

Council Meeting

to be held at the Civic Centre, Civic Drive, Greensborough
on Tuesday 25 July 2023 commencing at 7:00pm.

Agenda

Carl Cowie
Chief Executive Officer

Thursday 20 July 2023

Distribution: Public

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Council Chamber seating plan

Cr Natalie Duffy
Edendale Ward

Cr Karen Egan
Bunjil Ward

Cr Richard Stockman
Blue Lake Ward

Cr Peter Perkins
Ellis Ward

Cr Frances Eyre
Swipers Gully Ward

**Cr Geoff Paine
(Deputy Mayor)**
Wingrove Ward

Dimitra Barnes
Acting Manager
Governance and
Property

Blaga Naumoski
Director Governance
Communications and
Community Safety

**Cr Ben
Ramcharan
(Mayor)**
Sugarloaf Ward

Carl Cowie
Chief
Executive
Officer

Nillumbik Shire Council

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Nillumbik Shire Council

Agenda of the Meeting of Nillumbik Shire Council to be held Tuesday 25 July 2023 commencing at 7:00pm

1. Welcome by the Mayor

Members of the public are advised the meeting will be livestreamed and recorded and the livestream recording will be made publicly available on YouTube and Council's website.

2. Acknowledgement of Country by the Mayor

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.

3. Good Governance Pledge

As Councillors, we are mindful of our civic responsibilities and obligations. We pledge to take them seriously, and to carry them out with diligence and integrity.

We know the decisions we take will affect the people and environment of Nillumbik, now and in the future. We undertake, therefore, to make sound and principled decisions of lasting value, in a spirit of fairness and for the good of all.

We also pledge to serve the needs and wellbeing of the community and the environment, in an open and honest manner and to the best of our abilities.

4. Prayer

A prayer will be read.

5. Apologies

To accept apologies from any Councillors not in attendance at the meeting.

Recommendation

That the apologies be noted.

6. Presentations

Sporting Presentations - 25 July 2023

Tyler Habel (Swipers Gully Ward) Tyler receives \$250 as a contribution for being selected to participate in the World BMX Championships.

Nillumbik Shire Council wishes Tyler every success with their future sporting pursuits.

7. Confirmation of Minutes


Confirmation of the minutes of the Council Meeting and the Confidential Council Meeting held on Tuesday 27 June 2023.

Recommendation

That Council:

- 1 Confirms the minutes of the Council Meeting and the Confidential Council Meeting held on Tuesday 27 June 2023 (**Attachment 1** and **Attachment 2**).
- 2 Resolves that the Confidential Council Meeting minutes (**Attachment 2**) remains confidential in accordance with section 3(1) of the *Local Government Act 2020*.

Attachments

- 1  Minutes of Council Meeting held 27 June 2023
2. Minutes of Confidential Council Meeting held 27 June 2023 - *CONFIDENTIAL*

8. Disclosure of conflicts of interest

Councillors should note that any conflicts of interest should also be disclosed immediately before the relevant item.

9. Petitions

Nil

10. Questions from the gallery

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11. Reports of Advisory Committees

AC.006/23 Advisory Committee Report - 25 July 2023

Distribution: Public

Manager: Blaga Naumoski, Director Governance, Communications and Community Safety

Author: Dimitra Barnes, Acting Manager Governance and Property

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. Youth Council Formal Advisory Meeting held 5 June 2023.

Attachments

- 1  Minutes of Advisory Committee meetings reported 25 July 2023

Recommendation

That Council notes the Minutes of the Advisory Committee meetings reported (**Attachment 1**).

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12. Officers' reports**CM.057/23 Climate Action Plan Year 1 (22/23) Annual Performance Report and Year 2 (23/24) Implementation Plan****Distribution: Public****Manager: Rosa Zouzoulas, Director Planning, Environment and Strategy****Author: Leigh Northwood, Manager Strategic Planning and Environment****Summary**

Council's Climate Action Plan 2022-2032 was adopted in April 2022 and its Year 1 (2022-2023) Implementation Plan was endorsed in July 2022.

The purpose of this report is to present the Climate Action Plan Annual Performance Report – Year 1 (divided into **Attachment 1 and Attachment 2**) for noting; and the Year 2 (2023/24) Annual Implementation Plan (**Attachment 3**) for consideration of adoption.

This work supports Council's ongoing response to its declaration of a Climate Emergency in April 2022:

“As a Green Wedge Shire, Nillumbik Council is acutely aware of the multiple threats facing all communities and ecosystems as a result of climate change. This requires urgent action by all levels of government, including local government.




Council therefore Declares a Climate Emergency, commits to a climate emergency response, and will proactively integrate climate change mitigation and adaptation into all Council actions”.

The overall position, as reflected in the annual performance reporting suggests that Council has made solid progress on delivering on the goals, objectives and targets of the Climate Action Plan.

Recommendation**That Council:**

1. Receives and notes the Nillumbik Climate Action Plan – 2022/23 Annual Performance Report (**Attachment 1 and Attachment 2**); and
2. Endorses the Climate Action Plan Year 2 Implementation Plan (2023/24) (**Attachment 3**).

Attachments

- 1  Nillumbik Climate Action Plan 2022/23 Annual Performance Report
- 2  Climate Action Plan Year 1 Indicator Report (2022/23)
- 3  Climate Action Plan Year 2 Implementation Plan (2023/24)

12. Officers' reports**CM.057/23 Climate Action Plan Year 1 (22/23) Annual Performance Report and Year 2 (23/24) Implementation Plan**

Discussion

1. Council's Climate Action Plan 2022-2032 was adopted in April 2022 and its Year 1 (2022-2023) Implementation Plan was endorsed in July 2022.
2. The purpose of this report is to present the Climate Action Plan Annual Performance Report – Year 1 (divided into **Attachment 1 and Attachment 2**) for noting; and the Year 2 (2023/34) Annual Implementation Plan (**Attachment 2**) for adoption.
3. This work supports Council's ongoing response to its declaration of a Climate Emergency in April 2022:
“As a Green Wedge Shire, Nillumbik Council is acutely aware of the multiple threats facing all communities and ecosystems as a result of climate change. This requires urgent action by all levels of government, including local government.
Council therefore declares a Climate Emergency, commits to a climate emergency response, and will proactively integrate climate change mitigation and adaptation into all Council actions”.
4. The implementation plans are required to be developed and reported on annually. They are structured around the eight focus areas of the Climate Action Plan and its associated climate change mitigation and adaptation goals, objectives and targets.

Annual Performance Report – year 1 (2022/23)

5. The Year 1 Implementation Plan contained 56 actions, aimed at supporting Council to progressively achieve the goals and objectives of the overarching 10-year Climate Action Plan. Of these:
 - a. 20 actions are 'complete'; 18 actions were completed for 2022-2023 and will be a repeated (ongoing) initiative; and 16 actions are 'on track' (commenced and yet to be completed actions).
 - b. Additionally, one action experienced a minor issue which will be addressed in the 2023-2024 financial year, and one experienced a major issue towards the end of the financial year and responses are currently being considered.
 - c. Detail is provided in **Attachment 1** and Section 8 below.
6. The Climate Action Plan also contains 18 performance indicators which will demonstrate performance against a range of key metrics over the life of the Plan. Detail are provided in **Attachment 2**.
 - a. For most indicators, Year 1 data is not yet available to be reported on.
 - b. The only indicator that has two data points at this point in time is indicator 5b “The volume of annual greenhouse gas emissions emitted by Council facilities and operations”. Of the 1,561 tonnes CO_{2e} saved between 2019 and 2022:
 - i. 960 tonnes were emissions reductions resulting from the 'National and State Grid Emissions Factor' which is based on having increased renewable energy supplied through the grid.

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- ii. 601 tonnes were emissions reductions resulting from energy savings implemented by Council (predominantly the installation of solar panels at Diamond Valley Sports Centre and Eltham Leisure Centre).
7. The overall position, as reflected in the annual performance reporting suggests that Council has made solid progress on delivering on the goals, objectives and targets of the Climate Action Plan.
8. Some of the highlights of activities and deliverables achieved during the first year of implementing the Climate Action Plan are listed below, along with an indication of actions that experienced issues or delays:

Focus Area 1 – Strong climate action leadership and culture

- A climate-action training module was designed to support the upskilling of Council staff in understanding climate change and how they can be involved in climate action as part of their role. 60% of Council staff have completed the training to date and there is an increasing focus on considering climate action in the planning for next year's business plans.
- Senior leadership have participated in a CAP workshop to identify key areas in supporting the CAP implementation that ELT will be required to proactively engage in advancing, particularly with regard to leadership within operational and decision-making functions and advocacy, and particularly imbedding the CAP into the decision-making framework of Council's business.
- A climate action communications plan has been created.

Focus Area 2 – Having a climate resilient, adaptive and safe community

- Community consultation was undertaken to help explore the opportunity for Edendale Community Environment Farm to take on a Climate Action Hub role. The majority of respondents were supportive and work on this is progressing.
- Council secured grant funding to deliver a multi-year 'Disaster Resilient Nillumbik Program' that will aim to lessen the effect of potential catastrophic natural events by enhancing community disaster preparedness and resilience.
- A new "Young (female) Climate Action Leader of Nillumbik Award" was introduced.
- Local community climate action groups have formed a 'Climate Action Alliance'.

Focus Area 3 – Having a climate resilient natural environment

- The review of Council's Biodiversity Strategy has commenced, which will include a climate resilience lens.
- Natural environment climate resilience advice for landholders continues to be provided through the delivery of the Gardens for Wildlife program and sustainable land management advice and via the Edendale nursery.

12. Officers' reports**CM.057/23 Climate Action Plan Year 1 (22/23) Annual Performance Report and Year 2 (23/24) Implementation Plan**

Focus Area 4 – Having climate responsive Council services, facilities/buildings and infrastructure

- Service continuity plans for critical service delivery consider extreme weather events are in place.
- Council continues to train its emergency management workforce in areas such as staffing Emergency Relief Centres, to be prepared in the event being called upon in response to a bushfire, flood or other emergency event.

Focus Area 5 – Achieving zero-emissions energy use*Reducing community emissions (Target of net-zero emissions by 2035)*

- Council has funded Clean Energy Nillumbik to deliver a program of events to help promote sustainable living and zero-emissions options for the community. This has included them delivering an inaugural Clean Energy Zone at the Rotary Eltham Festival, Sustainable House Day and Expert Eco Chats.
- Council was providing Nillumbik residents with a free, tailored, energy advisory service via the services of the Australian Energy Foundation. They have ceased trading so alternative options are being investigated. This has included the establishment of a regular 'Climate Action, Coffee and Chats' outreach program.
- Council helps to raise awareness of local, state and national energy efficiency financial incentives etc.

Reducing Council's emissions (Target of net-zero emissions by 2030)

- A Zero Emissions Roadmap (ZER) to guide Council decision making, action and investment to achieve its zero emissions target was prepared.
 - The ZER includes consideration of development of the council solar farm at former Plenty Landfill in meeting net-zero targets, which has recently been placed on hold pending a review of the viability of the Solar Farm with LMS Energy in November/December 2023.
 - The Solar Farm project is modelled in the ZER report to account for approximately 70% of council's emissions profile including scope 1 and 2 emissions reduction by 2030.
 - The solar farm was anticipated to deliver zero emissions electricity for Council operations that would include:
 - all Council managed facilities;
 - charging fleet electric vehicles as they are transitioned from petrol and diesel;
 - powering efficient plant equipment and appliances at facilities as they are transitioned from gas to efficient all-electric; and

12. Officers' reports**CM.057/23 Climate Action Plan Year 1 (22/23) Annual Performance Report and Year 2 (23/24) Implementation Plan**

- provision of low cost Largescale Generation Certificates (LGCs) equivalent to the consumption of all council owned and managed and tenanted facilities to allow the claim of net zero emissions for electricity at these services.
- With news that the solar farm has been placed on hold, officers in sustainability and procurement have sought advice from network colleagues and energy market specialists about achieving the same result utilising different methodologies.
- These investigations are ongoing, noting officers have enquired about joining with the Victorian Energy Collaboration (VECO) with 46 other participating Victorian Local Government Authorities and although Council are not able to join VECO presently. In May VECO provided Council with the opportunity to submit an expression of interest (EOI) to join VECO as a late entry participant. Officers have submitted the EOI and are currently working to understand costs and benefits attributable to these other opportunities, noting officers have also met with a renewable energy market specialist to consider retail and other market options.
- Lighting upgrades have been installed at a variety of ovals and at the Diamond Creek netball facility.
- Energy efficiency upgrades at Council facilities continue to be rolled out.

Focus Area 6 – Enhancing sustainable transport

- An Integrated Transport Strategy that includes climate considerations has been drafted.
- The key elements of the \$5 million Eltham Urban Congestion Busting program which will enhance walking and cycling amenity, safety and infrastructure have been completed.
- A Zero Emissions Fleet Transition Plan and a regional Community Electric Vehicle Transition Plan are being finalised.

Focus Area 7 – Achieving a zero waste and circular economy

- 22/23 figures on the diversion of green waste and recycling from landfill are not yet available. 21/22 figures are provided in the attachment.
- A clause specifying the use of concrete and asphalt which contains recycled materials (where appropriate) has been inserted into Council's standard tender specification template.
- A Reuse Shop operates at Council's Recycling Centre.

Focus Area 8 – Integrated Water Management

- Participation in Yarra Catchment Integrated Water Management Forums.
- Community outreach to support sustainable farm dam management.

12. Officers' reports**CM.057/23 Climate Action Plan Year 1 (22/23) Annual Performance Report and Year 2 (23/24) Implementation Plan**

Draft Year 2 (2023/34) Annual Implementation Plan

9. Each year Council operationalises the Climate Action Plan through an Annual Implementation Plan that details specific actions, which will be delivered that year, to help achieve the goals, objectives and targets of the ten-year Climate Action Plan.
10. Councillors were provided with an indication of any proposed Year 2 Implementation Plan major new initiatives in November 2022 in order to inform any budget consideration.
11. The draft Year 2 Implementation Plan (2023-2024) identifies how the organisation will work collaboratively towards achieving the intent of the Climate Action Plan. In line with the annual budget process, it has been informed by (and contributed towards the development of):
 - a. Initiatives included within the Council Plan Annual Action Plan 2023-2024
 - b. Initiatives included within other Council strategies such as the Health and Wellbeing Plan and Youth Strategy.
 - c. Initiatives that will be included within team Business Plans.
 - d. Community and stakeholder climate action initiatives
 - e. Ongoing initiatives from the Climate Action Plan Year 1 Implementation Plan.
12. It contains 72 actions, including 44 new initiatives and 28 ongoing climate action initiatives of Council; and it specifies which Council Action Plan goal(s) and focus areas each will contribute to.
13. This report presents the Year 2 Implementation Plan for consideration of endorsement at **Attachment 3**.
14. Reporting updates will be received by Council on an annual basis.

Related Council decisions

15. The Climate Action Plan – Year 1 Implementation Plan 2022-2023 was endorsed at the 26 July 2022 Council Meeting; and it was noted that a review of climate action progress and outcomes would be presented to Council annually.

Options

16. That Council notes the Climate Action Plan Annual Performance Report – Year 1 (divided into **Attachment 1 and Attachment 2**).
17. That Council considers for endorsement the Year 2 (2023/34) Annual Implementation Plan (**Attachment 3**).

Council plans and policies

18. The subject matter of this report directly supports the achievement of the Council Plan 2021-2025 strategy:
 - *We work proactively to reduce Council's direct contribution to climate change, and support our community to do the same.*

12. Officers' reports**CM.057/23 Climate Action Plan Year 1 (22/23) Annual Performance Report and Year 2 (23/24) Implementation Plan**

- *We work proactively to reduce Council's direct contributions to climate change, and support our community to do the same.*
- *We prepare for, respond and adapt to the risks and impacts of a changing climate on our community, environment, infrastructure and services; and support our community to do the same.*

19. It directly supports the achievement of the Climate Action Plan 2022-203.

20. It directly supports the achievement of the Health and Wellbeing Plan 2021-2025:

- *Support the community to be prepared for, stay connected and build resilience before and during emergencies, disaster and extreme weather events (with particular regard for vulnerable communities)*
- *Engage with the community to raise awareness of climate change impacts on health and actions that can be taken to stay healthy and well in a changing climate*
- *Build capacity of community to lead and deliver climate action and other community resilience initiatives.*

Access, Equity and Inclusion

21. The actions contained within the Implementation Plans seek to support climate mitigation, adaptation and resilience for and by all members of Nillumbik's diverse community.

22. A Gender Impact Assessment was undertaken to support the development of the Climate Action Plan 2022-2032.

Sustainability implications

23. The Climate Action Plan 2022-2032 provides the strategic direction for Council's climate action over the next decade. The Annual Implementation Plans specify how this will be contributed to each year.

Community engagement

24. Community engagement was undertaken to inform the development of the Climate Action Plan, which is the strategic document that guides the annual operational implementation plans, in 2021 and 2022.

25. In the 2022 Annual Community Survey, respondents rated Council leadership in delivering climate action at 6.92 out of 10, up from 6.33 out of 10 last year. (Rating improved from 'solid' to 'good'). This was the second time this question has been asked. Results will be monitored over the coming years with an aim of continuously improving against this metric.

Innovation and continuous improvement

26. Implementation of the Climate Action Plan is guided by the following principles:

- a. Council has diverse roles in responding to the challenge of climate change so we have created a whole-of-Council proactive climate response; and
- b. Climate action decision making needs to be dynamic and responsive to innovation opportunities.

12. Officers' reports

CM.057/23 Climate Action Plan Year 1 (22/23) Annual Performance Report and Year 2 (23/24) Implementation Plan

Collaboration

27. Partnerships and collaboration play an integral role in the implementation of the Climate Action Plan. Council will continue to work with other levels of government, agencies and the community in order to help achieve its goals.

Budget implications

28. Year 2 (2023-2024) Climate Action Plan Implementation Plan was considered in the development of the 2023-2024 Budget.
29. There are no additional budget implications for 2023-2024.

Relevant law

30. Under Section 9 of the *Local Government Act 2020*, Council must give effect to a number of overarching governance principles in the performance of its role. They include:
- a. Priority is to be given to achieving the best outcomes for the municipal community, including future generations.
 - b. The economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.
31. The Victorian Climate Change Strategy 2021 and the Building Victoria's Climate Resilience Strategy are applicable to the subject matter of this report. They set out the Victorian government targets and processes for action, which will be primary levers to support Council's community targets.

Conflicts of interest

32. All officers involved in the preparation of this report have made a declaration that they do not have a conflict of interest in the subject matter of this report.

12. Officers' reports**CM.058/23 Ryan's Reserve Rejuvenation Project - Concept Plan Community Consultation****Distribution: Public****Manager: Vince Lombardi, Chief Operating Officer****Author: Rebecca Burton, Manager Recreation and Leisure****Summary**

The purpose of this report is to seek approval to undertake community consultation on the draft concept plans for the Ryan's Reserve Rejuvenation Project (**Attachment 1**).

Community consultation on the draft concept plans will be open from 31 July 2023. Public submissions will close 11.59pm on Sunday 20 August 2023 and will be considered by the Planning and Consultation Committee on 12 September 2023.

Recommendation**That Council**

1. Endorses the draft concept plans for the Ryan's Reserve Rejuvenation Project (**Attachment 1**) for the purposes of community consultation.
2. Undertakes community consultation for the period 31 July 2023 to 20 August 2023 inviting written submissions for the Ryan's Reserve Rejuvenation Project.
3. Considers public submissions at the Planning and Consultation Committee meeting to be held on 12 September 2023.

Attachments

1.  Draft Concept Plans - Ryans Reserve Rejuvenation Project

Discussion

1. Ryan's Reserve is located in the township of Diamond Creek, which is home to over 11,000 residents, with more than 3,000 families.
2. The reserve is located in residential Diamond Creek and is in close proximity to the main township, schools and public transport.
3. The playground at Ryan's Reserve currently lacks diversity and has limited accessibility for older adults and people with disability to participate.
4. The Nillumbik Lifetime Play Strategy 2017 identified gaps in the current play network.
5. The key issues identified throughout the Shire were;
 - the current local play spaces generally do not provide significant play value
 - required more varied play opportunities including more sensory, cognitive and emotional play
6. A grant application was submitted under the Growing Suburbs Fund (GSF) 2022 and Council was successful in receiving \$1,190,837 for the project.

12. Officers' reports

CM.058/23 Ryan's Reserve Rejuvenation Project - Concept Plan Community Consultation

7. The Ryan's Reserve Rejuvenation Project will cater to diverse groups and provide opportunities for all ages and abilities to participate.
8. The Draft Concept Plans (**Attachment 1**) includes the following features:
 - landscaping
 - seating
 - exercise equipment
 - installation of a DDA toilet
 - new BBQ and shelter
 - playground equipment and
 - accessible pathways
9. Community consultation is necessary to seek feedback on the proposed components of the draft concept plans, and an opportunity to share ideas on overall design.

Related Council decisions

10. Not applicable.

Options

11. Council approves officers to proceed to community consultation in relation to draft concept plans for the Ryan's Reserve Rejuvenation Project.

Council plans and policies

12. This report directly supports the achievement of the Council Plan 2021-2025 strategy:
 - We carefully protect, plan, maintain and improve open spaces, streetscapes and places to ensure that they are safe, accessible and enjoyable.
 - We facilitate participation in sports, leisure and recreational activities
13. This report directly supports the Nillumbik Lifetime Play Strategy 2017
14. This report directly supports the Recreation and Leisure Strategy 2022-2030
 - Priority 1: Increasing Participation and Usage of Facilities and Open Spaces

Access, Equity and Inclusion

15. The initial Gender Impact Assessment meeting was completed on 3 February 2023. As the concept designs have evolved, the GIA has been revisited periodically.
16. The recommendations of the Gender Impact Assessment included:
 - the use of recycled materials, disabled parking
 - all-gender accessible toilet with change table and sanitary bins
 - Auslan signage and alternate play or exercise equipment similar to that at the Diamond Creek Regional Playspace

12. Officers' reports

CM.058/23 Ryan's Reserve Rejuvenation Project - Concept Plan Community Consultation

17. The draft concept plans were viewed with an intersectional lens, ensuring that they comply with Nillumbik's Access, Equity and Inclusion Policy 2022.

Sustainability implications

18. Not applicable.

Community engagement

19. The draft concept plans for the Ryan's Reserve Rejuvenation Project (**Attachment 1**) will be published for the purposes of community consultation.

20. Community consultation will be undertaken in line with Council's engagement policy and will extend to include letter drops in the surrounding area and direct invitation to the surrounding schools/preschools.

21. Next steps will include:

- 31 July – 20 August 2023 - Community consultation
- 12 September 2023 – Planning and Consultation Committee Meeting
- 24 October 2023 Council Meeting – for endorsement

Innovation and continuous improvement

22. Not applicable.

Collaboration

23. Not applicable.

Budget implications

24. The project works are funded by the grant awarded through the GSF.

Relevant law

25. Not applicable.

Regional, state and national plans and policies

26. Not applicable.

Conflicts of interest

27. All officers involved in the preparation of this report have made a declaration that they do not have a conflict of interest in the subject matter of this report.

12. Officers' reports

CM.058/23 Ryan's Reserve Rejuvenation Project - Concept Plan Community Consultation

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12. Officers' reports

CM.059/23 Indigenous Voice to Parliament Referendum

Distribution: Public

Manager: Corrienne Nichols, Director Communities

Author: Nichole Johnson, Manager Community Partnerships

Summary



The purpose of this report is to provide Councillors with a succinct summary of the information publicly available with regards to the *Indigenous Voice to Parliament*, with a view for Councillors to establish an organisation stance on the 2023 referendum.

Recommendation

That Council:

1. Adopts an organisational stance to support, in principle, the *Uluru Statement from the Heart* and the *Indigenous Voice to Parliament*.
 - a) In doing so, Council recognises and acknowledges that the *Indigenous Voice to Parliament* is a complex socio-political issue, with differences of opinion existing even amongst First Nations communities and individuals.
 - b) Furthermore, Council recognises and acknowledges that adopting an organisational stance to support the *Indigenous Voice to Parliament* is a reflection of the collective opinion of Councillors, and does not necessarily reflect the opinions of individual Councillors, Council officers, volunteers or affiliates.
2. Recognising the complex socio-political nature of this issue, acts as an objective source of information regarding the referendum in providing education and resources to the broader Nillumbik community.

Attachments

- 1  Uluru Statement from the Heart
- 2  Indigenous Voice Co-Design Process Report

Discussion

1. In late 2023, a referendum will be held to determine whether or not an *Indigenous Voice to Parliament* will be enshrined in the Australian constitution.
2. An *Indigenous Voice to Parliament* is part of the federal government's commitment to implementing the reforms called for in the *Uluru Statement from the Heart* (**Attachment 1**).

Uluru Statement from the Heart

3. The *Uluru Statement from the Heart* (**Attachment 1**) is a national indigenous consensus position on First Nations constitutional recognition.
4. The statement was developed, finalised and passed at the First Nations National Constitution convention in May 2017.

12. Officers' reports**CM.059/23 Indigenous Voice to Parliament Referendum**

5. Convened by the bipartisan-appointed Referendum Council, the convention brought together 250 Aboriginal and Torres Strait Islander delegates over 4 days to discuss and reach consensus on an approach to constitutional reform to recognise First Nations peoples.
6. Delegates were selected from participants from 13 regional Dialogues held around Australia.
7. The *Uluru Statement for the Heart* (**Attachment 1**) calls for:
 - a. The establishment of an 'Indigenous' or 'First Nations' voice, enshrined in the Australian constitution, and
 - b. The establishment of a 'Makarrata Commission', which would oversee decision making and truth-telling between Australian government and Aboriginal and Torres Strait Islander people.
8. In addition to the two proposals above, the *Uluru Statement from the Heart* (**Attachment 1**) also affirms the sovereignty of the land and provides commentary on the ongoing social discrimination, barriers and disadvantages experienced by First Nations people in Australia.
9. It is noted that whilst a majority of delegates endorsed the *Uluru Statement from the Heart* (**Attachment 1**), a small number of delegates left the convention in opposition before the final consensus was passed.

Indigenous Voice to Parliament

10. An *Indigenous Voice to Parliament* would be an Indigenous advisory body which would have input into laws and policies which impact upon First Nations people and indigenous affairs.
11. Enshrining an *Indigenous Voice to Parliament* in the Australian constitution would guarantee the input of Aboriginal and Torres Strait Islander people into indigenous affairs.
12. As an advisory body, the Indigenous Voice to Parliament would not deliver services, manage government funding, undertake research or mediate between Aboriginal and Torres Strait Islanders.
13. Legislation will outline the composition, function, powers and procedures of the advisory body.
14. The 'Indigenous Voice Co-Design Process' report (**Attachment 2**) presents considerations for implementing an *Indigenous Voice* and details the consultation and engagement process.

2023 Referendum

15. On 23 March 2023, Prime Minister Anthony Albanese formally announced the referendum question wording as follows:
 - a. "A Proposed Law: to alter the Constitution to recognise the First Peoples of Australia by establishing an Aboriginal and Torres Strait Islander Voice. Do you approve this proposed alteration?"

12. Officers' reports

CM.059/23 Indigenous Voice to Parliament Referendum

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16. The proposed alteration to the constitution was also announced, and is as follows:
 - a. "Chapter IX Recognition of Aboriginal and Torres Strait Islander Peoples
129 Aboriginal and Torres Strait Islander Voice.
 17. In recognition of Aboriginal and Torres Strait Islander peoples as the First Peoples of Australia:
 - a. There shall be a body, to be called the Aboriginal and Torres Strait Islander Voice;
 - b. The Aboriginal and Torres Strait Islander Voice may make representations to the Parliament and the Executive Government of the Commonwealth on matters relating to Aboriginal and Torres Strait Islander peoples;
 - c. The Parliament shall, subject to this Constitution, have power to make laws with respect to matters relating to the Aboriginal and Torres Strait Islander Voice, including its composition, functions, powers and procedures."
 18. On 30 March 2023, both the constitutional amendment and referendum question were introduced into Parliament through the Constitution Alteration Bill.
 19. On 30 March 2023, the House of Representatives and the Senate agreed to the establishment of the Joint Select Committee on the Aboriginal and Torres Strait Islander Voice Referendum (*The Committee*).
 20. On 19 June 2023, the Senate passed legislation for the Indigenous Voice to Parliament Referendum; 52 'for' to 19 'against'.
 21. A referendum must now be held no earlier than two months (August 2023) and no later than six months (December 2023) after a Constitution alteration bill has passed Parliament.
 22. At the time of preparing this report, it is anticipated that the referendum will occur in October 2023.

Referendum Campaign Considerations

23. It is important to note that First Nations people are not one homogenous population group.
24. With regards to the 2023 referendum, differences of opinion exist amongst First Nations communities and individuals as to whether or not the 'yes' vote will achieve the desired constitutional recognition of Aboriginal and Torres Strait Islander people and meaningfully improve quality of life for First Nations people.
25. The 'Yes' campaign for the *Indigenous Voice to Parliament* suggests that the *Indigenous Voice to Parliament* will create a pathway for First Nations people to have direct input into laws and policies which directly impact them resulting in better outcomes and resourcing in areas such as employment, health, education and justice.
26. The 'No' campaign for the Indigenous Voice to Parliament broadly supports the symbolic gesture of constitutional recognition of First Nations people, but does not believe that the *Indigenous Voice to Parliament* will be an effective mechanism for improving the quality of life of First Nations people.
27. Some activists who are campaigning for a 'No' vote are calling for sovereignty and treaty before the establishment of an *Indigenous Voice to Parliament*.

12. Officers' reports

CM.059/23 Indigenous Voice to Parliament Referendum

Related Council decisions

28. On 26 October 2021 Council adopted the Council Plan 2021-2025, including a commitment to 'actively work towards reconciliation and the process of healing with the Wurundjeri Woi-wurrung people and recognise them as the Traditional Owners of the land and waterways of Nillumbik.'
29. On 28 February 2023 Council endorsed the Nillumbik Reconciliation Action Plan (RAP) Community Engagement Plan, signifying the formal commencement of community engagement in developing the Nillumbik Reflect RAP.

Options

30. In considering the information provided in this report, Councillors may consider:
 - a. Adopting an organisational stance of support in principle for the *Indigenous Voice to Parliament*, or
 - b. Adopting no formal organisation stance on the *Indigenous Voice to Parliament*.
31. In pursuing either of the above options, Council Officers recommend that Council acts as an objective source of information to provide resources and education to the broader Nillumbik community in the lead up to the 2023 referendum.

Council plans and policies

32. This report directly supports the achievement of the Council Plan 2021-2025:
 - We actively work towards reconciliation and the process of healing with the Wurundjeri Woi-wurrung people and recognise them as the Traditional Owners of the land and waterways of Nillumbik.

Access, Equity and Inclusion

33. First Nations people are recognised as a priority group in Nillumbik Council's Access, Equity & Inclusion Policy, acknowledging that Aboriginal and Torres Strait Islander people face additional challenges in feeling included, and accessing places, space, resources and opportunities.
34. This report aligns with the Nillumbik Access, Equity and Inclusion Policy principle of Human Rights and Social Justice, with Councillors having an opportunity to progress the rights of First Nations people through advocacy and proactive action in addressing structural and systematic discrimination.

Sustainability implications

35. Not applicable.

Community engagement

36. Not applicable.

Innovation and continuous improvement

37. Not applicable.

Collaboration

38. Not applicable.

12. Officers' reports

CM.059/23 Indigenous Voice to Parliament Referendum

Budget implications

39. Any costs associated with providing education and information to the broader Nillumbik community in the lead up to the 2023 referendum will be accounted for within the operational budget.

Relevant law

40. *Public Health and Wellbeing Act 2008*
41. *Native Title Act 1993*
42. *Traditional Owner Settlement Act 2010*
43. *Aboriginal Heritage Act 2006*
44. *Charter of Human Rights and Responsibilities Act 2006*

Regional, state and national plans and policies

45. Victorian Aboriginal and Local Government Strategy 2021-2026

Conflicts of interest

46. All officers involved in the preparation of this report have made a declaration that they do not have a conflict of interest in the subject matter of this report.

12. Officers' reports

CM.059/23 Indigenous Voice to Parliament Referendum

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12. Officers' reports**CM.060/23 Audit and Risk Committee member appointment**

Distribution: Public**Manager: Carl Cowie, Chief Executive Officer****Author: Blaga Naumoski, Director Governance, Communications and
Community Safety****Summary**

The *Local Government Act 2020* requires each Council to establish an Audit and Risk Committee to oversee the Council's management of risk, internal controls and financial reporting. As part of the establishment of the Committee, the Act requires that the independent members be appointed. It is a requirement under the Act that the independent members are suitably qualified and have relevant experience.

The Committee meets four times each year and the minutes are presented at a subsequent Council meeting.

The Audit and Risk Committee comprises three members who are independent and two positions for Councillors (currently Mayor and Deputy Mayor). The position of Chairperson is held by one of the independent members.

Council currently has one vacancy for an independent member on its Audit and Risk Committee, following the recent resignation of committee member Chris Eddy.

Applications for the vacant position on the Committee have been invited through externally advertised advertisements. Council received 55 applications.

A formal evaluation process was undertaken by an independent panel consisting of the CEO, Independent Committee Member John Watson (Chairperson) and Director Governance Communications and Community Safety. After conducting interviews of shortlisted applicants, it is recommended that Jonathon Kyvelidis be appointed as an independent member to the Committee.

The remaining two independent members are due for renewal on 1 September 2023. It is recommended that the current independent members John Watson and Gregory Hollyman be reappointed for a term of three years effective from 1 September 2023, in line with the Committee Charter.

Recommendation**That Council:**

1. Appoints Jonathon Kyvelidis as an independent member of the Audit and Risk Committee for a three year term effective from 31 July 2023 and advises Mr Kyvelidis accordingly.
2. Notifies the other applicants of Council's decision and thanks them for their application.
3. Reappoints John Watson and Gregory Hollyman as independent members for a three year term effective from 1 September 2023 and advises them accordingly.

Attachments

Nil

12. Officers' reports**CM.060/23 Audit and Risk Committee member appointment**

Discussion

1. Council has established an independent Audit and Risk Committee (**Committee**) pursuant to section 53 of the *Local Government Act 2020 (Act)*, which supports Council in discharging its oversight responsibilities related to financial reporting, risk management, maintenance of sound systems of internal control, assurance activities including internal and external audit and Council's performance with regard to legislative and regulatory compliance and its Codes of Conduct. It acts in this capacity by monitoring, reviewing and advising on issues within its scope of responsibility.
2. The Committee has no executive authority and no delegated financial responsibilities and is therefore independent of management. The Committee is directly responsible to Council for discharging its responsibilities as set out in the Audit and Risk Committee Charter (**Charter**).
3. At Nillumbik, the Committee has five members. Two members are Councillors, currently the Mayor and Deputy Mayor. The other three positions are held by independent members with one of the independent members acting as Chairperson.
4. The Charter requires that independent members are each appointed for a three year term, and may be reappointed by Council once that term concludes.
5. Under section 53 of the Act there is a requirement that the composition of independent members have the following:
 - a) Expertise in financial management and risk
 - b) Experience in public sector management.
6. The current three independent members have broad experience encompassing the above requirements.
7. Collectively the current members have the following:
 - a) Extensive expertise in current and previous financial management
 - b) Current expertise in risk management and internal audit
 - c) Previous experience in senior public sector management
 - d) Experience across various industries in an advisory capacity (Board/Committee membership)
 - e) Knowledge across the Local Government sector.
8. There are three appointments that need to be made by Council at this time in accordance with the Charter. One being the appointment of the new independent committee member following the resignation of committee member Chris Eddy. The other is the reappointment of two existing independent committee members.
9. Applications were invited through an advertisement externally between 26 May and 6 June 2023 to fill the vacant position on the Committee. Fifty-five applications were received. The applications were short-listed based on the experience and qualifications of the applicants and the quality of the applications.
10. Four applicants were shortlisted and interviewed on Wednesday 5 July 2023.

12. Officers' reports**CM.060/23 Audit and Risk Committee member appointment**

11. An assessment was then carried out at the conclusion of the interviews to determine if a further round of interviews would be required or if there was an outstanding candidate from the shortlist.
12. Upon review of the four candidates and the assessment of the panel, it was unanimously determined that Mr Jonathan Kyvelidis was the preferred candidate based both on his experience and performance during the interview process. Mr Kyvelidis demonstrated extensive experience with over twenty years' experience across external audit, business management and financial services which will add significant value to the Committee.
13. A final stage of the process was to conduct reference checks on Mr Kyvelidis to verify his credentials and professional experience listed. In addition, the reference checks also provided subjective insight to Mr Kyvelidis's conduct and approach within a committee environment.
14. The term of appointment for two of the current independent members are due for renewal and in line with the Committee Charter. It is recommended that the current members John Watson and Gregory Hollyman be extended for a further 3 year term to provide a level of continuity and stability.

Related Council decisions***That Council:***

*Endorses the Audit and Risk Committee Charter (**Attachment 1**).*

Reappoints the current three independent members for a three year term effective from 1 September 2020.

Reappoints Cr Peter Clarke and Cr Bruce Ranken pro tem.

Resolves to increase the independent member's remuneration by \$1,000 annually effective 1 September 2020.

Options

15. The Audit and Risk Committee performs a crucial role in overseeing Council's risk management, internal control and financial reporting framework.
16. The appointment of well-qualified and experienced independent members to the Audit and Risk Committee is an important decision by Council in ensuring that the Committee has the necessary skills and capabilities to undertake this role.
17. On the basis of the evaluation conducted by the independent panel consisting of the CEO, Independent Committee Member John Watson (Chairperson) and Director Governance Communications and Community Safety, it is recommended that Jonathan Kyvelidis be appointed an independent member to the Audit and Risk Committee commencing 31 July 2023.
18. Based on the composition requirements and collective experience of the current independent members, and the importance of maintaining continuity of knowledge, it is also recommended to reappoint the current members John Watson and Gregory Hollyman for a further term of three years commencing 1 September 2023.

12. Officers' reports

CM.060/23 Audit and Risk Committee member appointment

Council plans and policies

19. This report directly supports the achievement of the Council Plan 2021-2025 strategy:

- We continue to exercise sustainable and responsible financial management.

Access, Equity and Inclusion

20. Not applicable.

Sustainability implications

21. Not applicable.

Community engagement

22. Not applicable.

Innovation and continuous improvement

23. Not applicable.

Collaboration

24. Applications were invited through external advertisements.

25. An interview process was then undertaken to assist in the assessment of applicants. The interview panel consisted of the CEO, Independent Committee Member John Watson (Chairperson) and Director Governance Communications and Community Safety.

Budget implications

26. Costs associated with advertising have been met from operating budgets.

Relevant law

27. These appointments are made in accordance with the *Local Government Act 2020* and Council's Audit and Risk Committee Charter.

Regional, state and national plans and policies

28. Not applicable.

Conflicts of interest

29. All officers involved in the preparation of this report have made a declaration that they do not have a conflict of interest in the subject matter of this report.

12. Officers' reports**CM.061/23 Contract Report - Contract 2324-005 Telecommunications Services and Hardware**

Distribution: Public**Manager: Jeremy Livingston, Director Culture and Performance****Author: Daniel Tarquinio, Manager Information Technology****Summary**

This report recommends entering into a new business services (VTS) agreement with Telstra for the provision of telecommunications services and hardware to enable continual provision of telephony, mobile voice and data, internet and site connectivity services.

This is a business as usual contract requirement, and the contract term is for a period of three (3) years.

Currently, Council utilises Telstra to provide:

- Telephony services which includes incoming and outgoing landlines;
- Mobile voice and data services which includes incoming and outgoing mobile voice calls and mobile data (3G/4G/5G for phones and tablets);
- Internet services which include all web and data traffic to and from the world wide web;
- Connectivity services between Council sites which include dedicated connectivity from eight Council sites into our primary data centre located at our Civic Centre offices.

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 VTS business services agreement by Telstra and enters into the following Contract.
Number: 2324-005
Title: Telecommunications Services and Hardware
Term: 3 years from Agreement Signing Date
2. Authorises the Director of Culture and Performance to finalise and execute the contract documentation.
3. Authorises the Director of Culture and Performance to review and approve adjustments to the telecommunications services via the contracted agreement that are a result of changes to operational requirements throughout the term of the contract.

Attachments

Nil

12. Officers' reports

CM.061/23 Contract Report - Contract 2324-005 Telecommunications Services and Hardware

Discussion

1. Council currently utilises Telstra as Council's main telecommunications provider in telephone or fixed voice line, mobile voice and data, internet, fibre connectivity between eight Council facilities.
2. This new agreement allows Council to continue with its existing network architecture, and at the same time provide flexibility in utilising new telecommunications plans and services at a significant reduction in costs.
3. Savings at the operational level support the improvements for community and connection at our Council facilities, with the flexibility to add larger and faster connections.
4. Under section 2.3.2.1 *Exemptions from tendering* of Council's Procurement Policy 2021-2025, as access to the new service agreement with Telstra is facilitated via the Victorian State Purchasing Contract (SPC) – Victorian Telecommunication Services (VTS) as an Agency, there was no public tender issued for the required services.

Council plans and policies

5. This report directly supports the achievement of the Council Plan 2021-2025 strategy:
 - We continue to exercise sustainable and responsible financial management.

Tender overview

6. The new service agreement with Telstra is accessed via the SPC arrangement for VTS, which is an Agency arrangement.
7. There is a panel of telecommunication providers on the VTC arrangement.
8. As per Council's Procurement Policy 2021-2025, there was no public tender issued by Council for the required services as there is an Agency arrangement in place.
9. As Nillumbik is a peri-urban council, and due to the rural areas that Council officers are required to deliver services across, Council has a duty of care to staff to ensure that they have access to reliable and broad mobile coverage while working in the field.
10. In line with this, there is no other telecommunications provider apart from Telstra that can provide the most reliable mobile coverage across the Nillumbik local government area.
11. Changing to another telecommunications provider would also require a significant change management project and additional costs relating to reconfiguration of existing infrastructure and configurations, as well as connections to external services.
12. Given the above considerations, there was no pricing requested from the other telecommunication providers on the VTC panel arrangement.

12. Officers' reports

CM.061/23 Contract Report - Contract 2324-005 Telecommunications Services and Hardware

13. The table below provides a breakdown of costs for each of the different telecommunications service types.

Service Type	Future Cost
Data Access and Connectivity	\$61,497 p.a.
Managed Network Services	\$20,571 p.a.
Internet - NBN Services	\$19,637 p.a.
Calling Applications and Standalone Voice	\$30,515 p.a.
Mobility Portfolio	\$230,688 p.a.
Total Annual Cost	\$362,907 p.a.
Total based on 3 year contract	\$1,088,720

14. Council's Senior Procurement Specialist has been consulted and engaged as part of this process.

15. The Director of Culture and Performance together with the Manager Information Technology and the Lead Systems Architect assessed the validity of the new agreement based on the needs of current and future technology environment.

Tender Interviews and Reference checks

16. Not applicable for this contract.

Contingency and risks

17. Council's current network architecture leverages heavily on Telstra telecommunications services. The organisation utilises Telstra fixed lines for incoming and outgoing calls from our offices.

18. Council utilises Telstra fibre infrastructure for dedicated connectivity between eight Council sites. Our access to the internet (www) from all Council sites and all our mobile data and phone services are with Telstra also.

19. As Nillumbik is a peri-urban council and Council's requirement of duty of care to staff, there is no other telecom provider apart from Telstra than can provide the most reliable mobile coverage across the Nillumbik local government area.

20. In addition, changing to another telecommunications provider would require significant internal IT resourcing requirements to deal with change management requirements from the incumbent provider to a new telecommunications provider.

21. This agreement will also allow Council to transition from old Telstra infrastructure to more cost effective solutions as it becomes available in areas within the Shire.

22. The signing of this business services agreement does not preclude Council from accessing and utilising other vendors for telecommunications services and hardware.

12. Officers' reports

CM.061/23 Contract Report - Contract 2324-005 Telecommunications Services and Hardware

Collaboration

23. The new contract will be established via the State Purchasing Contract arrangement which is deemed to be an Agency contract arrangement.

Budget implications

24. The financials for this business services agreement will be accommodated within the existing operating budget and planned for as part of the annual budget planning processes.

Sustainability implications

25. While there is no direct sustainability impacts for Council by continuing with Telstra services, Telstra has a strong Responsible Business Strategy and Sustainable Development Goal (SDG) priorities.
26. The public Telstra Sustainability Report 2022 can be downloaded from: [Sustainability Report 2022 \(telstra.com.au\)](https://www.telstra.com.au/sustainability-report-2022).

Stakeholder Consultation/communication

27. Not applicable.

Innovation and continuous improvement

28. This agreement will also allow Council to transition to newer technologies delivered by Telstra as the technology becomes available.

Relevant law

29. Section 109 of the *Local Government Act 2020*.

Regional, state and national plans and policies

30. Not applicable.

Conflicts of interest

31. As part of the process, all members involved in the assessment of the proposed service agreement were required to declare any disclosable conflicts of interest.
32. There were no disclosable conflicts of interest raised.

12. Officers' reports**CM.062/23 Informal Meetings of Councillors Records - 25 July 2023**

Distribution: Public**Manager: Blaga Naumoski, Director Governance, Communications and Community Safety****Author: Dimitra Barnes, Acting Manager Governance and Property****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 Meeting of Councillors held.

This report lists Informal Meetings of Councillors Records submitted since the matter was last reported to Council on 27 June 2023.

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

1. L&LN Neighbourhood House Advisory Committee Meeting held 19 June 2023;
2. Councillor Briefing held 20 June 2023;
3. Health and Wellbeing Partnership Forum held 21 June 2023;
4. Biodiversity Strategy Councillor Update held 27 June 2023;
5. Council Meeting Pre-Meet held 27 June 2023; and
6. Environment & Sustainability Advisory Committee Meeting held 28 June 2023.

Recommendation

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.

Attachments

1.  Informal Meeting of Councillors Records reported 25 July 2023

Discussion

1. *Item 19 of Council's Governance Rule – Meeting Procedure*, requires records of Informal Meetings of Councillors be reported to a Council Meeting and recorded in the minutes of that meeting.

Related Council decisions

2. Not applicable.

12. Officers' reports

CM.062/23 Informal Meetings of Councillors Records - 25 July 2023

Options

3. An Informal Meetings of Councillors is defined in *Item 19 of the Governance Rule – Meeting Procedure*. It is a meeting at which matters are considered that are intended or likely to be the subject of a Council decision or the exercise of delegated authority and which is either of the following:
 - Planned or scheduled meeting that includes at least half the Councillors and at least one Council officer. These meetings do not include meetings of Councillors and Council staff that are not planned or scheduled.
 - Meeting of an Advisory Committee where at least one Councillor is present. An Advisory Committee is any committee established by the Council, other than a special committee, that provides advice to the Council or to a special committee or to a member of Council staff who has been delegated a power or duty or function of the Council.
4. A record must be kept of any Informal Meeting of Councillors and include the names of all Councillors and Council staff attending, the matters considered, disclosures of conflict of interest and whether a Councillor left the meeting after making a disclosure.
5. In accordance with *Item 19 of the Governance Rule – Meeting Procedure*, Council is required to report as soon as practicable to a Council Meeting, a record of any Informal Meetings of Councillors held.
6. The recommendation contains the list of Informal Meetings of Councillors records submitted since the matter was last reported to Council at the last Council Meeting.

Conclusion

7. It is recommended that Council receives the records of recent records of Informal Meetings of Councillors as contained in this report, fulfilling *Item 19 of the Governance Rule – Meeting Procedure*.

Council plans and policies

8. This report directly supports the achievement of the Council Plan 2021-2025 strategy:
 - We maintain good governance and transparency; clearly defining and communicating the role of Councillors and Council.

Access, Equity and Inclusion

9. A Gender Impact Assessment has not been completed for this report.

Sustainability implications

10. None required.

Community engagement

11. Not applicable.

Innovation and continuous improvement

12. Not applicable.

12. Officers' reports

CM.062/23 Informal Meetings of Councillors Records - 25 July 2023

Collaboration

13. None required.

Budget implications

14. This is a routine reporting item, the resources for which are contained in Council's current operating budget.

Relevant law

15. *Local Government Act 2020.*

Regional, state and national plans and policies

16. None applicable.

Conflicts of interest

17. All officers involved in the preparation of this report have made a declaration that they do not have a conflict of interest in the subject matter of this report.

12. Officers' reports

CM.062/23 Informal Meetings of Councillors Records - 25 July 2023

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13. Notices of Motion

NOM.001/23 Notice of Rescission - CM.045/23 Seeking Adoption of Council's Governance Rule - Meeting Procedures 27 June 2023

Cr Peter Perkins and Cr Karen Egan advised of their intention to rescind a Council Resolution made on 27 June 2023 as follows:

Motion

That Council rescind the Council decision made on 27 June 2023 that refers to item CM.045/23 Seeking Adoption of Council's Governance Rule - Meeting Procedures.

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13. Notices of Motion

NOM.002/23 Notice of Motion - Seeking Adoption of Council's Governance Rules - Meeting Procedure

Conditional on the rescission motion tabled by Cr Perkins and Cr Egan in relation to Officers reports CM.045/23 - Seeking Adoption of Council's Governance Rule - Meeting Procedure being carried, Cr Peter Perkins hereby gives notice of his intention to move the following notice of motion at the Council Meeting to be held on 25 July 2023.

Motion

That Council:

1. Notes that ten submissions in relation to the draft Governance Rule – Meeting Procedures were received, and that these submissions were considered and submitters were provided with the opportunity to be heard by the Planning and Consultation Committee on 06 June 2023.
2. Having considered the written and verbal submission and pursuant to section 60 of the *Local Government Act 2020*, adopts the Governance Rule – Meeting Procedures as presented to the Council meeting on 27 June 2023 with the following amendment:
 - a. Retain the Prayer in the Order of Business.
3. Requests that officers review council process to allow for multi-faith prayer participation to ensure Council remains inclusive and respectful.
4. Notes that Council’s existing Governance Rule - Meeting Procedure adopted on 25 August 2020 ceases to apply.
5. Requests that Officers write to all respondents to the public engagement to express Council’s gratitude for their contribution and to advise them of the Council’s resolution.

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Council Meeting Agenda

25 July 2023

- 14. Delegates' Reports**
- 15. Supplementary and urgent business**
- 16. Confidential reports**
- 17. Close of Meeting**

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