advice on matters presented to the Youth Council.

Member requirements

- Youth Council members over the age of 18 will be required to provide a valid Working with Children's Check.
- Youth Council members are recognised as volunteers of Council and will be required to undertake induction as a volunteer of Nillumbik Shire Council. As volunteers of Council, all members will be expected to operate in accordance with all volunteer requirements.
- Actively engage with other young people in Nillumbik to inform decision-making with a particular focus on engaging with those who are too young to have representation on the committee.

Quorum

Decisions can only take place with a quorum defined as the majority of the total number of advisory committee members.

Meeting frequency

- Formal Youth Advisory Committee Meetings for the Youth Council will be held bi-monthly in Council Chambers on a Monday between 4pm – 6pm.
- On commencement of the two year term, the Youth Council members will be required to attend all induction and training meetings as scheduled by the Youth Development Team.
- The Youth Council members will meet informally on a fortnightly basis to support the planning, development, implementation and evaluation of Council's Youth Strategy and Action Plan.
- Additional hours involving evening, weekends and school holidays may be required at various stages.
- Youth Council may at times attend and present at Ordinary and Future Nillumbik Council Meetings.

Management of the group

The Team Leader of Youth Development or representative will be responsible for:

- Convening the Youth Council meetings, organising a meeting venue and providing refreshments.
- Attend and facilitate all meetings.
- Prepare and distribute the agenda and meeting minutes.
- Support the Youth Council to complete their set tasks.
- Support the Youth Mayor and Deputy Youth Mayor to meet the requirements of their position.

Reporting procedure

- The Committee is an Advisory Group that is established by Council, as defined in section 3 of the *Local Government Act 1989*, and provides advice to Council's special committee or Council officers with decision making authority.
- Minutes of the meetings are presented to Council for information at the next scheduled Council Meeting.
- Where formal advice provided by the Committee cannot be acted on with the delegated power of Council officers, it must be referred to Council for formal resolution before being acted on.

Public Statements

Members of the Committee may not make public statements on behalf of Council without prior approval of the Executive Manager of Community Services.

References

- Community Vision
- Nillumbik Council Plan
- Nillumbik Health and Wellbeing Plan
- Climate Change Action Plan
- Green Wedge Action Plan

Contact details of group

Katie Camilleri, Team Leader Youth Development
9433 3145

Approval date

December 2020

Next review date

December 2022

Informal Meeting of Councillors Record

The Meeting commenced at 9.55am

MEETING DETAILS:	Title:	Councillor Workshop
	Date:	Thursday 10 and Friday 11 February 2022
	Location:	RACV Healesville Country Club and Resort
PRESENT:	Councillors:	Cr Peter Perkins, Cr Frances Eyre, Cr Natalie Duffy, Cr Karen Egan, Cr Geoff Paine, Cr Ben Ramcharan and Cr Richard Stockman
	Council Staff:	Carl Cowie, Vince Lombardi, Blaga Naumoski, Hjalmar Philipp, Rosa Zouzoulas, Nicole Johnson Present on Day 1 only: Melika Sukunda, Robert Malignaggi, Enrique Gutierrez
	Other:	Margaret Devlin (Co-facilitator)
APOLOGIES:		

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Day 1 10 February 2022 commenced at 9.55am Welcome and Introduction to workshop	No disclosures were made
2	Budget overview / financial landscape	No disclosures were made
3	Budget 2022-2023 • Setting rate cap • Presenting waste management charge • Review fees and charges	No disclosures were made
4	Service levels and potential revenue streams	No disclosures were made
5	Budget 2022-2023 • Major initiatives	No disclosures were made
6	Capital Works • Programmed works – current and future • Projects – current and future	No disclosures were made
7	Advocacy Plan and Election Submissions • Federal and State election advocacy Concluded at 5.25pm	No disclosures were made

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
8	Day 2 - 11 February 2022 commenced at 9am Council Plan Update <ul style="list-style-type: none"> • Review delivery of the Council Plan • Start developing Action Plan for 2022-2023 	No disclosures were made Cr Karen Egan was apology on Day 2
9	Briefings, Shortcuts and Communications discussion	No disclosures were made
10	Dynamics and Mechanics <ul style="list-style-type: none"> • Reflections of the past year • Leveraging on our strengths • How can we work better together for the coming year? 	No disclosures were made

The Meeting concluded at 1pm

RECORD COMPLETED BY:	Officer Name: Officer Title:	Blaga Naumoski Executive Manager Governance, Communications and Engagement
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Informal Meeting of Councillors Record

The Meeting commenced at 9:00am

MEETING DETAILS:	Title:	Eltham Train Station Carpark Meeting
	Date:	Monday 14 February 2022
	Location:	Microsoft Teams
PRESENT:	Councillors:	Cr Fran Eyre (convenor) Cr Natalie Duffy Cr Ben Ramcharan Cr Peter Perkins (arrived at approx. 9.40am) Cr Geoff Paine
	Council Staff:	Hjalmar Philipp, Lawrence Seyers
	Other:	Vicki Ward MP James Carfax-Foster Andrew Pepplinkhouse, LXP Michael Berminghamm, LXP Chris Yue, LXP John Matta, Department of Transport
APOLOGIES:		None

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Eltham Train Station Carpark	No disclosures were made

The Meeting concluded at 10:05am

RECORD COMPLETED BY:	Officer Name:	Lawrence Seyers
	Officer Title:	Lead Transport Planner



Informal Meeting of Councillors Record

The Meeting commenced at 5.03pm

MEETING DETAILS:	Title:	Councillor Briefing – conducted virtually
	Date:	Tuesday 15 February 2022
	Location:	Virtual meeting
PRESENT:	Councillors:	Cr Peter Perkins, Cr Frances Eyre, Cr Natalie Duffy, Cr Karen Egan, Cr Geoff Paine, Cr Ben Ramcharan and Cr Richard Stockman
	Council Staff:	Carl Cowie, Vince Lombardi, Hjalmar Philipp, Blaga Naumoski, Nicole Johnson, Jeremy Livingston, Rosa Zouzoulas, Tony Liu, Nadine Sinclair, Natalie Champion, Jon Miller, Enrique Gutierrez, Leigh Northwood, Melika Sukunda
	Other:	
APOLOGIES:		

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	CEO Performance Plan and KPI – Quarterly update Feb 2022	No disclosures were made
2	Draft Asset Plan 2022-2032	No disclosures were made
3	Leasing and Licencing – Background and Focus Areas	No disclosures were made
4	130 Allendale Road, Eltham North - Potential rezoning	No disclosures were made
5	Budget Briefing 2022-2023	No disclosures were made
6	Update on LXP and DoT meeting regarding Eltham Train Station Carpark	No disclosures were made

The Meeting concluded at 8.58pm

RECORD COMPLETED BY:	Officer Name: Officer Title:	Blaga Naumoski Executive Manager Governance, Communications and Engagement
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Informal Meeting of Councillors Record

The Meeting commenced at 6:30pm

MEETING DETAILS:	Title:	Recreation Trails Advisory Committee
	Date:	Wednesday 16 February 2022
	Location:	Online – Zoom Meeting
PRESENT:	Councillors:	Cr Richard Stockman, Cr Karen Egan
	Council Staff:	Tara Jolfaei, Brooke Ross, Rebecca Burton, April Wilson
	Other:	Committee members - Janice Davies, Rex Niven, Kay Cruse Cathy Giles, Vince Bagusauskas, Stephen Hadley, Bob Muxlow, Andrew Bakos, Jamie Sharp
APOLOGIES:		Finn Westerman, Louise Barry

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Conflict of Interest	No disclosures were made
2	DRAFT Recreation & Leisure Strategy	No disclosures were made
3	Diamond Creek Trail Update	No disclosures were made
4	Hurstbridge Open Space Precinct Plan	No disclosures were made
5	Diamond Creek BMX and dirt bike Project	No disclosures were made
6	Trail Report Update	No disclosures were made

The Meeting concluded at 8:05pm

RECORD COMPLETED BY:	Officer Name:	Tara Jolfaei
	Officer Title:	Recreation and Open Space Planner



Informal Meeting of Councillors Record

The Meeting commenced at 7:00pm

MEETING DETAILS:	Title:	Environment and Sustainability Advisory Committee
	Date:	Wednesday 16 February 2022
	Location:	Zoom
PRESENT:	Councillors:	Cr Ben Ramcharan, Cr Karen Egan, Cr Geoff Paine
	Council Staff:	Lisa Pittle, Kirsten Reedy, Laura Nix
	Other:	ESAC: John Huff, John Brennan, Narelle Campbell, Liz Parsons, David Turner
APOLOGIES:		Andrew Robinson, Alan Thatcher

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Update on ESAC Motion to Council	No disclosures were made
2	Community transition to Net Zero	No disclosures were made
3	Launch of the CAP	No disclosures were made
4	Waste update	No disclosures were made
5	Other business	No disclosures were made

The Meeting concluded at 8.58pm

RECORD COMPLETED BY:	Officer Name:	Laura Nix
	Officer Title:	Environment Project Officer



Informal Meeting of Councillors Record

The Meeting commenced at 7:00pm

MEETING DETAILS:	Title:	Panton Hill Bushland Reserve System User Group Advisory Committee
	Date:	Thursday 17 February 2022
	Location:	Zoom
PRESENT:	Councillors:	Cr Ben Ramcharan
	Council Staff:	Lisa Pittle, Brad Tadday
	Other:	Lydia Heap, Cathy Giles, Mark Hood, Janice Crosswhite, Bob West
APOLOGIES:		Rex Niven, Cr Natalie Duffy, Jeff Saker

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Minutes of previous meeting	No disclosures were made
2	Outstanding Action Items	No disclosures were made
3	Revised Terms of Reference and extension of current committee	No disclosures were made
4	Works update and planned works	No disclosures were made
5	Interpretation Design Plan Implementation	No disclosures were made
6	Review achievements of current PHBRS Management Plan and future focus areas	No disclosures were made
7	Action planning 2021	No disclosures were made

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
8	Other Business	No disclosures were made

The Meeting concluded at 9:03pm

RECORD COMPLETED BY:	Officer Name: Brad Tadday Officer Title: Environmental Works Officer
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Informal Meeting of Councillors Record

The Meeting commenced at 7:00pm

MEETING DETAILS:	Title:	Arts and Cultural Advisory Committee
	Date:	Monday 21 February 2022
	Location:	Zoom
PRESENT:	Councillors:	Cr. Paine, Cr. Perkins
	Council Staff:	Nichole Johnson, Sarah Hammond, Simon Doyle, Angela Bailey, Renee Cosgrave
	Other:	Brian Gilkes, Pat Reynolds, Cassie May, Alli Spoor, Hana Zreikat, Liezl Shnookal, Sandra Miller, Leanne Ipsen, Emma Roussel. Julie Marlow, John Smithies (Cultural Development Network)
APOLOGIES:		Cr Duffy, Corrienne Nichols, Dennis Coard, Tessa Christie, Thomas McEvoy, Jonathan Crowther, Rebecca Davies

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	6. Matters Arising 6.1 ACAC Meeting Format – digital vs in person 6.2 2022-26 Arts and Culture Strategy Update	No disclosures were made
2	7. Presentation by Cultural Development Network and discussion – DRAFT Arts and Culture Strategy	No disclosures were made
3	8. Eltham Library Community Gallery Program Update	No disclosures were made
4	9. Curator and Collections Management Update 9.1 Acquisition – Nicholas Currie. Scars and Bruises 9.2 Presentation and Discussion – Recommended Acquisitions	No disclosures were made
5	10. Arts Development Update 10.1 St. Andrews Wayfinding Project 10.2 Diamond Valley Sports & Fitness Centre Public Art Project 10.3 2022 Nillumbik Prize for Contemporary Writing 10.4 Edendale Summer Picnic Series	No disclosures were made



MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
	11. Community Arts and Cultural Engagement Update 11.1 Resignations Thomas McEvoy and Jonathan Crowther 11.2 Nillumbik Artist in Own Residence Program 11.3 2021-22 History and Heritage Grants 2022-23 Arts and Culture Annual Grants 11.4 EOI Arts and Cultural Advisory Committee 2022-24	No disclosures were made
6	12. Other Business	No disclosures were made
7	13. 2022 Meetings – Future Dates for Diary	No disclosures were made

The Meeting concluded at 9:00pm

RECORD COMPLETED BY:	Officer Name/Title:	Sarah Hammond, Community Arts and Cultural Engagement Officer
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Informal Meeting of Councillors Record

The Meeting commenced at 5:02pm

MEETING DETAILS:	Title:	Council Meeting Pre-Meeting – conducted virtually
	Date:	Tuesday 22 February 2022
	Location:	Virtual meeting
PRESENT:	Councillors:	Cr Peter Perkins, Cr Frances Eyre, Cr Karen Egan, Cr Geoff Paine, Cr Ben Ramcharan and Cr Richard Stockman
	Council Staff:	Carl Cowie, Vince Lombardi, Hjalmar Philipp, Blaga Naumoski, Jeremy Livingston, Rosa Zouzoulas, Emma Christensen, Nichole Johnson, Melika Sukunda, Leigh Northwood, Danielle Phyland, Lance Clark, Enrique Gutierrez, Steven Blight, Lisa Pittle, Lauren Treby
	Other:	
APOLOGIES:		Cr Natalie Duffy

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Council Meeting Pre-Meeting	No disclosures were made

The Meeting concluded at 5:28pm

RECORD COMPLETED BY:	Officer Name:	Emma Christensen
	Officer Title:	Acting Governance Lead



Informal Meeting of Councillors Record

The Meeting commenced at 07.00pm

MEETING DETAILS:	Title:	Melbourne Water Christmas Hills Divestment Community Meeting
	Date:	Wednesday 23 February 2022
	Location:	Christmas Hills Community Hall 787 Ridge Road, Christmas Hills VIC
PRESENT:	Councillors:	Cr Frances Eyre Cr Ben Ramcharan Cr Geoff Paine
	Council Staff:	Rosa Zouzoulas, Leigh Northwood, Sean Diffey, Courtney Armit
	Other:	Steve Jenkinson, David Ball, Doug Evans, Pip Charlton, Wayne Rushton, Tony Lupton, Chris Peters, Rebecca Peters, Kevin Heeley, Marg Heeley, John Devling, Paul Mitchell, Neville Ragg, Janet Meade, Glenn Kavanagh, Lisa Nye, Loreen Muddyman, Veronica Holland, Kahn Franke, Lydia Heap, Bronwyn Woods, Geraldine Sanderson, Peter Sanderson, Rob Shackleton, Linda Joyce, Frank Pierce, Janet Matisse, Mark Batty, Paula Robins, Mal Coghlan, Diane Silveri, Stephen Smith, Greg Johnson, Richard Tonkin, Gary Parker, Lisa Parker, Chris Keene, Tina Keene, Stephanie Guestro, Ben Mitton, Tori Mitton, Joy Morgan, Warwick Leeson, Trent Biggert, Guthrie Rynia.
APOLOGIES:		Nil

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Melbourne Water Christmas Hills Divestment	No disclosures were made

The Meeting concluded at 08.50pm

RECORD COMPLETED BY:	Officer Name:	Rosa Zouzoulas
	Officer Title:	Executive Manager Planning and Community Safety



Informal Meeting of Councillors Record

The Meeting commenced at 4.03pm

MEETING DETAILS:	Title:	CEO Employment Matters Advisory Committee
	Date:	Tuesday 28 February 2022
	Location:	Virtual meeting
PRESENT:	Councillors:	Cr Peter Perkins, Cr Frances Eyre, Cr Natalie Duffy, Cr Karen Egan, Cr Geoff Paine, Cr Ben Ramcharan and Cr Richard Stockman
	Council Staff:	Carl Cowie, Blaga Naumoski
	Other:	Independant Chairperson – Allan Bawden
APOLOGIES:		

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Mid-year review of the CEO Performance Plan 2021/22	No disclosures were made

The Meeting concluded at 5:10pm

RECORD COMPLETED BY:	Officer Name: Officer Title:	Blaga Naumoski Executive Manager Governance, Communications and Engagement
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Informal Meeting of Councillors Record

The Meeting commenced at 5.03pm

MEETING DETAILS:	Title:	Councillor Briefing – conducted virtually
	Date:	Tuesday 1 March 2022
	Location:	Virtual meeting
PRESENT:	Councillors:	Cr Peter Perkins, Cr Frances Eyre, Cr Natalie Duffy, Cr Karen Egan, Cr Geoff Paine, Cr Ben Ramcharan and Cr Richard Stockman
	Council Staff:	Carl Cowie, Vince Lombardi, Hjalmar Philipp, Blaga Naumoski, Nichole Johnson, Jeremy Livingston, Rosa Zouzoulas, Melika Sukunda, Lisa Pittle, Renae Ahern, Leigh Northwood, Paul Fyffe, Sean Diffey, Lauren Treby, Jon Miller, Melissa Butler, Rhonda Allen, Andrew Feeney
	Other:	
APOLOGIES:		

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Planning Scheme Amendment C138 Browns Lane, Plenty - Outcomes of Exhibition	No disclosures were made
2	Nillumbik Neighbourhood Character Strategy and Guidelines - Project Inception and Programming	No disclosures were made
3	2022-2023 Draft Operating Budget	No disclosures were made
4	Draft Access Equity and Inclusion Policy	No disclosures were made
5	Waste Management Update	No disclosures were made
6	Hurstbridge and Panton Hill Preschool Expression of Interest to seek new provider	No disclosures were made
7	Amendments C143 (Eltham MAC) and C144 (Diamond Creek MAC) - Consideration of February PCC and next steps	No disclosures were made
8	Diamond Creek Community Facilities Master Plan - Phase A - Strategic Plan - Project Briefing	No disclosures were made
9	National General Assembly of Local Government 2022 - Calls for Motions	No disclosures were made

The Meeting concluded at 9.10pm

RECORD COMPLETED BY:	Officer Name: Officer Title:	Blaga Naumoski Executive Manager Governance, Communications and Engagement
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Informal Meeting of Councillors Record

The Meeting commenced at 5:01 pm

MEETING DETAILS:	Title:	Planning and Consultation Committee Meeting Pre-Meeting
	Date:	Tuesday 8 March 2022
	Location:	Council Chamber
PRESENT:	Councillors:	Cr Frances Eyre, Cr Natalie Duffy, Cr Karen Egan, Cr Geoff Paine, Cr Ben Ramcharan and Cr Richard Stockman, Cr Peter Perkins (arrived 5:21pm)
	Council Staff:	Carl Cowie, Vince Lombardi, Hjalmar Philipp, Blaga Naumoski, Nichole Johnson, Jeremy Livingston, Emma Christensen, Enrique Gutierrez, Lawrence Seyers, Leigh Northwood, Rosa Zouzoulas (arrived 5:08pm)
	Other:	
APOLOGIES:		

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Planning and Consultation Committee Meeting Pre-meeting	No disclosures were made

The Meeting concluded at 5:52 pm

RECORD COMPLETED BY:	Officer Name:	Emma Christensen
	Officer Title:	Acting Governance Lead

