

Council Meeting

to be held virtually on Tuesday 24 August 2021 commencing at 7:00pm.

Attachments

Carl Cowie
Chief Executive Officer

Thursday 19 August 2021

Distribution: Public

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Nillumbik Shire Council

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Council Meeting

held virtually on Tuesday 27 July 2021 commenced at 7:06pm.

Minutes

Carl Cowie
Chief Executive Officer

Friday 30 July 2021

Distribution: Public

Civic Drive, Greensborough
PO Box 476, Greensborough 3088
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Nillumbik Shire Council

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Nillumbik Shire Council

**Minutes of the Meeting of Nillumbik Shire Council held Tuesday 27 July 2021.
The meeting commenced at 7.06pm.**

Councillors present:

Cr Richard Stockman	Blue Lake Ward
Cr Karen Egan	Bunjil Ward
Cr Natalie Duffy	Edendale Ward
Cr Peter Perkins	Ellis Ward (Mayor)
Cr Ben Ramcharan	Sugarloaf Ward
Cr Frances Eyre	Swipers Gully 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
Corrienne Nichols	Executive Manager Communities
Jeremy Livingston	Executive Manager Business Transformation and Performance
Rosa Zouzoulas	Executive Manager Planning and Community Safety
Eddie Cheng	Manager, Information Technology
Nik Mistriotis	Lead Systems Architect
Katia Croce	Governance Lead

1. Welcome by the Mayor

Members of the public were advised the meeting will be livestreamed and recorded and the live stream and video recording will be made publicly available on YouTube and Council's website. Whilst every effort will be made to ensure the livestreaming and website are accessible to our community, Council may encounter technical issues beyond its control. Technical issues may include, but are not limited to, the availability of the internet connection, device failure or malfunction, unavailability of social media platforms or power outages.

Should this occur, the meeting will be temporarily adjourned and every effort will be made to continue the Council tonight. If we are unable to recommence the meeting, Council will defer those items on the agenda that have not been considered to a later date.

2. Acknowledgement of Country

Acknowledgement of Country was read by the Mayor, Cr Peter Perkins.

3. Good Governance Pledge

The Good Governance Pledge was read by Cr Geoff Paine.

3. Prayer

A prayer was read by the Mayor Cr Peter Perkins.

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4. Apologies

Nil

Mayor Cr Peter Perkins read the following statement:

Council notes that notwithstanding the leave of absence previously granted to Cr Natalie Duffy at the 29 June Council Meeting until the 20 July 2021, Cr Duffy continued to perform her role as a Councillor during this period and would have attended the 29 June 2021 Council Meeting had remote participation been provided to her.

5. Presentations

Nil

6. Confirmation of minutes

Confirmation of minutes of the Council Meeting held on Tuesday 29 June 2021.

Council Resolution

MOVED: Cr Frances Eyre

SECONDED: Cr Ben Ramcharan

That the minutes of the Council Meeting held on Tuesday 29 June 2021 be confirmed. (Attachment 1).

CARRIED UNANIMOUSLY

7. Disclosure of conflicts of interest

Nil

8. Petitions

Nil

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9. Questions from the gallery

Graham Fildes asked the following questions:

Question 1

I note from the minutes of Council's Meeting on 29th June 2021 that Cr Stockman's Notice of Motion Heritage Overlay Application for 14 Browns Lane, Plenty was carried unanimously.

Has it become an individual, single Heritage Overlay application rather than one of many bundled applications (Stage A of the Nillumbik Heritage Review)?

Response 1

In accordance with Council's resolution on 29 June 2021, Council has sought approval from the Minister for Planning for Amendment C137 to the Nillumbik Planning Scheme. This amendment introduces the Heritage Overlay to 14 Browns Lane Plenty on an interim basis under Section 20(4) of the Planning & Environment Act 1987, until such time as Council progresses a further planning scheme amendment to introduce the Heritage Overlay permanently. Council is finalising the heritage citation in order to seek authorisation from the Minister for Amendment C138 to begin a full amendment process to apply the heritage Overlay permanently. Amendments C137 and C138 apply only to 14 Browns Lane Plenty and not any other properties of heritage significance.

Question 2

Further to Council's intention to apply the Heritage Overlay to the Eltham War Memorial Complex - which is supported by a large number of local residents and has a high level of public interest and sensitivity - could a similarly prepared motion for Heritage Overlay to the Eltham War Memorial Complex also be supported, and considered singly in its own right?

Response 2

The Eltham War Memorial Complex is a complex of buildings that are Council owned and identified by various heritage consultants as being of heritage significance. Council's resolution on 29 June 2021 adopted Stage A of the Heritage Study and resolved to include the complex as a site to be included in a broader Amendment at the conclusion of Stage B of the Heritage Study. It is understood that there is a high level of interest and sensitivity and Council is committed to applying the Heritage Overlay to the complex in accordance with its resolution.

Julia Drew asked the following question:

Question

Cr Stockman referenced in the recent Blue Lake Ward meeting that the Council had the opportunity to nominate sites to the VHBA for consideration. Can you please confirm the list of sites proposed, the selection criteria and if the area proposed by the VHBA was included on the consideration list from Nillumbik Shire Council?

Response

Council received a request from DHHS and VHBA in April 2019, requesting that Council propose some potential sites for its review of siting the Eltham Area Community Hospital.

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The selection criteria was to include; 4-5 hectares in size to future proof the hospital for future expansion if necessary, are easily accessible and well placed to service long term population growth and to support the network of other health facilities and services.

Nillumbik Council Facilities Complex (Civic Drive), being all the area and inclusive of the Council offices, through to the Diamond Valley Sports and Fitness Centre, car parking areas and open space adjacent to the Greensborough bypass was identified on the list of sites proposed by Council on the basis of its (4-5ha) size and was to be considered on the condition that should it be chosen, that Council's Shire offices be relocated to the old shire office site in Eltham to provide for a new hospital building.

Council further stated in its reply to DHHS that options within the Eltham Major Activity Centre were preferred on the basis:

- placing a major community facility into an activity centre
- providing an anchor employer for the activity centre and one befitting the predominant skills of the local workforce
- supporting synergies with surrounding services, retail etc.
- placing the hospital in close proximity to a public transport hub
- making high-use of a key development site in the activity centre.

The above outcomes are highly consistent with State and Council Activity Centre Policy.

Potential sites put forward included:

1. Former Eltham Shire Offices Site and abutting Council/State Land, Eltham
2. Car Parking and Stabling, Station Precinct, Eltham
3. St Vincent's Care Services, Diamond Street, Eltham
4. Nillumbik Council Facilities Complex, Civic Drive, Greensborough
5. Bus Depot Site, 103 Main Hurstbridge Road, Diamond Creek
6. Andrew Park, Eltham.

Rachael Bye asked the following questions:

Question 1

Could council please clarify if the land announced as preferred by the VHBA for the Eltham Area Community Hospital in Apollo Parkways was suggested by council? Did the VBHA approach council for the land or did council put forward the site as an option without any local consultation?

Response 1

The Eltham Area Community Hospital is a State Government project undertaken by VHBA who have currently commenced community consultation.

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Question 2

What were the other site options, and were these rejected by the VHBA or by council and are you now able to share the selection criteria and reasons for site rejections?

Response 2

Potential sites put forward included:

1. Former Eltham Shire Offices Site and Abutting Council/State Land, Eltham
2. Car Parking and Stabling, Station Precinct, Eltham
3. St Vincent's Care Services, Diamond Street, Eltham
4. Nillumbik Council Facilities Complex, Civic Drive, Greensborough
5. Bus Depot Site, 103 Main Hurstbridge Road, Diamond Creek
6. Andrew Park, Eltham.

The decision on where to site the Eltham Area Community Hospital was a decision made solely by the State Government.

Rosemary Burdett asked the following questions:

Question 1

Given that the Civic Circuit car park is already at capacity when the sports stadium activity is at a maximum, even before the new netball courts are open, does the Council agree that the proposed hospital with paid carparking will make it almost impossible for local people to access parking for the stadium, council offices, library and play space?

Question 2

If so, will the council support the local residents and users of the civic space, and oppose the sale of the carpark and adjacent green space to the VHBA for the 'Eltham Hospital'?

Response

Council has not yet resolved a formal position on whether to support the proposal or not.

Council will need to gain a more comprehensive understanding of the proposal and its impacts before a decision can be made.

Dr Svetlana Ryzhikh - President of Friends of Apollo Parkways asked the following questions:

Question 1

Why was the Civic Drive Development Masterplan 2015 not provided to the VHBA during their investigation into possible sites for the Eltham Area Community Hospital?

Question 2

I personally contributed to the content of 2015's Masterplan: exhaustive reference groups, consultations, workshops, and funding submissions over a 6-year period.

What measures will Nillumbik Shire undertake to ensure this vision is not devalued, downgraded and ultimately destroyed?

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Response

Council officers have informed VHBA of the community's use and shared vision of the Nillumbik Council Facilities Complex (Civic Drive) site.

Council officers advised VHBA of the preference to locate the proposed Eltham Area Community Hospital in the Eltham Major Activity Centre (the old shire office site) for reasons stated above and as stated in adopted positions of Council in its Eltham Major Activity Centre Structure Plan.

Liz Arthur asked the following questions:

Question 1

Why is the Eltham Hospital being built in Greensborough when old Eltham Shire Office was originally proposed?

Question 2

Where will cars park for fitness & sports centre if Hospital built on current car park, plus this doesn't answer question regarding traffic on Brentwick Drive, only exacerbates it?

Response

As this is a Victorian Government project, any questions about the project and its location would be best put to the VHBA as the responsible authority.

Jo Conlon asked the following questions:

Question 1

How can the Civic Drive community space be considered for the site of the new Eltham hospital given that it does not fulfil many of the requirements named in the community consultation process; in particular, being near public transport, potential for expansion and sufficient parking for staff and patients?'

Question 2

Is it possible for Council to propose a more suitable site that is near a train station?

Response

As this is a Victorian Government project, any questions about the project and its location would be best put to the VHBA as the responsible authority.

Carol Doherty asked the following questions:

Question 1

When the VHBA approached Council to buy the Civic Drive Precinct site why did Council not advise them that this site was not for sale because it was covered by Community Facilities Upgrade Masterplan - October 2015 and was rezoned to Public Park and Recreation Zone at a Council meeting on 26th March 2019?

Response 1

Council was not approached to sell land, it was approached to provide possible sites for a community hospital. Council has advised the VHBA of the precinct's values, planning zone and utilisation to the local community.

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Question 2

Has Council advised the developer(s) who recently purchased the Whittingham Circuit estate that the townhouses will not be overlooking a peaceful, green park, but instead a hospital with an asphalted car park with noisy, bustling patrons every night and all weekend?

Response 2

Council has not resolved to sell land to the State Government for the Eltham Area Community Hospital.

Greg Ryjikh asked the following questions:

Question 1

The proposed Hospital will take away 58 out of 77 car parks that are currently reserved for Council's staff. Where will you guys park?

Question 2

Do the CEO and Councillors care that the officers and visitors will be disadvantaged by the loss of 3/4 of the reserved Council car park?

Response

Council as a key stakeholder in the Nillumbik Council Facilities Complex is seeking further detail on the proposed hospital and advice on its potential economic, social and environmental impacts on the precinct.

Sahan Fernando asked the following questions:

Question 1

What is the impact on parking and traffic in the area with proposed development of the Eltham area hospital? Currently, the parking in the Civic Drive area is not sufficient (especially during school times) and the traffic is very bad during school times. Development of a new hospital will increase accidents in the area. Also, development of town houses on the recently sold land will not help with traffic in the area

Question 2

How ambulances can access proposed hospital? The Civic drive cannot cater fast moving ambulances. Especially during school times. This will again increase the risk of school children facing accidents in the area.

Response

As this is a Victorian Government project, any questions about the project and its location would be best put to the VHBA as the responsible authority.

Nicole Triep asked the following questions:

Question 1

Will council be conducting their own community consultations with residents in addition to the VHBA "Information session?"

Question 2

If not, how do council plan to advocate for the local community?

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Response

Council is keen to understand the community view on the proposed development and will be seeking community feedback in the near future.

Margaret McKenzie asked the following questions:

Question 1

Why do you think that Apollo Parkways don't deserve the same open park recreational space compared to other communities?

Response 1

As this is a Victorian Government project, any questions about the project and its location would be best put to the VHBA as the responsible authority.

Question 2

Has NDIS been consulted regarding there is no Train Station & Bus service which would meet the needs for the disabled?

Response 2

As this is a Victorian Government project, any questions about the project and its location would be best put to the VHBA as the responsible authority.

Graeme Schultz asked the following questions:

Question 1

How busy is the drug rehabilitation facility of the hospital envisaged to be and what part of the drug rehabilitation facility will be purposed towards the safe injecting room?

Question 2

What makes Greensborough a better choice than council land in Susan Street and Bell Street?

Response

As this is a Victorian Government project, any questions about the project and its location would be best put to the VHBA as the responsible authority.

Chris Wales asked the following question:

Question 1

With the extended sports facility, new housing, council offices, library, popular playground, polytechnic and school with 700+ students adjacent to the proposed cottage hospital - how does council plan to guarantee the effective traffic management and safety of residents, students, sports patrons, vulnerable visitors and others?

Response

Council takes its responsibility for community safety very seriously and as such would seek to discuss such matters with the VHBA. Council has and will continue to advocate for an efficient and safe road network in all discussions and communications with government.

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Stacie Wang asked the following questions:

Hello Nillumbik Council,

I'm a resident on Brentwick Drive, just down the road to Apollo Parkways Primary.

This question is regarding to the Eltham Community Hospital, and the traffic/parking issues it may cause. I'm sure many other residents to Apollo parkways are also very interested in this topic.

Question 1

Pre COVID, when all facilities are open, the carpark that is used for the gym, library, council office, playground and even school pick-ups (which the Eltham Community Hospital is wanting to build over/on top) is always full in capacity. Will the hospital build additional FREE carparks to facilitate the increase of staff and public visitors? – the least we want to see is MORE CARS filling up the sides of our street, especially during school pickup hour.

Response 1

As this is a Victorian Government project, any questions about the project and its location would be best put to the VHBA as the responsible authority.

Question 2

The roundabout. It is the main entry/exit to our estate, the congestion and chaos during peak hours are already very difficult to deal with. With the increase in traffic the hospital will bring, this problem really needs the attention it deserves. Are there any proposed solution to this?

Response 2

Council takes its responsibility for community and road safety very seriously and as such would seek to discuss such matters with the VHBA. Council has and will continue to advocate for an efficient and safe road network in all discussions and communications with government.

Kate Fleet asked the following questions:

Question 1

Is the council aware or does the council have a copy of the traffic modelling completed by the VHBA, and when was this data compiled? As the library has been closed for renovations, school has been on/off with remote learning or staggered start and finish times and the council have had working from home conditions. In addition to all of this the expanded DVSFC has been closed and upgraded with additional courts during this time.

Question 2

If the council has not been made aware of the traffic modelling by the VHBA, why was this not requested by council for discussion with the VHBA prior to the site selection being made.

Response

Council was neither consulted nor privy to the ultimate site selection of the Eltham Area Community Hospital. Council has not decided on the State Government project. Council has and will continue to advocate for an efficient and safe road network in all discussions and communications with the VHBA.

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Tim Fleet asked the following questions:

Question 1

How many sites for Eltham Area Community Hospital did Nillumbik suggest to VHBA?

Response 1

Six proposals were put to DHHS in April 2019. Six proposals were presented on their ability to meet the criteria put forward by DHHS. Of the six proposals, Council reinforced its preferred, the former Eltham Shire Council office site for reasons outlined earlier.

Question 2

Was Apollo Parkways parkland one of the Nillumbik nominated sites?

Response 2

Apollo Parkways parkland is part of the entire Nillumbik Council Facilities Complex, so as to comply with the 4-5ha site selection criteria but was never proposed by officers as a site for the Eltham Area Community Hospital.

Dianne Brooker asked the following questions:

Question 1

If Nillumbik Shire agree to sell Civic Drive land, will Nillumbik be reimbursed for the cost of site levelling, landscape works, tree planting & irrigation for the passive recreation area in 2018 approx. \$300.000

Question 2

Given it is not vacant land but protected parkland and will result in loss of amenity into perpetuity. What price will sufficiently compensate Nillumbik residents for this loss?

Response

Council has not yet resolved a formal position on whether to support the proposal or not.

Council will need to gain a more comprehensive understanding of the proposal and its impacts before a decision can be made.

Trish Turco provided a statement and asked the following questions:

Continuing along the line of planning for the Eltham Community Hospital in Apollo Parkways .. Looking at the existing bus routes to civic drive. There are currently none that go down Civic Drive (except for the school busses). The 3 bus routes 343, 901 and 385 stop near Civic Drive, they do not travel along the Civic Drive.

Question 1

My question is, will there be a new bus routes added to drive down Civic Drive to stop on the street?

Question 2

And given the natural incline of the land, will the busses go directly to the hospital? The walk from Civic Drive to the proposed hospital location, can be awkward to walk for the elderly and those pushing prams (lot of undulating land).

Response

As this is a Victorian Government project, any questions about the project and its location would be best put to the VHBA as the responsible authority.

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10. Reports of Advisory Committees

AC.009/21 Advisory Committee Report - 27 July 2021

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. Environment & Sustainability Advisory Committee Meeting held 28 April 2021;
2. Youth Council Formal Advisory Committee Meeting held 7 June 2021; and
3. Panton Hill Bushland Reserve System User Group Advisory Committee Meeting held 17 June 2021.

Council Resolution

MOVED: Cr Geoff Paine

SECONDED: Cr Frances Eyre

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

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11. Officers' reports

CM.099/21 Draft Community Vision - Nillumbik 2040

Distribution: Public

Manager: Jeremy Livingston, Executive Manager Business Transformation and Performance

Author: Yasmin Green, Strategy and Policy Advisor

Summary

This report presents the Draft Community Vision – Nillumbik 2040 (the Draft Community Vision) for approval prior to exhibition for public consultation.

The Draft Community Vision (**Attachment 1**) is a requirement under section 88 of the *Local Government Act 2020* (the Act) and must be adopted by 31 October 2021. The document seeks to capture the essence of what is most valued about our community and the Shire, reflecting the collective aspirations of our community.

The information and community feedback gathered through the Our People, Our Place, Our Future community engagement program undertaken in February and March of this year has helped inform the development of the Draft Community Vision.

The Draft Community Vision will be used to inform future Council strategic planning, budgeting, service delivery and advocacy to ensure Council is acting in the best interests of the community, and is advocating to all levels of government and agencies.

As detailed in this report, community consultation is due to commence on 29 July 2021 through to 26 August 2021. Public submissions will close on 26 August 2021 and will be considered by the Planning and Consultation Committee on 14 September 2021. The finalised Community Vision – Nillumbik 2040 is due to be adopted at the Council Meeting on 26 October 2021.

Council Resolution

MOVED: Cr Frances Eyre

SECONDED: Cr Ben Ramcharan

That Council:

1. Endorses the Draft Community Vision – Nillumbik 2040 (**Attachment 1**) for the purposes of public exhibition.
2. Invites written submissions on the Draft Community Vision – Nillumbik 2040 to Council by 26 August 2021.
3. Considers public submissions at the Planning and Consultation Committee meeting to be held on 14 September 2021.
4. Notes that any person who makes a written submission in relation to the Draft Community Vision – Nillumbik 2040 and requests to be heard in support of the written submission, be heard at the September 2021 Planning and Consultation Committee meeting.

CARRIED UNANIMOUSLY

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11. Officers' reports

CM.100/21 Draft Council Plan 2021-2025

Distribution: Public

Manager: Jeremy Livingston, Executive Manager Business Transformation and Performance

Author: Yasmin Green, Strategy and Policy Advisor

Summary

This report presents the Draft Council Plan 2021-2025 (the Draft Plan) for approval prior to exhibition for public consultation.

The Council Plan is the Council's primary strategic document for its four year term. The Draft Council Plan (**Attachment 1**) is a requirement under section 90 of the *Local Government Act 2020* (the Act) and must be adopted by 31 October 2021.

The Draft Council Plan identifies Council's objectives and strategies, along with indicators to monitor the achievement of the objectives and strategies. The information and community feedback gathered through the Our People, Our Place, Our Future community engagement program undertaken in February and March of this year has helped inform the development of the Plan. As required by the Act, the Council Plan also aligns with the draft Community Vision – Nillumbik 2040 document.

As detailed in this report, community consultation is due to commence on 29 July 2021 through to 26 August 2021. Public submissions will close on 26 August 2021 and will be considered by the Planning and Consultation Committee on 14 September 2021. The finalised Council Plan is due to be adopted at the Council Meeting on 26 October 2021.

Motion

MOVED: Cr Ben Ramcharan

SECONDED: Cr Natalie Duffy

That Council:

1. Endorses the Draft Council Plan 2021-2025 (**Attachment 1**) for the purposes of public exhibition.
2. Invites written submissions on the Draft Council Plan to Council by 26 August 2021.
3. Considers public submissions at the Planning and Consultation Committee meeting to be held on 14 September 2021.
4. Notes that any person who makes a written submission in relation to the Draft Council Plan 2021-2025 and requests to be heard in support of the written submission, be heard at the September 2021 Planning and Consultation Committee meeting.

CARRIED UNANIMOUSLY

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11. Officers' reports

CM.101/21 Draft Financial Plan 2021-2031

Distribution: Public

Manager: Vince Lombardi, Chief Financial Officer

Author: Melika Sukunda, Finance Manager

Summary

This report presents the Draft Financial Plan 2021-2031 (the Draft Plan) for Council approval prior to exhibition for public consultation. The Draft Financial Plan 2021-2031 is a requirement under section 91 of the *Local Government Act 2020* (the Act) and must be adopted by 31 October 2021.

The purpose of the Draft Plan is to demonstrate Council's financial sustainability in order to fund the aspirations of the Community Vision and the Council Plan.

This Draft Plan has been prepared in compliance with the *Local Government Act 2020*, the Department of Jobs, Precincts and Regions Financial Plan Better Practice Guide and Model and the Australian Accounting Standards Board standards.

The information and community feedback gathered through the Our People, Our Place, Our Future community engagement program has been considered throughout the development of the Draft Plan.

Recommendation

That Council:

1. Endorses the draft Financial Plan 2021-2031 (**Attachment 1**) for the purposes of public exhibition.
2. Invites written submissions on the Draft Financial Plan to Council by 26 August 2021.
3. Considers public submissions at the Planning and Consultation Committee meeting to be held on 14 September 2021.
4. Notes that any person who makes a written submission in relation to the Draft Financial Plan 2021-2025 and requests to be heard in support of the written submission, be heard at the September 2021 Planning and Consultation Committee meeting.

Motion

MOVED: Cr Geoff Paine

SECONDED: Cr Natalie Duffy

That Council:

1. Endorses the draft Financial Plan 2021-2031 (**Attachment 1**) for the purposes of public exhibition.
2. Invites written submissions on the Draft Financial Plan to Council by 26 August 2021.
3. Considers public submissions at the Planning and Consultation Committee meeting to be held on 14 September 2021.
4. Notes that any person who makes a written submission in relation to the Draft Financial Plan 2021-2031 and requests to be heard in support of the written submission, be heard at the September 2021 Planning and Consultation Committee meeting.

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12. Officers' reports

CM.101/21 Draft Financial Plan 2021-2031

THE MOTION WAS PUT TO THE VOTE AND CARRIED AND BECAME THE COUNCIL RESOLUTION AS FOLLOWS:

Council Resolution

MOVED: Cr Geoff Paine
SECONDED: Cr Natalie Duffy

That Council:

1. Endorses the draft Financial Plan 2021-2031 (**Attachment 1**) for the purposes of public exhibition.
2. Invites written submissions on the Draft Financial Plan to Council by 26 August 2021.
3. Considers public submissions at the Planning and Consultation Committee meeting to be held on 14 September 2021.
4. Notes that any person who makes a written submission in relation to the Draft Financial Plan 2021-2031 and requests to be heard in support of the written submission, be heard at the September 2021 Planning and Consultation Committee meeting.

CARRIED UNANIMOUSLY

Council Meeting Minutes

27 July 2021

11. Officers' reports

CM.102/21 Draft Nillumbik Health and Wellbeing Plan 2021 - 2025

Distribution: Public

Manager: Corrienne Nichols, Executive Manager Communities

Author: Nichole Johnson, Manager Community Partnerships

Summary

The development of the Municipal Public Health and Wellbeing Plan (MPHWP) is a legislative requirement under the Victorian *Public Health and Wellbeing Act 2008*. All Victorian councils must develop a MPHWP within 12 months of the election of a new Council.

The Draft Nillumbik Public Health and Wellbeing Plan 2021-2025 (the Draft Plan) is informed by: a review of available data on the health status of the Nillumbik community; a review of current local, state and national health planning context; consultation that has been completed with community, local partners, Councillors and staff, and a review of the Nillumbik Health and Wellbeing Plan 2017-2021.

The Draft Plan aims to 'protect, improve and promote public health and wellbeing within the municipality'. Annual implementation plans and progress reports will outline how the plan is operationalised and monitor progress throughout the life of the plan.

The purpose of this report is to present the Draft Plan to Council for endorsement for public exhibition from 29 July - 26 August 2021.

Council Resolution

MOVED: Cr Richard Stockman

SECONDED: Cr Frances Eyre

That Council:

1. Endorses the Draft Nillumbik Health and Wellbeing Plan 2021–2025 (**Attachment 1**) for the purposes of public exhibition.
2. Invites written submissions on the Draft Nillumbik Health and Wellbeing Plan 2021-2025 to Council by 26 August 2021.
3. Considers public submissions at the Planning and Consultation Committee meeting to be held on 14 September 2021.
4. Notes that any person who makes a written submission in relation to the Draft Nillumbik Health and Wellbeing Plan 2021-2025 and requests to be heard in support of the written submission, be heard at the September 2021 Planning and Consultation Committee meeting.

CARRIED UNANIMOUSLY

Council Meeting Minutes

27 July 2021

11. Officers' reports

CM.103/21 Council Plan Quarterly Performance Report - 2020-2021 - Quarter 4

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 for Council's consideration. The Council Plan Quarterly Performance Report (**Attachment 1**) provides the fourth and final update on delivery progress and performance of the 2020-2021 Annual Action Plan priority actions, which aligns to delivery of the final year of the Council Plan 2017-2021.

Of the 18 actions in the 2020-2021 Annual Action Plan, 4 actions are 'complete', 9 actions are 'on track' (ongoing items) and 5 actions have been 'rescheduled' for completion in the 2021-2022 financial year. The overall position reflected in the report suggests that Council has made solid progress in delivering on the priority actions of the Council Plan and significant outcomes for the community.

The entire year's performance against the delivery of the Council Plan will be published in the Annual Report 2020-2021, which will be presented to the community later in 2021.

Council Resolution

MOVED: Cr Geoff Paine

SECONDED: Cr Ben Ramcharan

That Council receives the Council Plan Quarterly Performance Report (**Attachment 1**) for the fourth quarter of 2020-2021, being the period ending 30 June 2021.

CARRIED UNANIMOUSLY

Council Meeting Minutes

27 July 2021

11. Officers' reports

CM.104/21 Interim Financial Report - June 2021

Distribution: Public

Manager: Vince Lombardi, Chief Financial Officer

Author: Melika Sukunda, Finance Manager

Summary

This report outlines Council's interim financial performance for the period ended 30 June 2021.

The June draft interim financial report is the fourth report presented to Council on the year-to-date performance against the adopted 2020-2021 Budget, which includes changes resulting from the Mid-Year Financial Review process.

Quarterly reports are presented to Council for the September, December and March quarters. However due to the timing and preparation of the Annual Report, an interim quarterly report is prepared for the June quarter. This is to comply with the provisions of the Local Government Act 2020 which requires that a financial report be presented to Council every three months.

The interim financial report shows a draft net profit of \$18.660 million. This is a decrease of \$9.111 million compared to the Mid-Year Financial Review in December 2020, when a profit of \$27.771 million was forecast. This decrease is largely attributable to Australian Accounting Standard (AASB 1058) which requires grant income to be recognised when contractual obligations have been met rather than on receipt (\$12,858,000).

Council Resolution

MOVED: Cr Frances Eyre

SECONDED: Cr Natalie Duffy

That Council receives and notes the Draft Interim Financial Report for the period ended 30 June 2021 (**Attachment 1**).

CARRIED UNANIMOUSLY

Council Meeting Minutes

27 July 2021

11. Officers' reports

CM.105/21 Municipal Planning Strategy Engagement

Distribution: **Public**

Manager: **Rosa Zouzoulas, Executive Manager Planning and Community Safety**

Author: **Leigh Northwood, Strategic Planning Lead**

Summary

This report outlines 'Phase 2' of community consultation, for 4 weeks through August/September 2021, for Council's Municipal Planning Strategy (MPS).

The MPS provides an overview of important local planning issues and sets out the vision and strategic directions for future land use and development for the municipality.

The proposed consultation will build on broad feedback received already from the recent Our People, Our Place, Our Future (OPOPOF) consultation and Climate Action Plan (CAP) Survey, which is referred to as 'Phase 1' of community consultation.

Council Resolution

MOVED: **Cr Ben Ramcharan**

SECONDED: **Cr Geoff Paine**

That Council:

1. Endorses Phase 2 of public consultation to occur over 4 weeks from 23 August to 19 September 2021, as outlined in this report for the Municipal Planning Strategy of the Nillumbik Planning Scheme.
2. Notes that, following Phase 2 of public consultation, the next scheduled milestones for the project include:
 - a) The November 2021 meeting of Council's Planning and Consultation Committee will consider the outcomes of the Phase 2 of public consultation.
 - b) The February 2022 Council Meeting will consider a draft of the Municipal Planning Strategy and a recommendation that it be endorsed for Phase 3 community consultation.

CARRIED UNANIMOUSLY

Council Meeting Minutes

27 July 2021

11. Officers' reports

CM.106/21 Nillumbik Planning Scheme Amendment C131 - Earthworks in the Greenwedge

Distribution: Public

Manager: Rosa Zouzoulas, Executive Manager Planning and Community Safety

Author: Leigh Northwood, Strategic Planning Lead

Summary

Council recently exhibited Amendment C131 (the Amendment) to the Nillumbik Planning Scheme, which seeks to amend the schedule(s) to the Green Wedge Zone and Rural Conservation Zone to require a planning permit trigger for earthworks which involve the receipt, importation, stockpiling or placement of more than 100 cubic metres of fill on land within those specified zones.

The Amendment is intended to assist Council to manage large earthworks and the placement of fill within the Green Wedge and Rural Conservation Zones, by allowing Council to assess and mitigate future risks and fill activities that have the potential to create significant environmental and amenity impacts in the Shire.

This report outlines the exhibition undertaken for this Amendment and summarises the submissions received to the exhibition of the Amendment.

The Amendment was placed on exhibition pursuant to the requirements of the *Planning and Environment Act 1987* (the Act), from 22 April to 3 June 2021. Council received ten (10) submissions in total.

Submitters were invited to attend the 13 July 2021 Planning & Consultative Committee Meeting (PCC) to speak to their submissions.

Where a submission raises an issue regarding the proposed amendment that cannot be resolved, the Act sets out the process for the Amendment. In accordance with Section 22 of the Act, Council must consider all submissions received. Section 23 of the Act, requires that Council after considering the submissions which request a change to the Amendment, that the planning authority, (Council), must:

- (a) change the amendment in the manner requested; or
- (b) refer the submission to an independent planning panel be appointed under Part 8 by the Minister for Planning; or
- (c) abandon the amendment or part of the amendment.

This report will recommend that Council resolve to refer unresolved submissions to an independent Planning Panel and ask the Minister for Planning to appoint the Panel in accordance with Part 8 of the Act.

Council Meeting Minutes

27 July 2021

12. Officers' reports

CM.106/21 Nillumbik Planning Scheme Amendment C131 - Earthworks in the Greenwedge

Council Resolution

MOVED: Cr Karen Egan

SECONDED: Cr Ben Ramcharan

That Council:

1. Notes the submissions to Amendment C131 to the Nillumbik Planning Scheme.
2. Request the Minister for Planning appoint an independent planning panel to consider Amendment C131 pursuant to Section 23(1)(b) of the *Planning and Environment Act 1987*.
3. Requests that Officers notify submitters to the proposed Amendment C131 of the Committee's resolution.
4. Requests that Officers provide an update on Participate Nillumbik in regard to next stages for Amendment C131.

CARRIED UNANIMOUSLY

Council Meeting Minutes

27 July 2021

11. Officers' reports

CM.107/21 Committee of Management for Crown Land at 728 Main Road Eltham

Distribution: Public

Manager: Hjalmar Philipp, Director Operations and Infrastructure

Author: Natalie Campion, Coordinator Property

Summary

Council manages two adjoining parcels of Crown Land located at 728 and 730 Main Road, Eltham. These parcels are depicted in **Attachment 1 – Plan of Land**.

Together, the land is known locally as the Eltham Justice Precinct. It is the site of the historic Old Eltham Court House, former Police Residence, Police Stables and some sundry modern and period replica structures.

Whilst Council manage the land and maintain the buildings on behalf of the Crown (Department of Environment, Land, Water and Planning, DELWP), there is an inconsistency in the management arrangement between the two parcels.

Council is the appointed Committee of Management (CoM) for 730 Main Road, whilst 728 Main Road, Eltham is leased to Council under a 21 year agreement, which was negotiated with Parks Victoria who managed the land on behalf of the Crown until the mid-2000s.

The 21 year lease for 728 Main Road Eltham expired on 30 June 2021.

DELWP have requested Council consider being appointed Committee of Management (CoM) for on-going management of the land, rather than entering into a further long-term lease.

Council Resolution

MOVED: Cr Geoff Paine

SECONDED: Cr Natalie Duffy

That Council formally requests from Department of Environment, Land, Water and Planning to be appointed Committee of Management for Crown land at 728 Main Road, Eltham being Crown Allotment 1, Section 4, Parish of Nillumbik, Certificate of Title Volume 11371 Folio 540.

CARRIED

Council Meeting Minutes

27 July 2021

11. Officers' reports

OB.122/21 Flagpole Proposal at Civic Centre

Distribution: Public

Manager: Corrienne Nichols, Executive Manager Communities

**Author: Lauren Treby, Coordinator Social Planning and Equity
Nichole Johnson, Manager Community Partnerships**

Summary

As part of Council's ongoing commitment to Access, Equity and Inclusion, Officers are seeking Council endorsement for the installation of additional flag poles in the Shire to sit alongside the Australian Flag and the Australian Aboriginal Flag.

Benchmarking across neighbouring Local Government Areas (LGAs) indicates that other Councils have at least three or four flagpoles at the front of their Council Office Buildings and at a minimum fly the Australia, Aboriginal and Torres Strait islander flags.

Five options with accompanying budget implications are presented within this report.

Recommendation

That Council endorses Option 5 installation of two additional new flagpoles at the Eltham Community & Reception Centre (budget estimate \$18,000-\$19,000)

Motion

MOVED: Cr Natalie Duffy

SECONDED: Cr Richard Stockman

That Council;

- 1. Endorses Option 2 installation of two additional new flagpoles at Civic Centre and notes the flag poles will be the same height and colour as existing (budget estimate \$18,000-\$19,000).**
- 2. Refers the item to the mid-year financial review for the 2021-2022 financial year.**

THE MOTION WAS PUT TO THE VOTE AND CARRIED AND BECAME THE COUNCIL RESOLUTION AS FOLLOWS:

Council Resolution

MOVED: Cr Natalie Duffy

SECONDED: Cr Geoff Paine

That Council

- 1. Endorses Option 2 installation of two additional new flagpoles at Civic Centre and notes the flag poles will be the same height and colour as existing (budget estimate \$18,000-\$19,000).**
- 2. Refers the item to the mid-year financial review for the 2021-2022 financial year.**

CARRIED UNANIMOUSLY

Council Meeting Minutes

27 July 2021

12. Officers' reports

OB.122/21 Flagpole Proposal at Civic Centre

Cr Karen Egan temporarily left the meeting during discussion of this item at 8:15pm.

The Mayor Cr Peter Perkins adjourned the meeting at 8:17pm to give Cr Karen Egan an opportunity to re-join the meeting.

The meeting resumed at 8:19pm.

Cr Karen Egan returned to the meeting at 8:20pm during discussion of this item.

Council Meeting Minutes

27 July 2021

11. Officers' reports

CM.108/21 Inclusive Sports Pavilion Plan

Distribution: Public

Manager: Hjalmar Philipp, Director Operations and Infrastructure

Author: Heath Gillett, Manager Recreation and Leisure

Summary

This report presents to Council for noting an Inclusive Sports Pavilion Framework (ISPF), (**Attachment 1**) which has prepared by a consultant for Council as part of a grant with Sports and Recreation Victoria. Formal acknowledgement of the framework is required under the grant funding agreement for acquittal of this project by Sport and Recreation Victoria (SRV).

The objective of this framework is to inform the renewal and upgrade of existing sport pavilions, to ensure inclusiveness and accessibility at Nillumbik sport and recreation facilities are appropriately considered.

This piece of work will inform another key document (equity and inclusion), to be implemented as part of suite of frameworks supporting the current draft Recreation and Leisure Strategy 2021-30.

Council Resolution

MOVED: Cr Natalie Duffy

SECONDED: Cr Frances Eyre

That Council formally notes the Inclusive Sport Pavilion Framework presented in **Attachment 1**

CARRIED UNANIMOUSLY

Council Meeting Minutes

27 July 2021

11. Officers' reports

CM.109/21 Instrument of Delegation to the Chief Executive Officer

Distribution: Public

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

Author: Katia Croce, Governance Lead

Summary

The current Instrument of Delegation of powers, duties and functions to the Chief Executive Officer (CEO) was approved by Council on 25 August 2020.

The *Local Government Act 2020* (the Act) provides for each Council to establish a delegation of power. The Act also requires Council to review the delegation within one year of each general election. This report meets Councils obligations under the Act.

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

The review of the Instrument of Delegation to the Chief Executive Officer in this instance does not recommend any changes apart from minor formatting changes to recognise the most recent review date.

Recommendation

That Council:

1. In the exercise of the power conferred by s 11(1)(b) of the *Local Government Act 2020* (the Act), Nillumbik Shire Council (Council) resolves that:
 - a) There be delegated to the person holding the position, or acting in or performing the duties, of Chief Executive Officer the powers, duties and functions set out in the attached *Instrument of Delegation to the Chief Executive Officer*, **(Attachment 1)** subject to the conditions and limitations specified in that Instrument.
 - b) The instrument comes into force immediately the common seal of Council is affixed to the instrument.
 - c) On the coming into force of the instrument all previous delegations to the Chief Executive Officer are revoked.
 - d) The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

Council Meeting Minutes

27 July 2021

12. Officers' reports

CM.109/21 Instrument of Delegation to the Chief Executive Officer

Motion

MOVED: Cr Ben Ramcharan

SECONDED: Cr Natalie Duffy

That Council:

1. In the exercise of the power conferred by s 11(1)(b) of the *Local Government Act 2020* (the Act), Nillumbik Shire Council (Council) resolves that:
 - a) There be delegated to the person holding the position, or acting in or performing the duties, of Chief Executive Officer the powers, duties and functions set out in the attached *Instrument of Delegation to the Chief Executive Officer*, **(Attachment 1 with an amendment to the financial component in 3.1 and 3.2 to read \$300,000 instead of \$500,000)** subject to the conditions and limitations specified in that Instrument.
 - b) The instrument comes into force immediately the common seal of Council is affixed to the instrument.
 - c) On the coming into force of the instrument all previous delegations to the Chief Executive Officer are revoked.
 - d) The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

THE MOTION WAS PUT TO THE VOTE AND CARRIED AND BECAME THE COUNCIL RESOLUTION AS FOLLOWS:

Council Resolution

MOVED: Cr Ben Ramcharan

SECONDED: Cr Natalie Duffy

That Council:

1. In the exercise of the power conferred by s 11(1)(b) of the *Local Government Act 2020* (the Act), Nillumbik Shire Council (Council) resolves that:
 - a) There be delegated to the person holding the position, or acting in or performing the duties, of Chief Executive Officer the powers, duties and functions set out in the attached *Instrument of Delegation to the Chief Executive Officer*, **(Attachment 1 with an amendment to the financial component in 3.1 and 3.2 to read \$300,000 instead of \$500,000)** subject to the conditions and limitations specified in that Instrument.
 - b) The instrument comes into force immediately the common seal of Council is affixed to the instrument.
 - c) On the coming into force of the instrument all previous delegations to the Chief Executive Officer are revoked.
 - d) The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

CARRIED UNANIMOUSLY

Council Meeting Minutes

27 July 2021

11. Officers' reports

CM.110/21 Instrument of Sub-Delegation to Members of Council Staff Under the Environment Protection Act 2017

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.

The S18 Instrument of Sub-Delegation is a new Instrument introduced as a result of legislative changes to the *Environment Protection Act 2017* which commenced on 1 July 2021.

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

Council Resolution

MOVED: Cr Geoff Paine

SECONDED: Cr Ben Ramcharan

That Council, in the exercise of the power conferred by section 437(2) of the *Environment Protection Act 2017* and the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021, Nillumbik Shire Council (Council) resolves that:

1. 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 Sub-Delegation to members of Council staff (**Attachment 1**), the powers, duties and functions set out in that Instrument, subject to the conditions and limitations specified in that Instrument.
2. The Instrument comes into force immediately the common seal of Council is affixed to the Instrument.
3. The duties and functions set out in the Instrument must be performed, and the powers set out in the Instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

CARRIED UNANIMOUSLY

Council Meeting Minutes

27 July 2021

11. Officers' reports

CM.111/21 Tender Report - Contract 1920-023 Pavement and Line Marking

Distribution: Public

Manager: Hjalmar Philipp, Director Operations and Infrastructure

Author: Lance Clark, Senior Procurement Specialist

Summary

This report recommends the awarding of contract 1920-023 for the provision of Pavement and Line Marking Services. This contract replaces a previous contract.

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.

The tender for services was via a collaborative tender run by a group of nine councils of which Nillumbik Shire Council was one.

Monash City Council was appointed to act as 'Agent' on behalf of the other eight councils.

The participating Councils in the tender process were Banyule City, City of Boroondara, Knox City, City of Manningham, Monash City, Nillumbik Shire, Whitehorse City and Shire of Yarra Ranges.

Each individual Council reserved the right to appoint an individual preferred supplier or a single preferred supplier for all Councils.

Each council undertook individual tender assessments of each shortlisted tenderer.

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 1920-023 for provision of Pavement and Line Marking Services.

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 schedule of rates disclosed in (**Attachment 1**) and enter into the following contract:
Number: 1920-023
Title: Pavement and Line Marking Services
Term: 1 April 2020 to 30 March 2023
Options: Term extensions up to two additional years.
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. Advises all tenderers accordingly.
5. 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*.

Council Meeting Minutes

27 July 2021

12. Officers' reports

CM.111/21 Tender Report - Contract 1920-023 Pavement and Line Marking

Council Resolution

MOVED: Cr Natalie Duffy

SECONDED: Cr Ben Ramcharan

That Council:

1. Accept the tender submitted by the **preferred tenderer** Roadside Services and Solutions Pty Ltd for the schedule of rates disclosed in (**Attachment 1**) and enter into the following contract:
Number: 1920-023
Title: Pavement and Line Marking Services
Term: 1 April 2020 to 30 March 2023
Options: Term extensions up to two additional years.
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. Advises all tenderers accordingly.
5. 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*.

CARRIED UNANIMOUSLY

Council Meeting Minutes

27 July 2021

11. Officers' reports

CM.112/21 CEO Employment Matters Committee

Distribution: Public

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

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

Summary

This report is an overview of a separate confidential report to consider the Chief Executive Officer's (CEO's) performance plan 2020/2021.

Council Resolution

MOVED: Cr Ben Ramcharan

SECONDED: Cr Frances Eyre

That Council notes this report.

CARRIED UNANIMOUSLY

Council Meeting Minutes

27 July 2021

11. Officers' reports

CM.113/21 Informal Meetings of Councillors Records - 27 July 2021

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 29 June 2021.

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

1. Climate Action Plan Development Meeting held 15 June 2021.
2. RTAC Meeting held 23 June 2021.
3. Inclusion Advisory Committee Meeting held 23 June 2021.
4. Pre-Meet to Council Meeting held 29 June 2021.
5. Councillor Briefing held 6 July 2021.
6. Councillor Briefing and Pre-meet to Planning and Consultation Committee Meeting held 13 July 2021.
7. Councillor Briefing 2 held 13 July 2021.

Council Resolution

MOVED: Cr Frances Eyre

SECONDED: Cr Ben Ramcharan

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

27 July 2021

12. Notices of Motion

Nil

13. Delegates' Reports

The Mayor Cr Peter Perkins advised he recently attended the Parks and Leisure Australia Vic/Tas Region Awards Ceremony where the Diamond Creek Regional Playspace was announced the recipient of the Parks and Leisure Australia Playspace Award (>\$0.5M).

All VIC/TAS award recipients are now National Finalists for the 2021 National Awards of Excellence to be announced at the National Awards of Excellence in Sydney on 14 September 2021.

More information about the award together with the trophy will be hopefully brought to the August Council Meeting.

14. Supplementary and urgent business

Nil

15. Confidential reports

Pursuant to section 66(2) of the *Local Government Act 2020* (the Act), the meeting of the Council be closed to members of the public for the consideration of the following confidential items:

CM.114/21 Tender Report - Contract 2021-034 Diamond Valley Library Upgrade Works Contract Variations

This item is confidential because it is private commercial information, being information provided by a business, commercial or financial undertaking that relates to trade secrets pursuant to paragraph (g(i)) of the definition of confidential information under section 3(1) of the *Local Government Act 2020*. This ground is applied because it is information that, if publicly released at the time, is likely to be inappropriately detrimental to the Council or any person (natural or corporate).

CM.115/21 CEO Employment Matters Committee

This item is confidential because it is personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs pursuant to paragraph (f) of the definition of confidential information under section 3(1) of the *Local Government Act 2020*. This ground is applied because it is information that, if publicly released at the time, is likely to be inappropriately detrimental to the Council or any person (natural or corporate).

Council Resolution

MOVED: Cr Natalie Duffy

SECONDED: Cr Richard Stockman

That in accordance with section 66(2) of the *Local Government Act 2020*, Council resolves to close the meeting to members of the public to consider confidential items.

CARRIED UNANIMOUSLY

Council Meeting Minutes

27 July 2021

The meeting closed to the public at 8.43pm.

The meeting re-opened to the public at 8.47pm.

16. Close of Meeting

The meeting closed at 8:47pm.

Confirmed:

Cr Peter Perkins, Mayor

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LIVING & LEARNING
NILLUMBİK



MINUTES - L&LN Advisory Committee
Wednesday 28 July 2021
MS Teams Meeting
7pm – 8pm

No.	Time	Agenda item	Owner
1	7pm	Welcome and Acknowledgement of Country Present: Corrienne Nicholls, Robyn Meikle, Anthony Herrett, Pam Miranda, Cr. Geoff Paine, Jacqui Ward, Deanna Finn, Natalie Bucknell Apologies: Cobie Vermeulen	Robyn Meikle
2	7:03pm	Conflict of Interest / Informal Meeting of Councillor Record <i>Conflict of interest provisions are contained in section 80C of the Local Government Act 1989, the Councillor's Governance Code, the Employee Code of Conduct and the Volunteer Handbook. An Informal Meeting of Councillor Record must be completed at the meeting in accordance with section 80A of the Local Government Act 1989</i> No conflict of interest was declared.	Robyn Meikle
3	7:05pm	Confirmation of meeting minutes – amendments Moved: Jacqui Ward Second: Pam Miranda	Robyn Meikle
4	7:07pm	Brief update from Corrienne – New barista course going well, investigating additional traineeships, reopened today after lockdown – acknowledged the disruption of lockdown to programs.	Corrienne Nicholls
5	7:10pm	L&LN Update: General Staffing update: <ul style="list-style-type: none"> - Nick Dowell and Julie-Anne Grech have settled in well to their Customer Support Officer positions and coming up to speed quickly. Leanne Wilson on secondment to Social Connections Officer position through to November. PowerPoint presentation overview of Living & Learning Nillumbik Neighbourhood House Program <ul style="list-style-type: none"> - Some discussion around Be Connected program. There is a strong support for the program and the Committee comment on the need for it. Robyn highlighted that disability parking permits now require an online registration with VicRoads – this is another area where mentors may be of assistance. - Cr Paine mentioned a current movement towards upcycling and sustainability (re Sewing Upcycle MakerSpace) and new repair cafes springing up. Backed up by Jacqui who mentioned partnerships with Edendale or Men's Sheds? 	Natalie Bucknell

LIVING & LEARNING
NILLUMBİK



No.	Time	Agenda item	Owner
6	7:30pm	<p>Committee discussions</p> <ul style="list-style-type: none"> - Terms of Reference <p>The committee discussed the proposed Terms of Reference and associated changes.</p> <ul style="list-style-type: none"> - Robyn looking for best way to make an effective contribution and will struggle to make daytime meetings so she is considering best way forward. - Pam tendered her resignation thanking the committee and wishing all the best to Living & Learning Nillumbik. Available for discrete tasks in future. - Jacqui flagged that day time meetings will likely not be possible for her when the new ToR is in place. - Deanna has other daytime commitments with Positive Ageing committee so may have some constraints with daytime meetings but will wait to see the schedule - Anthony has been part of the committee since at least 2003 so feels the new ToR may be a good time for a change. If he continues, daytime meetings are workable if they are online. 	All

Next meeting: Wednesday, 25 Aug 2021 (L&LN: Eltham Neighbourhood House)

Nillumbik Shire Council
Domestic Animal Plan
Draft
2021-2025



Nillumbik Shire Council acknowledges the Wurundjeri Woi Wurrung as the Traditional owners of this country, pays tribute to all Aboriginal and Torres Strait Islander people in Nillumbik, and gives respect to Elders past, present and emerging and their integral part in our region's history.

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Attachments

Attachment 1 - DAMP Consultation outcomes – July 2021

Attachment 2 - Off Lead Parks and Reserves Maps

Acronyms

AMO	Animal Management Officer
AVA	Australian Veterinary Association
BCC	Banyule City Council
DAA	<i>Domestic Animal Act 1994</i>
DAB	Domestic Animal Business
DAMP	Domestic Animal Management Plan
DIN's	Domestic Animal Infringement Notices
FV	Family Violence
LL's	Local Laws
MAV	Municipal Association of Victoria
NSC	Nillumbik Shire Council
NTC	Notice to Comply
RBD	Restricted Breed Dog
RSPCA	Royal Society for the Protection of Cruelty to Animals
WAL	Wandering at Large
VDDR	Victorian Dangerous Dog Register

1. INTRODUCTION

Under Section 68A of the **Domestic Animal Act 1994**, (the Act) each Council must, in consultation with the Secretary, prepare a Domestic Animal Management Plan (DAMP) on 4 December 2021 and renew the plan every 4 years thereafter. .

The format and content of a DAMP is set by the State Government in order to ensure consistency across the state of Victoria. As set by the State Government, a DAMP must respond to the following key areas:

- Training of authorised officers
- Programs to promote and encourage responsible ownership
- Programs to address over-population rates and high euthanasia rates.
- Registration and identification
- Nuisance
- Dog attack
- Dangerous, menacing and restricted breed dogs
- Domestic animal business
- Other matters
- Annual review of plan and annual reporting

Specifically, the following provisions apply to the development of a DAMP:

S68A

(2) A domestic animal management plan prepared by a Council must—

- a) set out a method for evaluating whether the animal control services provided by the Council in its municipal district are adequate to give effect to the requirements of this Act and the regulations; and*
- b) outline programs for the training of authorised officers to ensure that they can properly administer and enforce the requirements of this Act in the Council's municipal district; and*
- c) outline programs, services and strategies which the Council intends to pursue in its municipal district to:*
 - (i) to promote and encourage the responsible ownership of dogs and cats; and*
 - (ii) to ensure that people comply with this Act, the regulations and any related legislation; and*
 - (iii) to minimise the risk of attacks by dogs on people and animals; and*

- (iv) *to address any over population and high euthanasia rates for dogs and cats; and*
 - (v) *to encourage the registration and identification of dogs and cats; and*
 - (vi) *to minimise the potential for dogs and cats to create a nuisance; and*
 - (vii) *to effectively identify all dangerous dogs, menacing dogs and restricted breed dogs in that district and to ensure that those dogs are kept in compliance with this Act and the regulations; and*
- d) *provide for the review of existing orders made under the Act and local laws that relate to Council's municipal district with a view to determining whether further orders or local laws dealing with the management of dogs and cats in the municipal district are desirable; and*
- e) *provide for the review of any other matters related to the management of dogs and cats in the Council's municipal district that it thinks necessary; and*
- f) *provide for the periodic evaluation of any program, service, strategy or review outlined under the plan,*

1.1. Statutory Compliance.

Council is required to provide an animal management service with the aim of ensuring; community amenity and safety is not compromised by domestic animals, that customer requests and complaints are responded to, and that all relevant Acts, Regulations and Local Laws are enforced.

The relevant Acts and Regulations include:

- Domestic Animals Act and Regulations 1994;
- Impounding of Livestock Act 1994;
- Prevention of Cruelty to Animals Act 1986;
- Infringements Act 2005;
- Magistrates Court Act 1980;
- Victorian Civil and Administrative Tribunal Act 1998;
- Local Government Act 1989; and

Council must also have regard for applicable guidelines and standards including:

- Code of Practice for the Management of Animals in Shelters and Pounds;
- Code of Practice for the Operation of Pet Shops;
- Code of Practice for the Operation of Breeding and Rearing Establishments;



- Code of Practice for the Operation of Dog Training Establishments; and
- Code of Practice for the Operation of Greyhound Establishments.

1.2. Council Orders, Local Laws, 'and planning scheme requirements.

Council can from time to time, make orders in respect to the management of domestic animals within the Shire under to following circumstances.

Domestic Animals Act 1994 - Sect 10a

A Council may resolve that it will not register dogs and cats unless desexed

(1) A Council may resolve that it will not, after a specified future date, register or renew the registration of a dog or cat unless the dog or cat—

- (a) is desexed; or*
- (b) is exempted under this Act from any requirement to be desexed.*

Council currently has an order made under Section 10A of the Act which requires the mandatory desexing of cats. This order requires cats to be desexed before they can be registered.

Domestic Animals Act 1994 - Sect 26

A Council may resolve that it will prohibit the presence of cats or dogs in certain public places; set conditions regarding the restraint of dogs or cats; set conditions on the times that cats or dogs are not permitted in public places; or any other matter the Council wishes to set conditions on the management of cats or dogs within the municipality.

(1) If a dog or cat is found in a place in respect of which an order under this section has been made in contravention of that order or any terms and conditions of that order, the owner is guilty of an offence and liable to a penalty of not more than 2 penalty units for a first offence and 4 penalty units for a second or subsequent offence.

(2) A Council may by resolution make an order under this section which may do all or any of the following:

- (a) prohibit the presence of dogs and cats in any public place of the municipal district of the Council;*
- (b) impose all or any of the following conditions on the presence of dogs or cats in any public place of the municipal district of the Council-*
 - (i) conditions as to the means of restraint of dogs or cats*

(ii) conditions as to the times at which the presence of dogs or cats is not permitted;

(iii) any other conditions that are specified in the order.

Council currently has an order made under Section 26 of the Act which requires the following animal management practices:

- 'Cat confinement'. This order requires cats to be confined to their property between 7.30pm and 6:00am.
- 'Dogs in public places'. This order requires dogs to be on leash in all public places, other than in designated areas where dogs are allowed off leash. It also requires owners/carers to ensure they have their dogs:
 - Under effective control at all times.
 - On leash within five 5 metres of playgrounds in pre-schools and childcare centres.
- 'Exclusion of dogs on sporting ovals in Diamond Creek and Hurstbridge'. This order disallows dogs being on any sports field in Diamond Creek and Hurstbridge.

Amenity Local Law 2013.

The Nillumbik Shire Amenity Local Law was adopted in October 2013, and includes the following provisions that relate to domestic animals:

Clause 23. Collection and disposal of dog excrement, requires people walking their dogs in public places;

- carry a receptacle to remove excrement.
- collect and dispose appropriately of the excrement.
- Produce receptacles on request by a Community Safety Officer

Clause 24. Keeping of animals – secure confinement, requires property owners or occupiers to;

- Ensure all livestock and dogs are adequately contained, and ensuring the site is maintained to prevent nuisances such as odour or attract vermin
- Obtain a permit for more than;
 - two dogs or cats
 - five reptiles or rodents
 - 10 large birds or 25 small birds
 - a rooster or 24 poultry
- Obtain a permit for livestock kept on a property less than 4,000 square meter.

26. Dogs prohibited in markets.

A person not cause or permit any dog in their possession to be present in any land determined by Council by resolution, or by a delegate if this matter is the subject of a delegation, from time to time to be a market for the purpose of this Local Laws, except in accordance with the Guidelines.

Nillumbik Planning Scheme

The Nillumbik Planning Scheme (Schedule contains two Special Use Zones, the Heritage Golf and Country Club and Bend of Islands, which serve to conserve these significant areas within Nillumbik Shire Council and include the prohibition of certain animals.

- Heritage Golf and Country Club – it is prohibited to keep cats or dogs and horse ride
- Bend of Islands – it is prohibited to keep domestic pets or livestock

1.3. Purpose of Domestic Animal Management Plan.

Nillumbik Shire Council has developed this Domestic Animal Management Plan (DAMP) in accordance with the requirements establish under Section 68A of the **Domestic Animal Act** (The Act) 1994.

The plan builds on Council's 2017 – 2021 Domestic Animals Plan which was adopted in October 2017. Council was successful in completing the outlined actions of the 2017-2021 plan as follows:

- A steady increase of pet registration
- Officer training provided throughout the four 4 years to maintain industry standard skills and knowledge.
- Pet Expos were held in 2017 to 2019. Due to COVID-19 pandemic, the Pet Expo was cancelled in 2020.
- Implementation of a Lost and Found webpage
- Legislative agreements (84Y DAA 1994), have been put in place with Yarrambat Veterinary Hospital, Save-A-Dog-Scheme and Cat Protection Society.
- In conjunction with Animal Welfare Victoria Responsible Pet Ownership material has been provided to owners first registering their pets.
- Established a new 3 year contract with Banyule City Council to provide a pound service.
- Transport of un-microchipped pets to Yarrambat Veterinary Hospital for microchipping to enable registration before release as legislatively required.

- An increase of Patrols of reserves and parks have been well received by the community.
- Expected completion by the end of 2021 of a new dog park located at Eltham North

The 2021-2025 DAMP objectives will guide Council in its service to the community by implementing a number of strategies in response to issues raised by the community:

- Encourage statutory compliance and promote responsible pet ownership
- Reduce nuisance caused by cats and dogs.
- Minimise dog attacks.
- Enhance community safety by reducing the number of dogs not under effective control in Councils off lead parks and reserves.
- Review Councils animal management service which include Local Laws provisions and existing Orders made under the Act.
- Increase registration of cats and dogs.
- Ensure authorised officers are appropriately trained to conduct their animal management duties.
- Promote the benefits of desexing cats and dogs.
- Continue to reunite lost and found cats and dogs to their owners when possible.
- Continue to provide assistance to vulnerable community members by caring for their animals free of charge.
- To have a plan in place in case of an emergency.
- Address the overpopulation of unwanted cats and dogs while minimising euthanasia rates.

The care and welfare of pets (dogs/cats), is an important priority and Council works to ensure that no dog or cat is destroyed or harmed and whenever possible all unwanted animals are rehomed.

The plan relates only to the keeping of dogs and cats, as the Act does not address other animals such as livestock or wildlife.

1.4. Process Applied in Developing the Plan.

The DAMP has been developed in consultation with Nillumbik Shire Councillors and Executive Management Team, Council's Community Safety Officers, relevant internal departments, members of the community and key stakeholders, including local veterinary practices, the Australian Veterinary Association (AVA), Cat Protection Society (CPS), Save a Dog Scheme (SADS), RSPCA and Animal Welfare Victoria.

Community Consultation in the development of this DAMP was conducted in May and June 2021 which focused on broad issues associated with Animal Management. This was carried out via Councils website, signage placed at key locations and pop-ups

displayed at prominent locations. The ten (10) most common community issues identified through the survey were as followed.

- Dog owners not picking up excrement after their pets.
- Dogs off leash when in on-leash areas.
- Cats outside of property at night time after curfew.
- Dogs with owners far away/absent in parks and reserves.
- Dogs barking for long periods of time.
- Cats preying on wildlife.
- Cats causing a nuisance to resident's properties.
- Cats that appear unowned.
- Residents unaware of services the Community Safety Department provides to the community, such as where the pet registration funds are spent each year and the cat trapping program.
- Residents unaware of how to find on and off-leash areas in their community.

These issues along with other related matters will form part of the action plan in the 2021-2025 DAMP.

Attachment 1. Details outcomes of the DAMP community engagement process.

1.5. Demographic and Profile of Council.

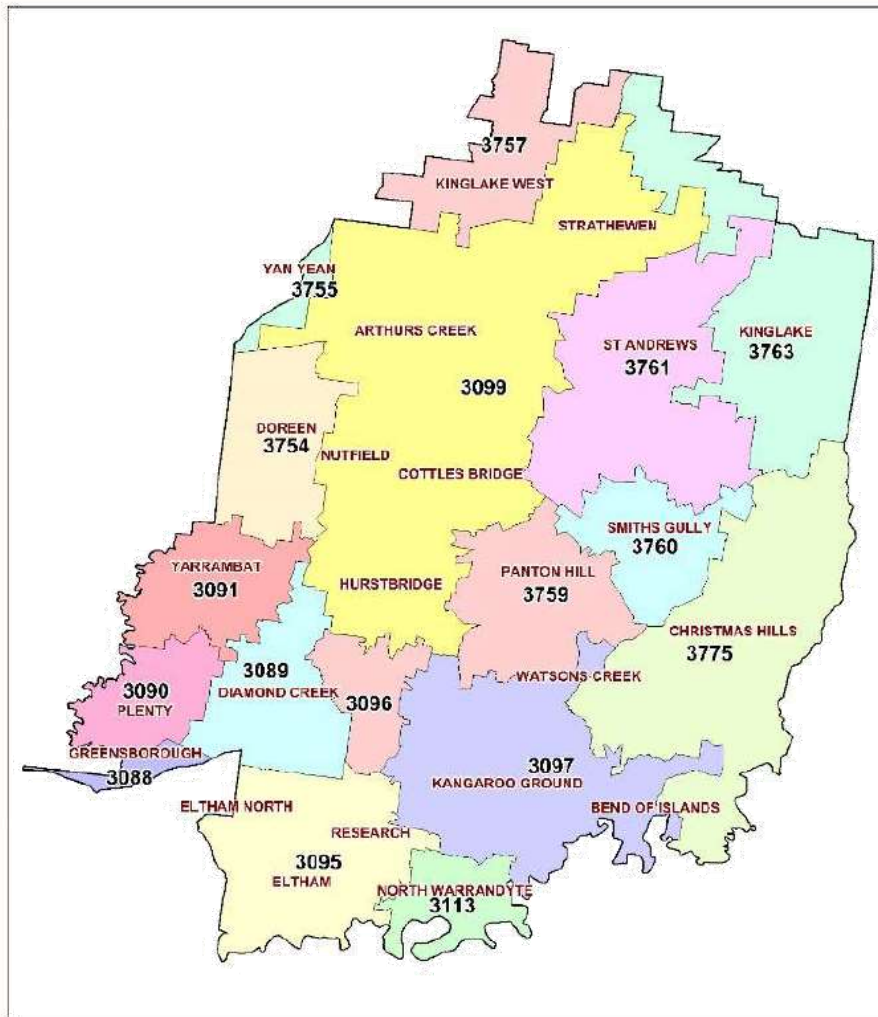
Nillumbik Shire is located in Melbourne's north-eastern suburbs, about 25 kilometres from the Melbourne CBD.

The Shire covers 431.94 square kilometres or 43,194 hectares and features both urban and rural areas. Located less than 25 kilometres from the centre of Melbourne, the Shire of Nillumbik has the Yarra River as its southern boundary and extends 29 kilometres to Kinglake National Park in the north. The Shire stretches approximately 20 kilometres from the Plenty River and Yan Yean Road in the west, to Christmas Hills and the Yarra escarpment in the east.

Nillumbik Shire services an estimated 65,219 residents in approximately 22,400 properties throughout the suburbs and townships of Eltham, Eltham North, Greensborough, Kangaroo Ground, Hurstbridge, Diamond Creek, Doreen, North Warrandyte, Plenty, Research, Wattle Glen, Yarrambat, Arthurs Creek, Bend of Islands, Christmas Hills, Nutfield, Panton Hill, Smith Gully, St Andrews, Strathewen, Yan Yean and Watsons Creek.

The median age in Nillumbik is 41 years. Children age 0-14 make up 19.7% of the population and people aged 65 years and over make up 13.1% of the population.





1.6. Context and Current Situation.

Current services and programs provided by Nillumbik Shire Council align with the ***Domestic Animal Act 1994*** and Council takes an educative approach over enforcement where possible.

Nillumbik Shire Council animal management programs and services currently in place include:

Program/Service	Service Level
NSC Regional Pound (services NSC and BCC).	<ul style="list-style-type: none"> Dogs found wondering at large are displayed on Council's web site. Veterinary care available for any injured/sick dog 7 days a week including public holidays. Welfare care for residents dealing with Family Violence or other hardship. Online payment facility for registration, housing and other associated cost. Dogs taken to owners residents during business hours when dog owner unable to collect. Mandatory registration of animals prior to release from pound. Other animals cared for at pound (rabbits, birds, Guinea pigs). Facility for livestock.
Cat Protection Society.	<ul style="list-style-type: none"> Cat collection 7 days a week from Cat Protection Society (CPS). Photos of cats available on CPS web site. Mandatory microchipping and registration of cats prior to release from pound.
Cat Trapping Service.	<ul style="list-style-type: none"> Cat trapping service available business days. A cat trap deposit is required.
Annual Pet Registration.	<ul style="list-style-type: none"> Pet Registration reminders distributed in January Pet Renewals distributed in March. Various payment options including; Online payment, B-Pay, Post Office, Council office.
Promoting of Responsible Pet Ownership.	<ul style="list-style-type: none"> Regular follow up with shelters and breeders to obtained information of cats and dogs sold. Welcome Packs provided to new pet owners including Responsible Pet Ownership information.
Pet Expo.	<ul style="list-style-type: none"> Annual event promoting Animal Management. (Cancelled due to COVID 2020).
After Hours Emergency Service.	<ul style="list-style-type: none"> After hours collection service for dogs found and contained by community members. Hours of collection: <ul style="list-style-type: none"> Business days 5pm - 10pm. Weekends & Public Holiday 7am - 10pm Found dogs reunited with their owners when applicable or taken to Council's regional pound.

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	<ul style="list-style-type: none"> • Pound available to house lost pets 7 days a week, including public holidays. • Officers can attend dog attacks within 45 minutes of call.
Off Leash Parks and Reserves.	<ul style="list-style-type: none"> • 2 fenced off lead dog parks. • 11 off lead parks/reserves.
Park Patrols.	<ul style="list-style-type: none"> • Officer park patrols during business hours and after hours, week-ends and public holidays.
DAB Inspections.	<ul style="list-style-type: none"> • Annual inspections
Declared Dogs Inspections.	<ul style="list-style-type: none"> • Annual inspections

1.7. Domestic Animal Statistics.

The figures provided in the tables below are comparative to the commencement of the 2017-2021 DAMP.

Animal Management statistics 2017-2021

	2017	2018	2019	2020	2021-June
Registered Cats	2098	2328	2661	2959	3133
Registered Dogs	7369	7859	8960	10041	10659
Registered DAB	12	15	14	16	13
Dangerous Dog	2	5	5	5	7
Menacing Dog	0	0	0	2	1
Restricted Dog	0	0	0	0	0
Impounded Dog	248	194	208	115	62
Reclaimed Dog	218	171	176	100	51
Rehoused Dog	18	12	20	10	9
Seized Dog	15	6	12	5	1
Surrender Dog	8	9	14	6	8
Euthanised Dog	7	8	9	4	2
Welfare Dog	7	8	9	4	0
Impounded Cat	190	154	203	214	110
Reclaimed Cat	23	34	32	30	24
Rehoused Cat	127	85	150	143	63

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Seized Cat	0	0	0	0	0
Surrendered Cat	64	31	63	34	25
Euthanized Cat	38	34	19	41	23
Welfare Cat	0	0	0	1	0

Key takeaways from the data above include:

- Council has had an increase of 49.33% of cat registrations and a 44.65% increase of dog registrations in the 4 years of the current DAMP.
- Nillumbik has consistently maintained a zero rate of registered restricted breed dogs.
- Prior to the COVID Pandemic, impoundments of dogs were consistent at about 200/annum.
- There is an upward trend in cat impoundments.
- Council has consistently achieved an average rate of 95% of returned or rehomed dogs.

Animal Management service requests 2017-2021

Additional Data	2017	2018	2019	2020	2021-June
Cat Cage Request	59	68	73	95	58
Cats at Large	15	14	156	13	9
Dog Attacks	46	63	72	69	34
Dog Rush	26	27	29	24	5
Dog Wondering	12	6	7	16	3
Dog Pick up	287	252	314	288	158
Multiple Permit Cat	24	24	17	12	9
Multiple Permit Dog	119	105	98	75	56
Park Patrols	N/A	N/A	N/A	349	283
Prosecutions	0	0	4	5	1

The Community Safety team have implemented several proactive programs over the life of the 2017-2021 DAMP, these have included:

- Cat trapping program year on year.
- Improved reporting on park patrols,
- increased frequency of patrols across all of Councils parks and reserves

2. STRATEGIC AIMS

Key strategic aims addressed within the DAMP include;

1. To enhance the skills and knowledge of officers and provide the required tools Community Safety Officers to deliver best practice programs and services
2. Promote responsible pet ownership
3. To gain better understanding of dog and cat populations within NSC and redress circumstances of preventable euthanasia.
4. To increase animal registration and compliance.
5. To encourage responsible pet ownership in order to protect the health and welfare of other animals and wildlife and to minimise the potential of nuisance or harm to others
6. To minimise the risk of dog attacks to the community.
7. To ensure that declared dogs are identified and managed to minimise the risk to safety of residents and the broader community
8. To ensure compliance with the Act and the Code of Practice are met.

3. TRAINING OF AUTHORISED OFFICERS.

Section 68(A) (2) (b) of the Act, outlines training programs for authorised officers ensuring proper administration and enforcement of the Act within the municipal district.

Aim: To enhance the knowledge and provide the required tools for all Community Safety Officers to deliver best practice programs and services.

3.1. Context and Current Situation.

Nillumbik Shire Council is committed to ensuring all Community Safety Officers and Administration Support are trained and competent in their duties and provide an effective and professional service to the community.

Officers are required to hold Certificate IV Animal control and Regulation, Certificate IV in Local Government (Regulatory Services) or similar and to be competent in the use of Council systems.

3.2. Our Planned Training for Authorised Officers.

A detailed training program ensures officers maintain skills at an industry leading level.

Industry Related Training.



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Training	Frequency	Evaluation
Animal Handling.	Annually	
Animal Assessment.	Year 1 & 3	
Canine Anatomy & Identification.	Year 2 & 4	
Department of Economic Development, Jobs, Transport and Resources-training & information days.	Annually	

Good Governance Training.

Training	Frequency	Evaluation
Customer Service.	Annually	
Freedom of Information.	Annually	
Privacy & Data Protection Act.	Annually	
Domestic Violence Awareness.	Annually	

Occupation Health & Safety related training.

Training	Frequency	Evaluation
Working in remote area.	Annually	
Situation awareness.	Annually	
Managing difficult situations.	Annually	
Dealing with aggressive/difficult persons.	Annually	
Manual handling.	Annually	
First Aid.	As required	

Technical Skills.

Training	Frequency	Evaluation
Legislation awareness updates.	Monthly	
Statement & Interview Techniques.	Annually	
Microchipping of Cats & Dogs.	Initial one of training	
System Training.	Ongoing	

3.3. Our Plan.

Council is committed to developing officer skills by identifying training opportunities and enabling attendance to relevant forums, workshops and seminars which provide the necessary skills and qualifications to undertake the duties of animal management officers with confidence and professionalism.

The training will provide well developed technical skills and knowledge required for animal investigations, prosecution and animal handling and behavior. All training will include a strong customer service focus to assist with building and maintaining positive relationships with members of the community and visitors to Nillumbik Shire Council.

4. PROMOTION OF RESPONSIBLE PET OWNERSHIP.

4.1. Context and Current Situation.

Promoting responsible pet ownership has always been paramount in the administrative and on-field work by Community Safety Officers. Council's Community Safety and Amenity Support team receive daily updates of sales and adoptions from Breeders and Shelters including owner details and microchip numbers. Information on Responsible Pet Ownership and registration are sent to residents to encourage education and compliance with legislation.

Council has conducted an annual Pet Expo, with the exception of 2020 due to the COVID-19 pandemic. The aim of the Pet Expo is to promote responsible pet ownership and services and activities available for pets within the Shire and beyond. Residents have the opportunity to engage directly with Community Safety Officers, Shelters, Veterinary specialists and breeders to promote, advocate and assist with Responsible Pet Ownership.

4.2. Our Orders, Local Laws, Council Policies and Procedures.

Currently Nillumbik Shire Council does not have Orders or Local Laws specific to communicating or enforcing the Responsible Pet Ownership message.

However Council does have policies and procedures in place, aimed at improving community understanding of responsible pet ownership, including:

- Registration forms and Welcome Packs to be posted to new pet owners.
- Text message alerts to pet owners advising of up-coming events, registration and Pet Expo.
- Hosting an annual Pet Expo.
- Officers attending to weekly park patrols to provide education to pet owners by scanning dogs for microchip details, check registration, provision of poo bags and dog leashes.

4.3. Our Plan.

Implementation of proactive programs to increase the responsible pet ownership message to the community, including;

- Implementing an educational program in local schools.
- Regularly reviewing the content of Council's website to ensure it is up to date and easy to use.
- Developing short promotional videos distributed on social media and Council's website promoting responsible pet ownership

- Developing content from an animal behaviourist to assist pet owners who's pets have become accustom to owners spending more time at home during the COVID-19 pandemic and focus on pet anxieties.
- Develop a community toolkit for responding to pets causing a nuisance and
- Develop a community toolkit to educate compliance with legislation.

Action	Frequency	Evaluation
Educational programs for responsible pet ownership run by AMOs at parks and reserves within the municipality during business hours, afterhours including weekdays and weekends.	Every 6 months	
Provide information sessions at local community centres, retirement villages, school, sporting grounds and other relevant groups on aspects of responsible pet ownership.	Every 6 months.	
Engage with animal behaviorist to create posts/videos relating to Responsible Pet Ownership and caring for your pet during the transition of family members returning to school/work during COVID-19 pandemic.	Year 1	
Create social media posts advertising Educational Programs run by AMO's.	Ongoing	
Dedicated webpage on Responsible Pet Ownership.	Year 1	
Develop a package of tools for the community in responding to pets causing a nuisance	Year 2	
Develop a package of tools for the community to educate on compliance with legislation	Year 2	

5. PROGRAMS TO ADDRESS OVER-POPULATION RATES AND HIGH EUTHONIA RATES.

Section 68A (2) (c) (iv) of the Act, outlines programs, services and strategies to address over-population and high euthanasia rates for dogs and cats.

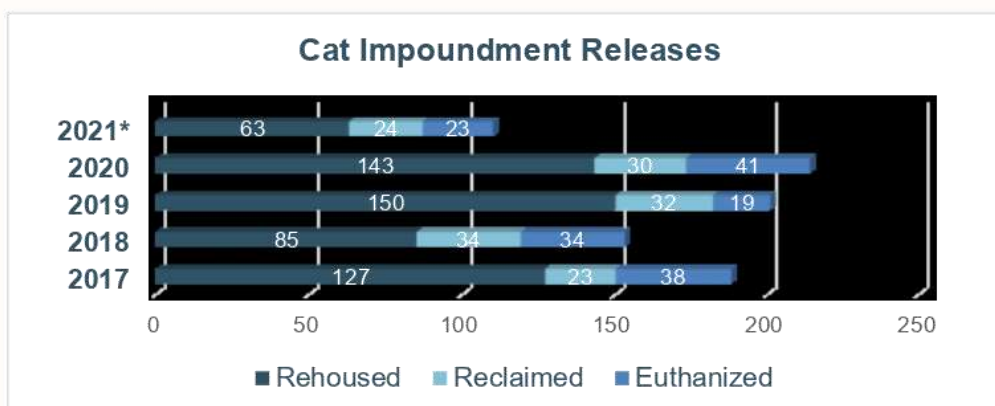
Aim: To gain better understanding of dog and cat populations within NSC and redress circumstances of preventable euthanasia.

5.1. Context and Current Situation.

Council provides a cat and dog impoundment service in conjunction with the Cat Protection Society (CPS) and the Save a Dog Scheme (SADS). Council's pound service is also provided on behalf of Banyule City Council. Data in relation to the impoundment of Cats and Dogs for the period 2017-2021 is contained below:

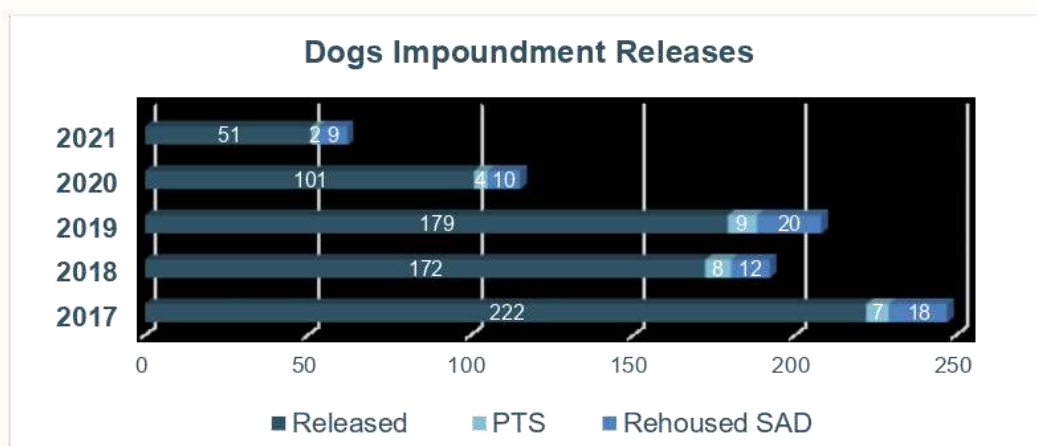
Cats	2017	2018	2019	2020	2021-June
*Impounded	190	154	203	214	110
Reclaimed	23	34	32	30	24
Rehoused	127	85	150	143	63
Euthanized	38	34	19	41	23

*Impounded refers to the total number of animals brought in by Council, public (stray animals) and those surrendered by the public.



Dogs	2017	2018	2019	2020	2021-June
*Impounded Dog	248	194	208	115	62
Reclaimed Dog	218	171	176	100	51
Rehoused Dog	18	12	20	10	9
Euthanized Dog	7	8	9	4	2

*Impounded refers to the total number of animals brought in by Council, public (stray animals) and those surrendered by the public.



Whilst the number of dogs that are euthanised within Nillumbik Shire is low, there has been an increase in the number of cats euthanised.

In many cases, euthanasia of both dogs and cats is as a result of not being able to rehome the animal within the community due to temperament problems that pose a risk to the community. In the case of the impoundment of cats the difficulty for Council is the identification of colonies of wild cats which results in cats being trapped and not able to be rehomed due to infections, untreatable disease or deformities and most are deemed wild.

5.2. Our Orders, Local Laws, Council Policies and Procedures.

- Orders in place, relevant to over population and euthanasia are; Section 10A Order in Council - 'Mandatory Desexing of Cats'.
- Section 26 Order in Council 15 - 'Cat Confinement'.

Provision Part 5, Clause 24(c) of the Amenity Local Law 2013 addresses multiple animal ownership:

Policies and procedures in place, relevant to over population and euthanasia are;

- Documented process for seizure and impounding of dogs after a dog attack.
- Documented process for issuing of notice to comply, infringement notices and filling charges for prosecutions.
- Standard operating operation procedure for cat trapping.
- Statuary process for managing a Notice of Objection.

5.3. Our Plan.

A strong focus for Council is the collaboration with Cat Protection Society and Save a Dog Scheme to assist in the rehoming of unwanted domestic animals. Actions within the Plan focus on the reduction of euthanasia rates and promote rehousing of unwanted domestic animals.

Reduce the number of impounded animals that are euthanised.

Action	Frequency	Evaluation
Update council Lost and Found webpage with photographs of found cats and dogs.	Ongoing	
Raise awareness of the benefits of microchipping and desexing pets to reduce the number of stray animals and increase reunification rate.	Ongoing	
Promote dog and cat owners keeping microchip details up to date to ensure animals are reunited if lost.	Yearly	

Promote rehousing and adoption of unwanted domestic pets.

Action	Frequency	Evaluation
Reducing the number of dumped and unwanted dogs and cats by encouraging the surrendering of domestic pets and arranging for adoption through SADS and CPS.	Ongoing	
Establish a service agreement with SADS		

6. REGISTRATION AND IDENTIFICATION.

Section 68A (2) (c) (v) of the Act, outlines programs, services and strategies to encourage the registration and identification of dogs and cats.

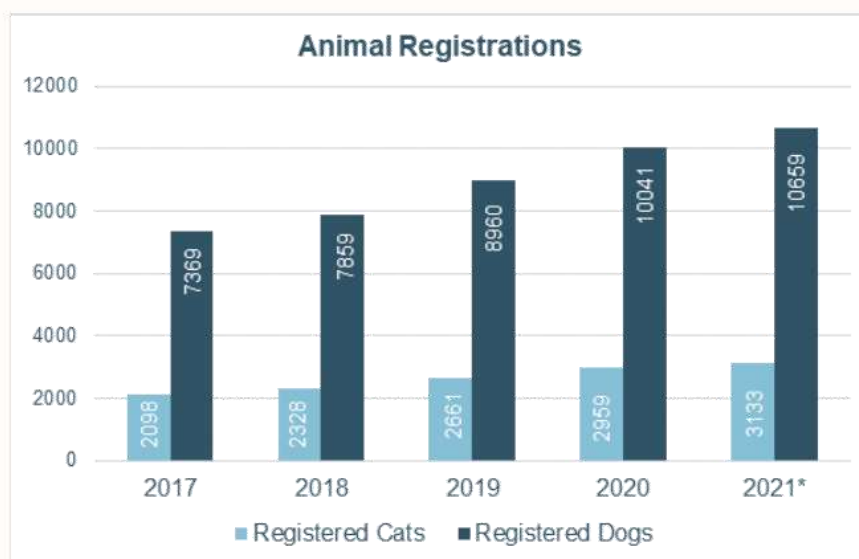
In accordance to section 68A (2) (a), (c) (i), (c) (ii), (d), (f) - All dogs and cats are required to be registered annually. Registered pets are also required to wear an identification marker outside their premises. All dogs and cats being registered in Victoria for the first time must be microchipped before they can be registered.

Aim: To increase animal registration and compliance.

6.1. Context and Current Situation.

Nillumbik Shire Council has recorded a continued trend toward improved rates of animal registration and increased levels of pet ownership within the Shire during the term of the current DAMP 2017-2021.

Annual Registrations	2017	2018	2019	2020	2021-June
Registered Cats	2098	2328	2661	2959	3133
Registered Dogs	7369	7859	8960	10041	10659
Total	9467	10187	11621	13000	13792



Specifically, we have seen the following key trends:

- Cat registrations have increased by 49.33%
- Dog registration have increased by 44.65%
- Overall domestic animal registrations have increased by 45.69%

The registration and identification of dogs and cats remains an ongoing priority issue for NSC. Animal registrations enable officers to reunite lost and found animals with their owners in a short period of time, it also assists in the provision of education programs, the pet expo, regular patrols of parks and reserves, and to attend local schools, sporting clubs and other groups to provide education on animal safety and responsible pet ownership.

6.2. Our Orders, Local Laws, Council Policies and Procedures.

Orders relevant to registration and identification include:

- Section 10A Order in Council - 'Mandatory Desexing of Cats'.
- Section 26 Order in Council 15 - 'Cat Confinement'.

Provision Part 5 clause 24(c) of the Amenity Local Law 2013 addresses registration and identification of pets within NSC Policies and procedures relevant to registration and identification include;

- Annual review of registration/renewal information and amended accordingly.
- Animal Registration fees are prepared and adopted as per Councils annual budget process.
- Text message reminders to pet owners listed on Council's database sent in January and again a week before registration are due on the 10 April of each year.
- Registration renewals issued each February.
- Registration reminders issued each May.
- Registration renewal payment options include; on line payment, Post BillPay, Bpay, Mail or in Person.
- Follow up of unregistered dogs and cats.
- Enforcement via notices to comply, infringement notices and filing charges for prosecution where dogs/cats have not been registered or renewed.

6.3. Our Plan.

Ensuring all cats and dogs within the municipality are registered is an ongoing challenge. It has been identified that a range of promotional, education and regulatory actions are needed to achieve and maintain high registration rates.



A strong emphasis will be placed on social media campaigns to increase pet registrations. Community Safety officers will be actively engaged in promoting registrations of cats and dogs by maintaining a visible presence in parks and reserves, providing education and enforcement to encourage registration and renewals of pets.

Improve registrations for renewals.

Activity	Frequency	Evaluation
Registration reminder text sent out.	Annually - January & April	
Mail out registrations, due April 10.	Annually - March	
Send out registration reminders to owners who have failed to apply for registration 2 months after final due date.	Annually - June	
Investigate registration cost for juvenile (under 12 months), not desexed dogs and cats	Year 1	

Improve responsible pet ownership & education in relation to registration requirements.

Activity	Frequency	Evaluation
Implement 2 free microchipping days including free first time registration.	Annually - January & July	
Increase patrols in parks and reserves.	Weekly over four years	
Support local veterinary practices to promote registration by referring clients to council web site as well as hard copies.	Ongoing	
Attend education days at schools, sporting clubs and other community organizations.	Yearly	
Develop communication plan incorporating social strategies to engage with hard to reach community members to promote registration requirements.	Year 1 & 3	

Follow up enforcement actions.

Activity	Frequency	Evaluation
Ensure all seized, impounded animals are registered before leaving the pound.	Ongoing	
Infringement Notices to be issued within seven 7 days of a dog/cat found not to be registered.	Ongoing	

7. NUISANCE.

Section 68A (2) (c) (IV) and 68A (2) (a), (c) (i), (d), (f) of the Act, outlines programs, services and strategies to minimise the potential for dogs and cats to create a nuisance.

Section 32 of the Act outlines what is regarded as a nuisance in relation to the behavior of cats and dogs.

(2) A dog or cat is to be regarded as a nuisance for the purposes of this section—

(a) if it injures or endangers the health of any person; or

(b) if it creates a noise, by barking or otherwise, which persistently occurs or continues to such a degree or extent that it unreasonably interferes with the peace, comfort or convenience of any person in any other premises.

Aim: To encourage responsible pet ownership in order to protect the health and welfare of other animals and wildlife and to minimise the potential of nuisance or harm to others.

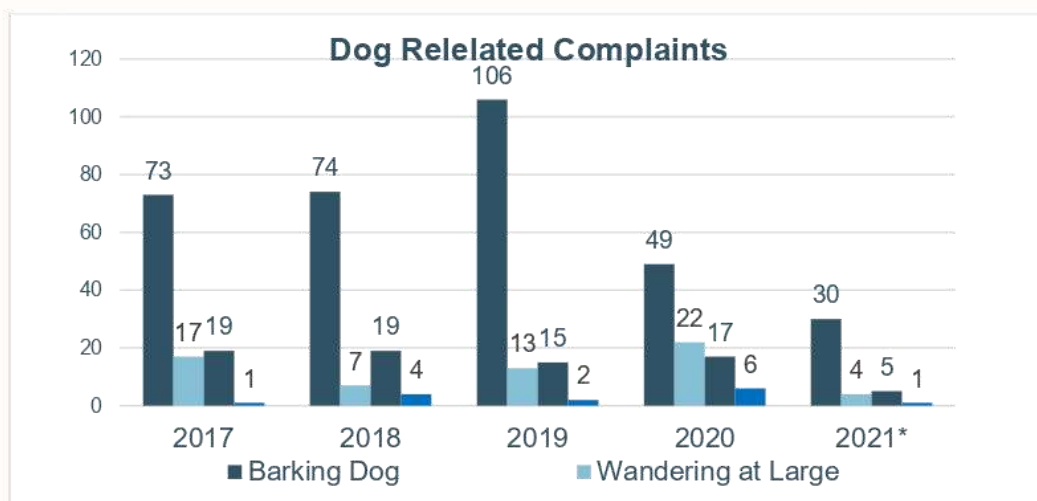
7.1. Context and Current Situation.

In Nillumbik Shire Council it is noted that the most common nuisances caused by dogs, vary from wandering at large, not under effective control in public, excrement not collected by their owners and barking dogs

Complaint Received	2017	2018	2019	2020	2021-June
Barking Dog	73	74	106	49	30
Wandering at Large	17	7	13	22	4
Not under effective control	19	19	15	17	5
Excrement on public places	1	4	2	6	1

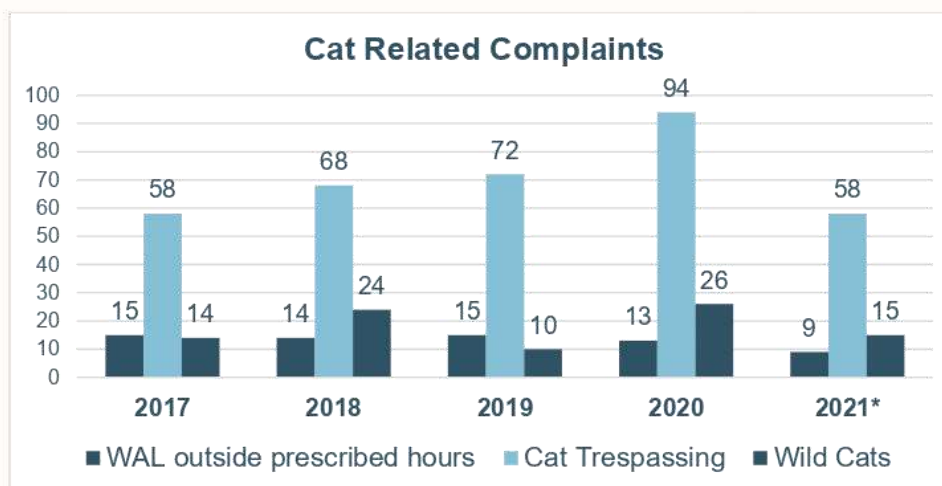
Nillumbik Domestic Animal Management Plan 2021 - 2025

28



In Nillumbik Shire Council it is noted the most common nuisances related to cats include, wandering at large outside prescribed hours, cat trespassing and wild cats

Complaint Received	2017	2018	2019	2020	2021-June
WAL outside prescribed hours	15	14	15	13	9
Cat trespassing	58	68	72	94	58
Wild Cats	14	24	10	26	15



The statistics show that Cat owners need further education and encouragement to contain their cats to their properties.

Roaming cats can attack and kill native wildlife, wander onto neighbour's property, cause damage to garden beds by defecating, create health concerns in children's sandpits, cause undue noise due to fighting with owned or stray cats, call and cry when seeking a mate, spray on front doors, mats and other areas.

It is an offence under the DAA for a cat to remain on private property without permission

To assist with addressing this need, Nillumbik Shire Council has a cat curfew established under s26 of the Act. The curfew requires cats to be confined to their owner's premises between 7:30am and 6:00am, however cats found roaming the streets during the day (non-curfew hours) can still be trapped if a resident objects to the cat being on their property.

The majority of survey and quick poll participants were supportive of the proposal for a 24-hour cat curfew in Nillumbik, although mixed views were evident: just over half of participants indicated strong support (260 or 50.8%) and a further 80 (or 15.6%) indicated somewhat support (but they had some concerns). 60.0% of Quick poll participants indicated Support for the proposal.

The level of support for the proposal for a 24-hour cat curfew varied across areas (suburb, township and village): stronger levels of support were evident for: Bend of Islands, Christmas Hills, Cottles Bridge, Hurstbridge, North Warrandyte, Research, Smiths Gully and St Andrews. These insights are based on low response levels for many areas and should be regarded indicative and not conclusive.

7.2. Our Orders, Local Laws, Council Policies and Procedures.

Orders relevant to nuisance animals include:

- Section 10A Order in Council - 'Mandatory Desexing of Cats'.
- Section 26 Order in Council 15 - 'Cat Confinement'.
- Section 26 Order in Council - 'Dogs in public places.'
- Section 26 Order in Council - 'Exclusion of dogs on sporting ovals in Diamond Creek and Hurstbridge.

Relevant provisions of the Amenity Local Law 2013 are:

- Section 23. (a), (b) and (c) - Collection and disposal of dog excrement.
- Section 24. (a), (c) and (d) – Keeping of animals secured-secured confinement.
- Section 26. Dogs Prohibited in markets.

Policies and procedures relevant to nuisance animals include:

- Animal Management processes and procedures are in place to ensure a consistent approach to animal management issues.
- Review of barking dog procedures to further enhance and provide officers the tools to provide a timely investigation.
- The availability of cat trapping cages to residents on a weekly basis to trap cats trespassing during the current curfew.

7.3. Our Plan.

Nuisance animals can have a serious negative effect on the amenity and peaceful enjoyment of property and enjoyment to residents. Noise issues in particular can cause sleep deprivation, stress, domestic issues and disputes between neighbours.

Other nuisances such as animals wandering at large and excrement not being collected, prevent members of the community and visitors to Nillumbik from enjoying our parks, reserves and leafy streets. A visible presence of officers conducting mobile patrols within suburban streets and foot patrols throughout Councils reserves and parks will be a key focus in the next four years with officers enforcing breaches of Council current Orders and Local Laws.

Actions in relation to the management of dogs.

Minimise the number of barking dog's complaint.

Activity	Frequency	Evaluation
Regular review of Council process and update accordingly.	Half yearly	
Review Council Local Laws to implement new provision relating to barking dogs.	Year 1	
Engage with animal behaviorist to create posts/videos relating to Barking Dogs and tools a dog owner can utilise to stop the dog from barking.	Year , 2,3 & 4	
Implement industry approved device to provide a more effective/partial investigation of barking dogs.	Ongoing	
Provide on-going training for authorised officers in management of barking dog complaints.	Ongoing	

Engage with Dispute Settlement Centre.	Ongoing	
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Minimise the number of complaints received in relation to dogs wondering at large.

Activity	Frequency	Evaluation
Continue to identify and patrol known hotspots.	Ongoing	
Attend to WAL reports within 40 minutes during business hours.	Ongoing	
Return dogs to owner if first offence with written warning notice.	Ongoing	
Dogs found WAL with history to be impounded and an infringement notice issued.	ongoing	

Minimise the number of complaints of dogs not under effective control in public places.

Activity	Frequency	Evaluation
Review and expand Sec 26 Order in Council - 'Exclusion of dogs on sporting ovals in Diamond Creek and Hurstbridge, to include all sporting ovals within NSC.	Year 1	
Review designated leash free areas throughout the Shire.		
Continue to patrol parks and reserves during business hours, after hours as well as weekends and public holidays.	Ongoing	
Review signage at parks and reserves.	Year 2	
Utilise Council social media with reminders of responsible pet ownership.	Ongoing	

Minimise the excrement left on roads, footpaths and reserves.

Activity	Frequency	Evaluation
Investigate the installation of poo bags and devices.	Year 1	

Collaborate with neighbouring Councils on alternative options (other than Council provided poo bags).	Year 1 & 3	
Increased frequency of monitoring and patrol of known hotspots where dog excrement is commonly found.	Ongoing	
Officers to issue infringement notices to known offending dog owners.	Ongoing	

Actions in relation to the management of cats.

Wondering at large outside prescribed hours to minimise cat trespassing.

Activity	Frequency	Evaluation
Investigate and develop a strategy and Policy for a 24 hour curfew for cats.	Year 1	
Review S26 Order in Council as it relates to the cat curfew		
Provide education material relating to cat enclosures and nuisance issues to cat owners.	Year 2	
Undertake an extensive marketing and media campaign based on responsible pet ownership and importance of securing cats within their yards or registered property.	Year 1,2 & 4	

Minimise Wild Cat population

Activity	Frequency	Evaluation
Provide cat trapping programs focusing on clusters of wild cats.	Yearly	
Educate well-meaning community members on the harms of feeding random cats.	Ongoing	

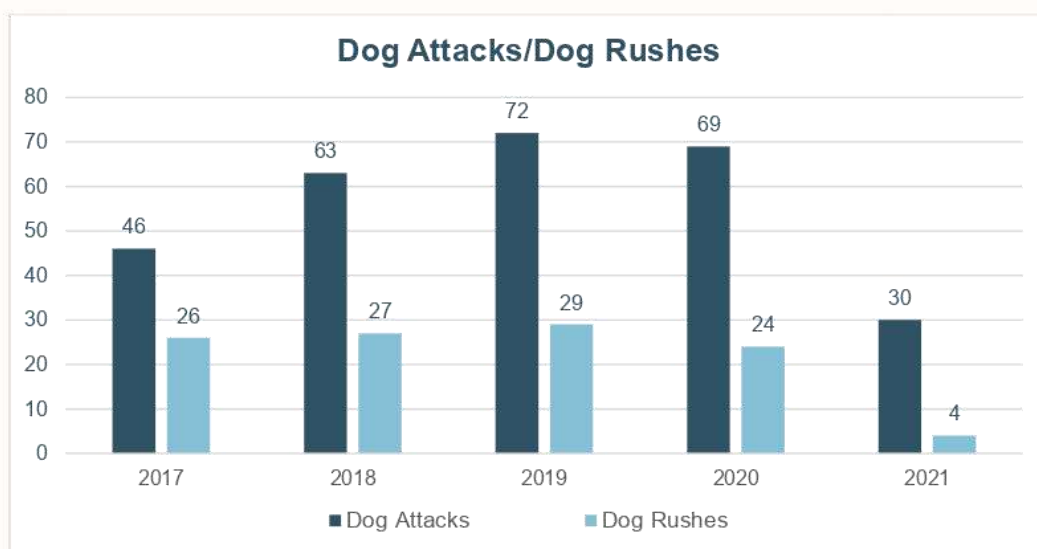
8. DOG ATTACK.

Section 68A (2) (c) (iii) of the Act, outlines programs, services and strategies to minimise the risk of attacks by dogs on animals and people.

Aim: To minimise the risk of dog attacks to the community.

8.1. Context and Current Situation.

Council receives a relatively low rate of reported dog attacks and dog rushes within the Shire.



The majority of dog attacks occur when the attacking dog is wandering at large or not securely confined to their property. Reducing risk and responding to attacks and rushes is one of core roles of an Animal Management officers.

8.2. Our Orders, Local Laws, Council Policies and Procedures.

Orders relevant to dog attacks and rushes include:

- Section 26 Order in Council - 'Dogs in public places.'
- Section 26 Order in Council - 'Exclusion of dogs on sporting ovals in Diamond Creek and Hurstbridge.'

Provisions of the Amenity Local Law 2013 relevant to dog attacks and rushes include:

- Section 24. (a), (c) and (d) – Keeping of animals secured-secured confinement.
- Section 26. Dogs Prohibited in markets.

Policies and procedures in place relevant to dog attacks and rushes include:

- Investigations of dogs serious and non-serious dog attacks.
- Investigations of dog rushes.
- Prosecutions of serious dog attacks.
- Capture of wandering dogs.
- Collection of abandoned or injures animals.
- Animal Handling.
- Regular patrols of parks, reserves and street.
- Recording all declared dogs on the Victorian Dog Registry.
- Process relating to seizure documents (s.75 DAA).
- Serving notices of seizure (s.84H DAA).
- Process for owners when recovering a dog that has been seized (s.84M DAA)
- Process with the seizure of a dog and impounding after a dog attack.
- Warning and Infringement Notices.
- Declaration of dogs – Menacing or Dangerous
- Seeking an order for destruction of dog/s.

8.3. Our Plan.

A key tool to reducing the frequency of dog attacks and dog rushes within the Shire, is increasing awareness within the community. Including Councils role in managing events of this nature, making it easier for the community members to report events to Council and increasing the presence of Community Safety officers within Councils parks and reserves.

While also educating pet owners of the importance of keeping their dog under effective control.

Increase the reporting of dog attacks in the community.

Activity	Frequency	Evaluation
Improve public awareness of what a dog attack is and how to report it.	Yearly and ongoing	

Improved community awareness of dog attacks and dog rushes

Activity	How Often	Evaluation
Set park patrol targets.	Ongoing	
Publicise key dog attack prevention messages through media articles, mail outs, website information	Year 1 and 3	

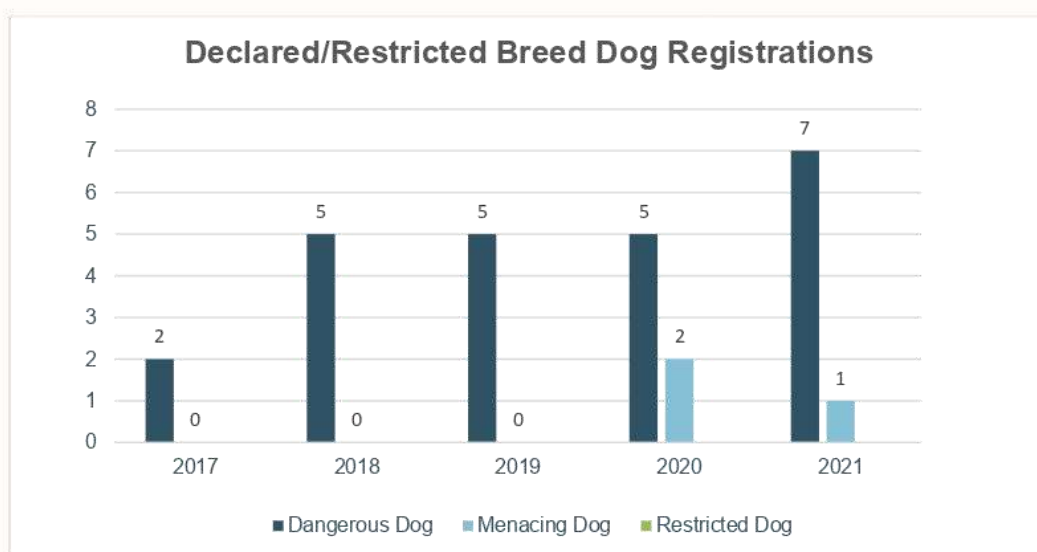
9. DANGEROUS, MENACING AND RESTRICTED BREED DOGS.

Section 68A(2)(c)(vii) of the Act, outlines programs, services and strategies to effectively identify all dangerous dogs, menacing dogs and restricted breed dogs.

Aim: To ensure that declared dogs are identified and managed to minimise the risk to safety of residents and the broader community.

9.1. Context and Current Situations.

There has been consistently low numbers of declared dangerous, menacing or restricted breed dogs registered within Nillumbik,



9.2. Our Orders, Local Laws, Council Policies and Procedures.

Council has made no Orders or Local Laws specific to Dangerous, Menacing and Restricted Breed dogs.

Policies and procedures relevant to dangerous, menacing and restricted breed dogs include:

- Statutory procedure for the declaration of dogs. (Statutory requirement to declare dogs)
- Statutory requirement to provide details of declared dogs to the VDDR (Section 44AE DAA 1994).
- Statutory requirement to provide details to VDDR of dogs destroyed in relation to DAA 1994.

- Procedure associated with the seizure and impounding of declared dogs.

9.3. Our Plan.

There are currently a low number of declared dogs within Nillumbik Shire Council. Council will continue focus on, maintaining communication with declared dog owners, unscheduled inspections of properties and keep abreast of legislation changes relating to restricted breeds, declared dangerous and menacing dogs.

Ensure all dogs are kept in accordance with the Act and Regulations.

Activity	Frequency	Evaluation
Maintain regular contact with owners of declared dogs ensuring owners are aware of their responsibilities and penalties for non-compliance.	Every 6 months.	
All dogs which remain unregistered after 10 April each year are to be investigated for possible breaches of legislation	Yearly - June	
Undertake property inspections of all properties housing declared dogs to ensure compliance.	Yearly - February	

Accurate identification of restricted breed dogs.

Activity	Frequency	Evaluation
Officers to ensure appropriate standards are applied in accordance with the DDA 1994.	Ongoing	
Victorian Declared Dog Registry to be updated by Senior Officer.	Yearly - July & February	

10. DOMESTIC ANIMAL BUSINESS.

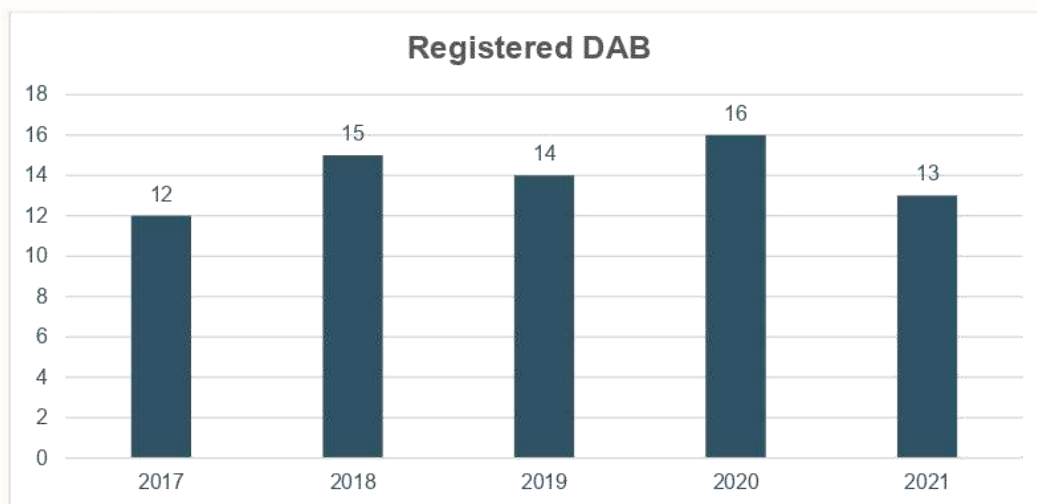
Section 68A (2)(c) (ii) of the Act, outlines the programs, services and strategies which Council intends to pursue to ensure the Domestic Animal Business (DAB) comply with the Act, regulations and relevant Codes of Practice.

Aim: To ensure compliance with the Act and the Code of Practice are met.

10.1. Context and Current Situation.

There are currently 13 Domestic Animal Business (DAB'S) consisting of:

- 8 Boarding establishments.
- 1 Training establishments.
- 2 Pet Shops
- 2 Shelter and Pounds



Over the last four years Council has undertaken unannounced annual audits of all registered Domestic Animal Businesses to ensure compliance with legislation and relevant Code of Practice. During this time the audits have highlighted some minor noncompliance issues which have been quickly rectified.

10.2. Our Orders, Local Laws, Council Policies and Procedures.

Council has made no Orders or Local Laws specific to Domestic Animal Business.

Policies and procedures relevant to Domestic Animal businesses include:

- Registration of Domestic Animal Businesses.
- Periodical auditing of all Domestic Animal Business
- Retention of standard sheets are to be maintained in Councils record management system.
- All new business are subject to planning approval and inspection before registration.
- Noncompliance and reports of cruelty are investigated accordingly.

10.3. Our Plan.

Council officers will continue to conduct audits and identify noncompliant or new DAB's within the Shire. While also engaging with business proprietors to provide education and relevant updates and changes to legislation.

Identify and register all DAB's within the Shire.

Activity	How Often	Evaluation
Officers to regularly check Social Media sites for unregistered DABs.	Annually January/February	
Officers to conduct mobile patrols of known areas where DAB's set up.	Throughout the year	
Senior AMO to arrange annual inspections of DAB's	Annually – to be completed before registration is due April 10.	

11. COUNCIL REGIONAL POUND

Nillumbik Shire Council Regional Pound is Council owned and operated facility caring for lost, stray and, unowned domestic animals found within Nillumbik or Banyule City Council. The pound provides caring for dogs free of charge for up to ten-days or longer if required by community members facing family violence, or other hardship.

Historically Council has seen a relatively consistent level of impoundments, however 2020 and 2021 have seen decreased impoundments, generally as a reflection of reduced dogs at large during the COVID-19 pandemic.

Impoundments	2017	2018	2019	2020	2021-June
Impounded Dog	248	194	208	115	62
Reclaimed Dog	218	171	176	100	51
Rehoused Dog	18	12	20	10	9
Seized Dog	15	6	12	5	2
Surrender Dog	8	9	14	6	8
Euthanized Dog	7	8	9	4	2
Welfare Dog	7	8	9	4	2

The pound is attended by staff, 7 days a week including weekends and public holidays. However, in order to maintain a safe and secure facility for impounded animals and staff, the pound is not open to the public.

Registration and other associated payments are able to be made on line with officers meeting dog owners at NSC civic centre offices or if required taken to the dog's home at an agreed time.

Unclaimed dogs after 8 days are assessed and rehomed by SADS. Council provides a monetary donation for every dog which is rehomed with SADS.

11.1. Our Policies and Procedures.

Council ensures it complies with all requirements of the Code of Practice for the Management of Dogs and Cats in Shelters and Pounds.

11.2. Our Plan

Nillumbik Shire Council Regional Pound will continue to provide a shelter for lost and found dogs, surrendered animals, seized dogs and dogs requiring immediate care due to family violence, illness and other emergency situations.

Community Safety officers and Pound staff will:

- Promote responsible pet ownership and maintain a continuous campaign to educate the general public.
- Staff will continue to be trained in matters relating to animal health and welfare.

Council's pound is compliant with the Code of Practice, however the building structure is old and security is a major concern for both staff and animals. As such a current review is underway to ensure the infrastructure can continue to protect the physical and emotional needs of animals and staff.

Items under review include;

- Ventilation and outdoor space.
- Outdoor exercise area.
- Medical treatment rooms.
- Isolation space for sick animals.
- Pen up-grade.
- Safe vehicle entrance.
- Secure reception area for the collection of animals.

Upgrades to the pound will ensure that both the facility and the operations meet community expectations in terms of animal management and welfare.

12. ANNUAL REVIEW OF PLAN AND ANNUAL REPORTING.

Council is required to review this plan pursuant to Section 68A of the Act. The intent behind the review process is to ensure that the plan responds to current issues and opportunities over the four year period.

The annual review process evaluates whether the services provided are suitable.



DIAMOND CREEK TRADERS ASSOCIATION

PO Box 234
DIAMOND CREEK VIC 3089
0401 042 194
marketing@diamondcreekshopping.com.au

8 July 2021

Rosa Zouzoulas
Executive Manager Planning & Community Safety
Planning and Community Safety
34 Civic Drive
GREENSBOROUGH 3088

Dear Rosa,

**Diamond Creek Traders Association Marketing and Business
Development Special Rate**

I am writing on behalf of Diamond Creek Traders Association to request Council to commence the statutory process as soon as possible to put in place a new special rate to continue the marketing and business development program for the Diamond Creek business precinct.

We would like to keep the boundaries the same to apply to businesses trading from properties located in the core retail and business precinct including Main Road, Collins Street, Inglis Street, Chute Street, Elizabeth Street, Main Hurstbridge Road and George Street.

The rate to be collected is as follows:

- For the period of 5 years ending 30th June 2027
- No discounting to any business, ie all traders pay the full rate
- Funds raised in the first year will be \$120,000, and subject to Capital Improved Value (CIV) over the five year period for which the special rate is intended to remain in force.

To further support this request, a business survey was sent to businesses in Diamond Creek seeking their feedback on the current Special Rate that concludes on 30 June 2022.

From the 20 businesses that completed the survey, 1 was not in support of the special rate being renewed and 19 were in support of the special rate being renewed for a further 5 years. Survey results have been attached for your reference.

The rest of the questions will support the Association with future strategic business and marketing planning, should the special rate be renewed for a further 5 years.

Yours sincerely

A handwritten signature in black ink, appearing to be 'CN' or similar, with a horizontal line extending to the right.

Claire Nolle
President
Diamond Creek Traders Association

printed by



Diamond Creek Special Rate Marketing Renewal 2022

Let's Continue the Special Marketing Rate

Dear Diamond Creek Trader,

This letter includes important information about the Special Marketing Rate Renewal.

Here are the key points you need to know:

- The proposed renewal will be for five years, from 1 July 2022 – 30th June 2027.
- There will be NO increase in fees.
- The Diamond Creek Traders Association have established a positive and collaborative working relationship with Nillumbik Shire Council.
- The Diamond Creek Traders Association intends to continue their new marketing direction with a holistic approach to benefit all businesses.

For the last five years, the Diamond Creek Traders Association has worked across multiple areas to promote and showcase businesses across the community. The renewal of the Special Marketing Rate is essential to continuing the growth, development, and continued prosperity of your business and others across Diamond Creek.

The Diamond Creek Traders Association Special Rate is supported by local property owners, traders, and the Nillumbik Shire Council. If renewed, this united group would enable the Association to continue activities that benefit local businesses and the community. However, if renewal is not achieved, there would be a significant decline in business promotional activities, local online presence, Council advocacy, and local event support.

We thank you for your support and look forward to continuing our work to manage, market, and support business activity in Diamond Creek. The remainder of this letter outlines what we've achieved with the Special Marketing Rate and our new direction for the next five years.

If you have any questions regarding the Special Rate Renewal, please contact Anna Henderson or Yvette Standfield on ☎ **0401 042 194**.



What have we achieved with the Special Marketing Rate?

Streetscape

- Successful advocacy for the installation of more parking on Elizabeth Street.
- Maintenance of a low vacancy rate in the centre.
- Worked with local community members to maintain Chute Street planter boxes.
- Successful sale of Cube Z to the Diamond Creek RSL.
- Successful grant from State Government for \$10,000.
- Successful Council grant for \$2,000.
- Supported local art incentives, including the creation of murals, making art a community activity.

Marketing

- Redeveloped and elevated the Diamond Creek brand.
- Developed an email database to use as targeted, effective marketing
- Implemented the electronic gift card program.
- Sponsored local initiatives, including the Diamond Creek Rotary Town Fair, ANZAC Day events, and Diamond Creek's Christmas Community Carols.

Digital Marketing

- Built a new SEO-friendly website
🔗 www.diamondcreekshopping.com.au
- Created a unique page with new content and a Google Listing for EVERY business in Diamond Creek.
- Filmed and produced individual promotional videos for businesses that opted to participate.
- Produced industry promotional videos for the following industries: fitness, automotive, finance and banking, home improvement, health and wellbeing, and hair and beauty.
- Developed 'Meet the Trader', which showcases businesses across Diamond Creek.
- Implemented a social media marketing strategy to promote Diamond Creek businesses.
- Ran successful Facebook Ad campaigns, driving more online traffic and interest to businesses in Diamond Creek.
- Refer below to see results.

Events

- Clean Up Australia Day in Diamond Creek
- Easter Egg Hunt
- Halloween Trick or Treat
- Various Christmas activities, including decorating the streets with locally made decorations, Santa on the street, and other festive activities and events.

A New Direction that Benefits More Businesses

Over the past two years, we've initiated a holistic marketing strategy that strives to benefit all businesses, rather than a limited few. Renewal of the Special Marketing Rate would allow us to continue this approach which has a focus on digital and social presence. The strategy takes time but ultimately ensures that local businesses are front of mind in the community. We will also advocate more strongly to the council to invest in Diamond Creek, thereby ensuring that we keep the area looking fresh and green! This may include:

- Advocate for improvements, including streetscape plans, traffic management plans and precinct plans to create a more attractive and welcoming environment.
- Lobby to improve physical aspects of the centre.
- Encourage landowners to make improvements to buildings in the centre, particularly to the exterior facades.
- Investigate new signage opportunities.
- Assess the lighting in the car parks and around the centre to ensure it is adequate.
- Ensure the Traders Association is a part of the consultation for any new projects and streetscape to be undertaken in Diamond Creek.

NO Special Rate Renewal!

With no special rate renewal, Diamond Creek will lose the \$120,000 funds. The website will come down, and there will be no social media presence. This would have a significant impact on local businesses and the community. Most importantly, there will be no one advocating to Council for Diamond Creek, which means there is a high potential that council funds will be allocated to other centres in Nillumbik.

*Please note, there will be NO increase in fees, and the rate paid will be based on Capital Improvement Value (CIV).
The Diamond Creek Special Rate is up for renewal from 1st July 2022.*



Promote Your Business and
Support the Diamond Creek Community:

Let’s Continue the Special Marketing Rate!
We encourage you to support the Diamond Creek Traders Association through the Special Marketing Rate. The activities and initiatives benefit your business and the local community by implementing marketing, digital marketing, advocacy, event support, and more.

Once again, if you have any questions regarding the Special Rate Renewal, please contact Anna Henderson or Yvette Standfield on ☎ 0401 042 194.

Summary of Results

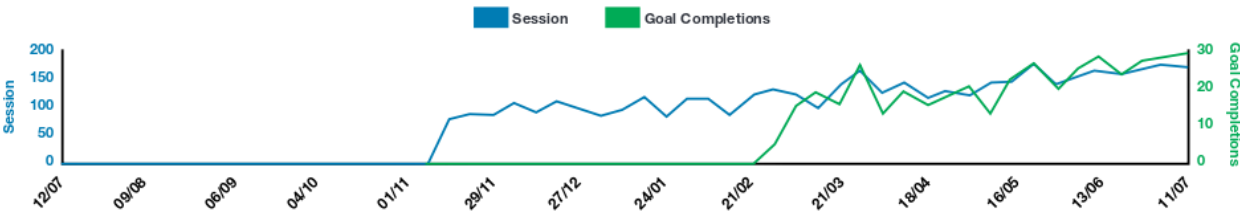
Website Traffic

This graph below indicates how much traffic is coming to the Diamond Creek website.

The Blue Line shows the number of people who visited the Diamond Creek website. As you can see since the new website went live in November 2022 there has been a steady rise.

The green line shows the number of people who have taken action when on the Diamond Creek website for example called a Diamond Creek business direct or gone to their own website.

YEAR 1



Conversions - Link Clicks

This table shows the number of people who have gone to the Diamond Creek website and then gone direct to a Diamond Creek business website. So essentially the Diamond Creek website has sent 308 people over 4 months direct to Diamond Creek trader websites.

Conversions		Goal 1: Outbound Link Click ▼	
Outbound Link Click (Goal 1 Conversion Rate)		Outbound Link Click (Goal 1 Completions)	
7.12%		308	
Avg for View: 4.04% (75.94%)		% of Total: 76.24% (404)	
7.12%		308 (100.00%)	



Telephone – Link Clicks

This table shows the number of people who have gone to the Diamond Creek website and then called a Diamond Creek business direct. So essentially the Diamond Creek website generated 99 calls direct to Diamond Creek businesses.

Conversions Goal 2: Outbound Link Click ▼	
Telephone Link Click (Goal 2 Conversion Rate)	Telephone Link Click (Goal 2 Completions)
2.29% Avg for View: 1.13% (102.18%)	99 % of Total: 87.61% (113)
2.29%	99 (100.00%)

Google Search Console – Top 20 Organic Queries

This list below shows the number of people coming to the Diamond Creek website and the Business pages people are going on. This is a very exhaustive list and we are happy to provide more detail if you are not listed below.

Top Queiries	▼ Clicks	-	CTR	Positions
Diamond Creek Noodle Bar	86	4,615	1.9%	6.2
Diamond Creek Panels	84	3,437	2.4%	5.9
BCK Automotive	73	1,162	6.3%	4.2
Diamond Creek Shops	64	489	13.1%	2
Signall Diamond Creek	61	459	13.3%	1.9
Diamond Creek Pharmacy	59	3,847	1.5%	6.8
Volumes Diamond Creek	57	1,078	5.3%	3.7
Suziworld	52	2,561	2%	5.3
Diamond Creek Shopping Centre	51	640	8%	3.3
Veronicas Panrty	49	6,068	0.8%	4.8
Diamond Creek Newsagency	48	792	6.1%	5
Noodle Bar Diamond Creek	39	1,729	2.3%	6.8
Nillumbik Cellars	33	6,653	0.5%	8.9
Diamond Creek Barber	31	2,588	1.2%	6.6
Noodles Diamond Creek	28	620	4.5%	6.3
Yellowtail Fish And Chips	26	4,343	0.6%	9.9
Pleasant Surprises Diamond Creek	26	79	32.9%	2.8
Massage Diamond Creek	25	1,087	2.3%	8.2
Bua Ji	23	2,806	0.8%	10.6
Free Choice Diamond Creek	21	156	13.5%	1.9

The full list of businesses can be obtained by email @ marketing@diamondcreekshopping.com.au



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Acknowledgement of Country guide

August 2021

This guide provides background information about the difference between an Acknowledgement of Country and a Welcome to Country and information about when and how to do a Nillumbik Shire Council specific Acknowledgment of Country.

Acknowledgement of Country

The following Acknowledgments of Country were developed in consultation with Wurundjeri Woi-wurrung Elders throughout June and July of 2021.

Short version

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.

Long version

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.

Background

A welcome or an acknowledgment?

There can be confusion about the difference between what a Welcome and an Acknowledgement is and when it's appropriate to do them. The key difference is who performs each one – a Welcome is performed by a Traditional Owner and an Acknowledgement can be done by anyone.

Why is an acknowledgement important?¹

First Nations People continue to experience exclusion, discrimination and oppression, and have since the invasion of this country. Acknowledging Country is a good step towards reconciliation between First Nations People and other Australians.

By actively giving an acknowledgment you're acknowledging that the land always will be that of the Traditional Custodians. You are acknowledging that invasion and colonisation has occurred, and that in spite of that, First Nations People continue to survive and thrive.

Welcome to Country guidance

A Welcome to Country can only be given by a Traditional Owner of the land you are on. A Welcome to Country signifies the Traditional Owners inviting you onto their land and granting you safe passage.

A Welcome is typically given by an Elder or leader from the Traditional Custodians whose land you are on, however, with permission, other members can give a welcome on their behalf. It's also sometimes accompanied by a Smoking Ceremony, to cleanse the energy of those being welcomed.

A Welcome to Country should occur as the first item on the agenda and the MC of the event should specifically thank the Elder for conducting the Welcome to Country.

When to include a Welcome to Country

A Welcome to Country ceremony should be conducted:

- At significant Council events, forums or functions
- At events and activities that impact or relate to Reconciliation or Traditional Custodians

Requesting a Welcome to Country

The Traditional Owners of Nillumbik are the Wurundjeri Woi-wurrung People. Cultural practice services including Welcome to Country can be requested via: [Cultural Practices for Events - Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation](#).

- Costs can vary from \$300-\$1000 depending on the service requested.
- Elders may not be able to attend, depending on availability.
- It is recommended that a Welcome to Country Ceremony is booked as far ahead of time as possible.

¹ Foundation for Young Australians. Acknowledgement of Country: Your Go-To Guide. [Acknowledgement of Country: Your Go-To Guide | FYA](#)

Acknowledgement of Country guidance

An Acknowledgement of Country can be said by anyone, a Traditional Custodian or any other Australian. This is because it's about respecting the Traditional Custodians, their Country and their history. When you acknowledge Country you also acknowledge the Elders and their Lore, promising to respect them and their land while you're on it.²

An Acknowledgment of Country should occur at the start of meetings and events including after a Welcome to Country is conducted. An Acknowledgement can also be used in written publications such as strategic documents, policies and Council communications.

When to use a short Acknowledgement of Country

- Advisory Committee meetings
- Internal staff meetings
- Small meetings with external stakeholders
- Emails (automated for Council employees)
- Smaller publications and written documents produced by Council
- On Council's website

When to use a long Acknowledgement of Country

- Council Briefings
- Council Meetings
- Strategic documents produced by Council
- Documents that are relevant to or impact
- Event where Elder is not available to conduct Welcome to Country

Tailoring an Acknowledgement of Country

An Acknowledgement of Country can be tailored to suit the purposes of a meeting or document. For example, the Nillumbik Health and Wellbeing Plan 2021-2025 includes an acknowledgement that talks specifically about First Nations Peoples perspectives of health, wellbeing and spirituality.

When tailoring an Acknowledgement of Country for a written publication, you will need to get support from Wurundjeri Woi-wurrung Elders. This can be arranged through a specific consultation, or by attending a monthly cultural consultation meeting. Please reach out to the Social Planning and Equity team for guidance.

² Foundation for Young Australians. Acknowledgement of Country: Your Go-To Guide. [Acknowledgement of Country: Your Go-To Guide | FYA](#)

Tips on giving an Acknowledgement of Country³

- Make it personal but don't be afraid to follow a guide: there are many people who personalise an acknowledgement of country in wonderful ways. If you are new to the process build up to this by nailing the guided wording.
- Seek feedback: you may wish to confirm that your pronunciation or wording is appropriate.
- Feel pride: Nillumbik has a rich history tens of thousands of years. By acknowledging this, you honor this history.
- Practice makes perfect: Some words take time to pronounce correctly, keep repeating and listen closely to improve the flow of words.
- First Nations people are a continuing culture: take care not to place people in the past by using the present tense.

Further information

- More information about the cultural history of Nillumbik can be found at: [Local history - Nillumbik](#)
- More information about Wurundjeri Woi-wurrung people, history, language, sites of significance and natural resource management can be found at: [Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation](#)
- More information about Reconciliation can be found at: [Reconciliation Victoria](#)

For more information, please contact the Social Planning and Equity team.

³ National Reconciliation Week 2018. Tips for Acknowledgement of Country. [Home - National Reconciliation Week 2021](#)

Eltham District Historical Society

Established 1967 Incorporated No. A0016285F

Local History Centre

728 Main Road, Eltham Victoria 3095 Australia

Email: edhsociety@gmail.com Website: www.elthamhistory.org.au



12 July 2021

Rosa Zouzoulas
Executive Manager Planning and Community Safety
Nillumbik Shire Council
Civic Drive (PO Box 476)
Greensborough 3088

Dear Rosa

Proposed Heritage Overlay (HO 147) – 13 Park West Road, Eltham

The Eltham District Historical Society supports the proposal to amend a Heritage Overlay (HO147) at 13 Park West Road, Eltham, in order to protect a structure known as the Alan Marshall Bungalow and surrounds.

We appreciate the actions taken by Nillumbik Shire Council to protect this historic structure.

Please let me know if we can provide any further information.

Regards

Jim Connor

President
Eltham District Historical Society Incorporated
M 0418 379 497

Eltham District Historical Society....*caring for our local history since 1967*
2018 Community Group of the Year - Nillumbik Shire Council

You are welcome to explore our history:

Website: www.elthamhistory.org.au
Facebook: <https://www.facebook.com/elthamhistory/>
See our collection at: <https://victoriancollections.net.au/organisations/eltham-district-historical-society#collection-records>
See our history on Wikipedia: https://en.wikipedia.org/wiki/Eltham_District_Historical_Society

Kangaroo Ground War Memorial Park

Draft Management Plan



For public exhibition

24 August 2021



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1. Introduction

1.1 Nature and purpose of the management plan

This management plan has been prepared to enable Nillumbik Shire Council to maintain and enhance the existing essential character and function of the memorial park.

The management plan identifies and outlines a range of capital expenditure improvement works that would rectify, restore and enhance the existing conditions that are essential to the parks existing character and function, and operational expenditure improvement work in the form of an appropriate standard of annual landscape maintenance for the park. Cost estimates and priorities for implementation are provided for each of the capital and operational expenditure works.

It is not a design plan, in the sense it does not project a concept for how the park should be, or propose to alter the existing essential character and function of the park. Nor is it a maintenance plan, as it does not describe routine activities for maintenance of park assets.

This management plan is also not the instrument with which to directly make improvements to the park itself, as it represents a plan or roadmap for how to go about making those improvements.

All of the capital expenditure improvement works identified in the management plan require a project vehicle to deliver the design, documentation, approvals and construction phases of work necessary to realise the improvements as part of the implementation of the management plan. Adoption of the standard of annual landscape maintenance identified in the management plan will be factored in Council's operational expenditure and programming.

The management plan and its component capital and operational expenditure improvement works will be implemented within the context of a governance system that is being developed for the park with key park stakeholders as part of a separate Governance Project.

1.2 Structure and application of the management plan

The management plan is structured according to the following sections of the report.

- Capital expenditure improvements (Section 2)
- Operational expenditure improvements (Section 3)
- Costs (Section 2)
- Governance (Section 5)
- Implementation (Section 6)

1.2.1 Section 2: Capital expenditure improvements

A summary list of capital works is provided together with a photo of the corresponding existing area of, or existing feature/ element in, the park. Each of the capital works is fully described in documents that, due to their size and detail, are provided as an Appendix, including:

- Plan of Works (**Appendix A**) and
- Schedule of Works (**Appendix B**).

Plan of Works

The *Plan of Works* illustrates the location in the park of each capital works item and identifies each item by a drawing code. The drawing code is cross-referenced to the *Schedule of Works*.

Schedule of Works

The *Schedule of Works* defines each of the capital works items indicated on the *Plan of Works* to enable an understanding of the capital works for implementation. Each capital works item is cross-referenced to the *Plan of Works* by the drawing code. The schedule provides information for each capital works item in the areas listed below.

- Work category
- Park Feature/ Element
- Management intent
- Scope of work
- Critical implementation requirements
- Critical construction sequencing
- Associated work in the management plan
- Known site constraints
- Existing heritage significance level
- Particular stakeholder interests
- Priority (High, Medium Low)
- Council lead responsibility for implementation

1.2.1.1 Heritage significance adopted in the management plan

The management plan adopts the *Revised Citation H049 Memorial Park, Kangaroo Ground - Final Draft (12 October 2020) (Appendix C)* as the basis for assessing heritage significance of park elements and features and describing the capital expenditure works in the management plan. The draft revised citation has been prepared to replace the existing citation that is out of date. The draft revised citation will be separately considered early 2022 for future amendment of the heritage overlay in the planning scheme, as part of Council's broader heritage review process.

1.2.2 Section 3: Operational expenditure improvement

An annual landscape maintenance standard for the park is defined in the *Schedule of Works*. The schedule provides information on the annual maintenance standard in the areas listed below.

- Work category
- Park Feature/ Element
- Management intent
- Scope of work
- Budgetary allowance
- Priority (High, Medium, Low)
- Council lead responsibility for delivery

1.2.3 Section 4: Costs

1.2.3.1 Capital expenditure improvements

A summary of the project costs for each capital works item is provided. A full cost plan for the works is provided in **Appendix D**.

1.2.3.2 Operational expenditure improvements

The operational landscape maintenance annual budget is nominated in the *Schedule of Works*.

1.2.4 Section 5: Governance

1.2.4.1 Governance system

The management plan outlines the separate Governance Plan Project that will create a system of governance for the care of the park including the implementation of the management plan.

1.2.4.2 Governance projects

The Governance Plan project will also outline governance projects for those capital expenditure improvements highlighted in the management plan that are contingent on governance matters to be addressed to enable their implementation, as well as additional governance projects to address governance matters concerning the park which are unrelated to capital expenditure improvements.

1.2.5 Section 6: Implementation

The management plan outlines the responsibilities for the delivery of the capital and operational expenditure improvements outlined in the management plan that will be delivered within the governance system that is to be established for the overall care of the park and the implementation of the management plan.

The management plan also identifies implementation priorities and critical delivery requirements and critical construction sequencing for capital and operational expenditure improvements identified in the *Schedule of Works*, where applicable.

2. Capital expenditure improvements

The following items comprise the capital expenditure improvements in the management plan. Each item is identified and named according to the code (where applicable) and feature/ element name in the *Plan of Works* (**Appendix A**) and *Schedule of Works* (**Appendix B**), and a photograph of the corresponding existing area of, or existing feature/ element in, the park is provided.

Refer to the *Plan of Works* and *Schedule of Works* for the location and description of the work, respectively.

Moor-rul Threshold and DDA Access to Moor-rul Viewing Platform (P)



Pathway connection to western area of the park



Pathway to Moor-rul viewing platform



Western park area with, (L-R), Moor-rul viewing platform, open grassed hillside and Moor-rul grasslands

**Kangaroo Ground War Memorial Tower
(Shire of Eltham War Memorial)**



War memorial tower foyer



Fire-spotter's cabin on top of the tower

Stone Caretaker's Cottage Renovation



Stone caretaker's cottage hoarded off due to state of disrepair

Cypress Tree Replacement Tree Planting (TP)



Heritage listed perimeter cypress trees are in a state of decline

Cypress Tree Removal (TR)



A few cypress trees in the middle of the park do not have heritage significance and reduce light to, and visibility through, the park

Stone Edge Reinstatement around Tower Base (SE)



Formalised stone retaining wall and rosemary hedge were not features of the early park



Late 1920's photograph of the war memorial tower set on a grassy hill with only stone edging subtly implying a space around the tower
(Andrew Ross Museum Photo)

Memorial Walk (MW)



The Memorial Walk is intended to make use of, and reference, the existing park access road should an alternative park access road be provided in the future

Memorial Gardens (MG)



The Memorial Gardens will be arranged throughout the lawn area around the back and sides of the war memorial tower



The Memorial Gardens will help screen the visual impact of existing park infrastructure



The Memorial Gardens will integrate and enable interpretation of important memorials, such as the Lone Pine Tree, as well as early palm plantings of heritage significance

Park Sign (PS 01)



The park is without a sign identifying the name of the park

Interpretative Sign – War Memorial (IS 01)



Kangaroo Ground War Memorial Tower (Shire of Eltham War Memorial)

Interpretative Sign – Stone Caretaker's Cottage (IS 02)



Stone caretaker's cottage (constructed c1927) within the park indicates the importance of the park to the Shire, indicating the park had to be cared for with an on-site caretaker

Interpretative Sign – Memorial Gardens (IS 03)



The Memorial Gardens will be arranged throughout the lawn area around the back and sides of the war memorial tower

Interpretative Sign – Memorial Walk (IS 04)



The Memorial Walk is intended to make use of, and reference, the existing park access road should an alternative park access road be provided in the future

Interpretative Sign – Moor-rul Threshold (IS 05)



Location of the threshold to the western park area



Ingredients of the western park area, (L-R):
Moor-rul viewing platform, open grassed hillside and Moor-rul grasslands

Interpretative Sign – Moor-rul Grasslands (IS 06)



Moor-rul grasslands

Interpretative Sign – Moor-rul Viewing Platform (IS 07)



Moor-rul viewing platform

Interpretative Sign – Caretaker's Residence (IS 08)



Caretaker's residence (constructed 1951) within the park indicates the importance of the park to the Shire, indicating the park had to be cared for with an on-site caretaker

Interpretative Display Material – War Memorial Foyer Cabinets (DM 01)



Display cabinets are located within the war memorial tower foyer

Interpretative Display Material – Moor-rul Viewing Platform Cabinets (DM 02)



Built-in display cabinets of the Moor-rul viewing platform are currently not used for interpretative display

Bench Seating



A range of bench seat types exist within the park in various states of condition



A range of bench seat types exist within the park in various states of condition

Picnic Tables



A range of picnic table types exist within the park in various states of condition

3. Operational expenditure improvement

The standard of annual landscape maintenance is the only operational expenditure works included in the Management Plan. It is itemised by park feature/ element in the *Schedule of Works* (**Appendix 2**) as Park Landscape Maintenance.

An increase in the current standard of maintenance of the park, from Council's 'Amenity' standard, to Council's 'Priority Sites' standard, is defined, to keep the park in a condition that honours the park's heritage significance and is fit for year round visitation and important memorial services.

4. Costs

2.1 Capital expenditure improvements

Costing for all capital works items are provided in the Cost Plan (**Appendix D**).

The Cost Plan provides a breakdown of each of the works and qualifies the cost estimate with notes and exclusions.

The estimate amounts are **total project costs** relating to design, documentation, approvals and construction, and are inclusive of preliminaries, design contingency, escalation, construction contingency, professional fees, insurances and authority fees and charges where applicable, as outlined in the Cost Plan.

The costs exclude any governance processes and work associated with the capital expenditure improvements (indicated in the management plan) that will be outlined in the separate Governance Plan, as well as operational expenditure costs.

A summary of the total project costs per capital works item is provided in Table 1, below.

Table 1: Summary of the total project costs per capital works item

Plan/ Schedule of Works Code	Item: Park Feature/ Element	Project cost
P	Moor-rul Threshold and DDA Access to Moor-rul Viewing Platform	\$47,497
N/A	Kangaroo Ground War Memorial Tower	\$48,500
N/A	Stone Caretaker's Cottage Renovation	\$101,500
TP	Cypress Tree Replacement Tree Planting	\$233,960
TR	Cypress Tree Removal	\$20,000
SE	Stone Edge Reinstatement Around Tower Base	\$55,750
MW	Memorial Walk	\$220,315
MG	Memorial Gardens	\$341,346
PS 01	Park Sign	\$17,000
IS 01	Interpretative Sign – War Memorial	\$13,500
IS 02	Interpretative Sign – Stone Caretaker's Cottage	\$8,500
IS 03	Interpretative Sign – Memorial Gardens	\$8,500
IS 04	Interpretative Sign – Memorial Walk	\$8,500
IS 05	Interpretative Sign – Moor-rul Threshold	\$8,500
IS 06	Interpretative Sign – Moor-rul Grasslands	\$8,500
IS 07	Interpretative Sign – Moor-rul Viewing Platform	\$8,500
IS 08	Interpretative Sign – Caretaker's Residence	\$8,500
DM 01	Interpretative Display Material – War Memorial Tower Foyer Cabinets	\$8,500
DM 02	Interpretative Display Material – Moor-rul Viewing Platform Cabinets	\$31,000
N/A	Bench Seating	\$28,000
N/A	Picnic Tables	\$49,000
	TOTAL	\$1,275,350

2.2 Operational expenditure improvements

The estimated budget for annual park landscape maintenance is provided in the *Schedule of Works*.

The estimated budget is to provide an improved standard of park maintenance (from the existing 'Amenity' standard to a 'Priority sites' standard).

The estimated budget is \$47,000 p.a., rounded. This represents an increase of \$30,840 p.a. over Council's current park landscape maintenance budget of \$16,160 p.a.

5. Governance

5.1 Governance system

The implementation of the management plan will be undertaken within the context of a governance system for the park that is being developed by Council with park stakeholders through the Governance Plan project.

The governance system to be developed through the Governance Plan Project, will:

- identify what type of governance model is appropriate;
- outline a Capability that can be established within Council to enable implementation of the governance model with defined Council roles and responsibilities and resources of Council;
- define the status, role and agency of stakeholders, and
- define an agreed set of place values upon which all park decisions (including decisions required in the implementation of the management plan and delivery of the park improvements) are based.

Park identity and meaning

The creation of an agreed set of place values concerning the identity and meaning of the park will be a critical governance aspect of the Governance Plan that is required to be undertaken before any implementation of the management plan can occur.

There first needs to be an agreement on what the broader park stands for, what aspects of the park should be represented and interpreted and how this material should look and feel, before particular specific components of the park are interpreted through, for example, the Interpretative Signage and Interpretive Display Material capital expenditure improvements of the management plan which are components of the overall park.

Park stakeholders

Park stakeholders who have been identified to participate in the Governance Project based on their interest, involvement and operation in the park are listed below.

- Montmorency-Eltham RSL Sub Branch
- Friends of Kangaroo Ground War Memorial Park Inc.
- Nillumbik Reconciliation Group
- Friends of Moor-rul Grasslands
- Andrew Ross Museum
- Yarra Plenty Regional Library
- Yarra Plenty Heritage Group
- Eltham District Historical Society
- CFA
- Victorian Police

5.2 Governance projects

The Governance Plan Project will also identify a number of governance projects (scope, tasks, timeframes, budgets) for issues that require resolution through the governance system that is to be established as part of the Governance Plan. Such issues fall into two governance categories: those that are associated with the capital expenditure improvements outlined in the management plan, and those that fall outside the management plan because they do not concern capital works.

5.2.1 Governance projects to support capital expenditure improvements

There are some capital works items that cannot be installed until governance aspects associated with the specific park feature/ element are resolved. For example, the Interpretative Signage and Interpretative Display Material capital expenditure improvements, mentioned above, cannot be installed until their interpretative content is agreed, requiring their own governance process to enable their installation.

These governance aspects associated with capital works items will be separately addressed in the implementation of the Governance Plan in advance or as part of the delivery of the respective capital expenditure works. The capital works with a governance component are highlighted in the *Schedule of Works*, and are summarised in the Table 2, below.

Table 2: Summary of capital works items with a governance component

Plan/ Schedule of Works Code	Item: Park Feature/ Element
N/A	Stone Caretaker's Cottage Renovation
MW	Memorial Walk
MG	Memorial Gardens
PS 01	Park Sign
IS 01	Interpretative Sign – War Memorial
IS 02	Interpretative Sign – Stone Caretaker's Cottage
IS 03	Interpretative Sign – Memorial Gardens
IS 04	Interpretative Sign – Memorial Walk
IS 05	Interpretative Sign – Moor-rul Threshold
IS 06	Interpretative Sign – Moor-rul Grasslands
IS 07	Interpretative Sign – Moor-rul Viewing Platform
IS 08	Interpretative Sign – Caretaker's Residence
DM 01	Interpretative Display Material – War Memorial Tower Foyer Cabinets
DM 02	Interpretative Display Material – Moor-rul Viewing Platform Cabinets
N/A	Bench Seating

5.2.2 Governance projects outside of the management plan

The governance plan will also address other identified important governance issues unrelated to the management plan and its capital expenditure improvements, such as protocols for hosting memorial services. These capital expenditure improvements

do not appear in the *Schedule of Works* as they fall outside the management plan, and include:

- park naming;
- hosting of memorial services;
- hosting and conduct of tours;
- educational promotion and knowledge integration;
- memorialisation – what, who, location, content, policy/ approvals;
- additional park infrastructure needs for interpretation e.g., equipment, storage, IT, and
- opening and closing times (if restricted).

6. Implementation

Implementation of the management plan will be undertaken as part of the system of governance to be developed through the separate Governance Plan Project.

As part of the implementation of the management plan, the delivery of specific capital and operational expenditure improvements will be the responsibility of the Council Officer who is responsible for the specific park feature/ element.

Council's lead Officer responsible for the delivery of the capital and operational works is nominated in the *Schedule of Works*, and has the duty to coordinate the delivery of the capital and operational expenditure improvement works within the governance arrangements to be developed for the park, to ensure any governance matters associated with the works are addressed and the appropriate levels of community and stakeholder engagement are adopted. These responsibilities and lines of communication will be outlined in the governance system that will be developed in the Governance Plan project.

6.1 Capital expenditure improvements delivery

Each of the capital works items can be delivered as a single project or in combination. There may be benefits in combining items as one project, such as in economies of scale, minimisation of impacts on the park, achieving improved integration of work, and completing larger areas of the park at the one time, for example.

Critical delivery requirements and critical construction sequencing for capital works items are identified in the *Schedule of Works*, where applicable.

An implementation priority is assigned to each of the capital works items identified in the *Schedule of Works* in consideration of each of the item's level of importance, heritage value, condition and level of safety risk. A priority is defined in terms of implementation timeframes, either as High (1-3 years), Medium (3-5 years) or Low (5-7 years).

6.2 Operational expenditure improvement delivery

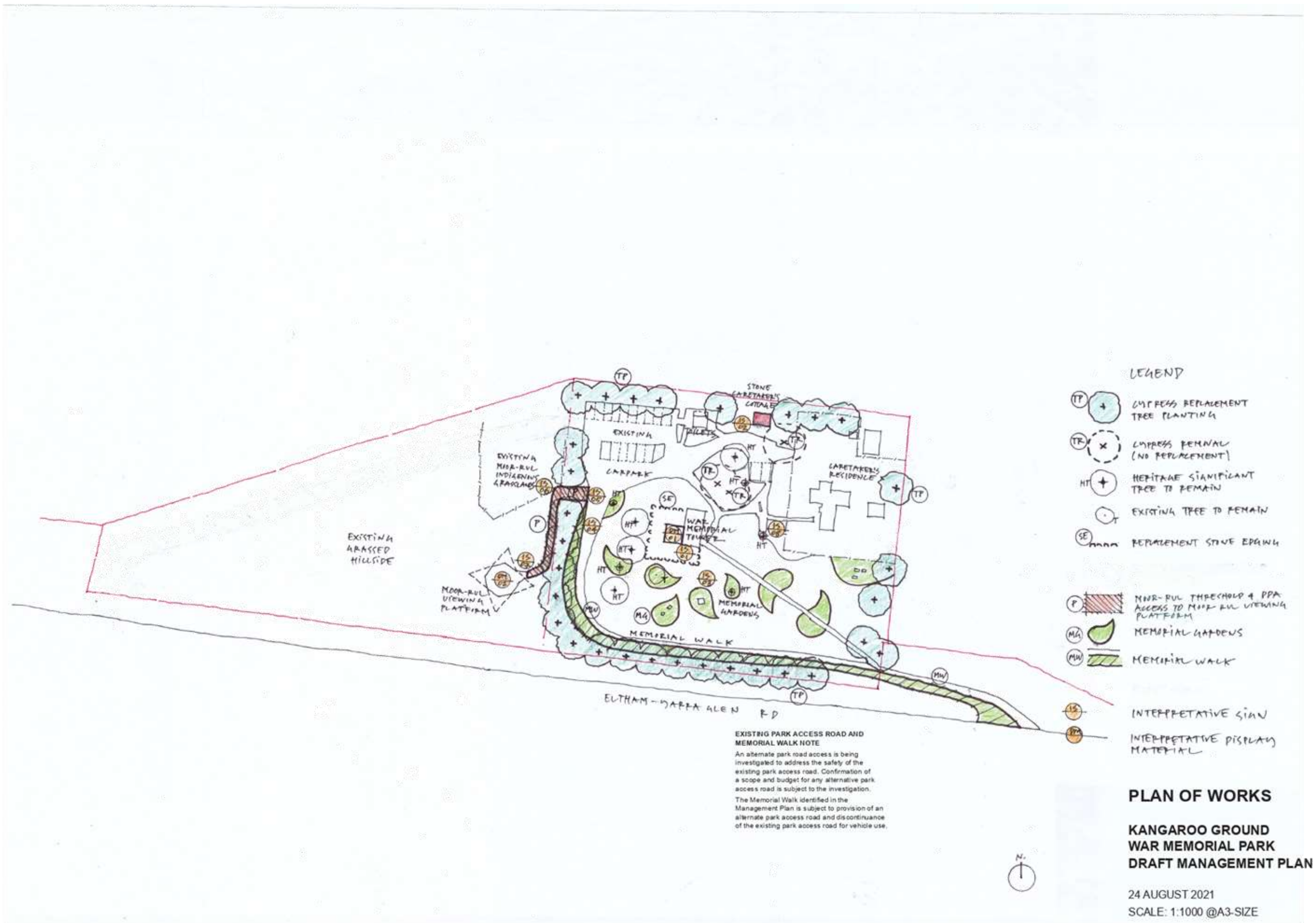
Adoption of the standard of annual landscape maintenance identified in the *Schedule of Works* will be factored in Council's operational expenditure and programming. An implementation priority is also assigned and is defined in terms of adoption timeframe for the standard, either as High (1-3 years), Medium (3-5 years) or Low (5-7 years).

Appendix A. Plan of Works

DRAFT

**CM.120/21 Kangaroo Ground War Memorial Park Draft Management Plan for Council endorsement
for public exhibition**
Attachment 1. Kangaroo Ground War Memorial Park Draft Management Plan 24 August 2021

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Appendix B. Schedule of Works

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**CM.120/21 Kangaroo Ground War Memorial Park Draft Management Plan for Council endorsement
for public exhibition**
Attachment 1. Kangaroo Ground War Memorial Park Draft Management Plan 24 August 2021

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Schedule of Works

Kangaroo Ground War Memorial Park Draft Management Plan

24.08.2021

Dwg Code	Work Category	Item: Park Feature/Element	Management Intent	Scope of work	Critical implementation requirements	Critical construction sequencing	Associated work in Management Plan	Known site constraints	Heritage notes	Particular Stakeholder Interests	Priority HIGH: 1-3 yrs MEDIUM: 3-5 yrs LOW: 5-7 yrs	Budgetary allowance	NSC Delivery Responsibility Lead
P	INFRASTRUCTURE	MOOR-RUL THRESHOLD AND DDA ACCESS TO MOOR-RUL VIEWING PLATFORM	<p>Interpretative pavement threshold at edge of original memorial park and DDA-compliant path to Moor-rul Viewing Platform, that serves as visible access and connection to the western hillside of park (including Moor-rul Grasslands, grassed hillside and Moor-rul Viewing Platform).</p> <p>To include INTERPRETATIVE SIGN - WESTERN PARK THRESHOLD and BENCH SEATING.</p> <p>Provide gap in CYPRESS TREE REPLACEMENT TREE PLANTING at threshold to enable improved view connections through to western parkland.</p>	<p>Regrading and new asphaltic concrete pavement, min. 1500mm wide (wider where meets carpark to create threshold) to achieve max. longitudinal gradient of 1:20 and avoid ramp classification and requirements (handrails, kick rails).</p>	<p>Heritage review</p>	<p>To be planned or constructed prior to CYPRESS TREE REPLACEMENT TREE PLANTING to ensure replacement tree planting locations and finished levels are unaffected by path finished levels.</p>	<p>INTERPRETATIVE SIGNAGE</p> <p>BENCH SEATING</p> <p>CYPRESS TREE REPLACEMENT TREE PLANTING</p>	<p>Grades are challenging with location of Moor-rul Viewing Platform down the hillside.</p>		<p>Wilmink Reconciliation Group.</p>	<p>LOW, but linked with CYPRESS TREE REPLACEMENT TREE PLANTING that has HIGH priority.</p>	<p>Refer Cost Plan</p>	<p>Manager, Infrastructure</p>
N/A	BUILDING	KANGAROO GROUND WAR MEMORIAL TOWER (SHIRE OF ELTHAM WAR MEMORIAL)	<p>Removal of any redundant infrastructures within tower foyer to remove visual and physical clutter and impact on tower arrival.</p> <p>Reducing visual prominence of Fire Spotter's Cabin.</p>	<p>Review of plant infrastructure in tower foyer with CFA. Removal of any redundant infrastructure and make good.</p> <p>Painting of Fire Spotter's Cabin in dark, neutral (e.g., charcoal) colour to reduce its visual impact and have no identifiable colour association.</p>	<p>All work subject to a memorial park or war memorial conservation plan.</p> <p>Planning permit for works</p>		<p>INTERPRETATIVE DISPLAY MATERIAL (Tower Foyer)</p>	<p>High level of heritage significance</p>	<p>CFA</p> <p>Eltham District Historical Society</p>	<p>HIGH</p> <p>Appearance of Fire Spotter's Cabin and plant within tower foyer impacts on heritage significance of the war memorial and its interpretation.</p>	<p>Refer Cost Plan</p>	<p>Manager, Properties and Facilities Maintenance</p>	
N/A	BUILDING	STONE CARETAKER'S COTTAGE RENNOVATION	<p>Conservation of cottage including adaptation for public use as well as interpretation.</p>	<p>Scope to be determined by determination of cottage user function.</p> <p>Renovation to restore structural integrity and material disrepair.</p>	<p>All work subject to a memorial park or stone caretaker's cottage conservation plan that includes consultation with identified stakeholders as well as community, to be developed through separate GOVERNANCE project.</p> <p>Planning permit for works</p>		<p>GOVERNANCE</p> <p>INTERPRETATIVE SIGNAGE</p>	<p>High level of heritage significance</p>	<p>Montmorency-Eltham RSL sub-branch, especially as caretaker occupants of the cottage were returned soldiers.</p> <p>Eltham District Historical Society</p>	<p>HIGH</p> <p>Cottage is in disrepair with risk of loss of heritage asset significance.</p> <p>Cottage is closed off to public due to safety risk, and absence of rectification action potentially affects perception of NSCs interest and care of the cottage and park.</p>	<p>Refer Cost Plan</p>	<p>Manager, Properties and Facilities Maintenance</p>	
TP	LANDSCAPE - TREES	CYPRESS TREE REPLACEMENT TREE PLANTING	<p>Tree planting to replace aged and dying cypress trees to maintain heritage significance of cypress trees (refer Draft Revised Heritage Citation).</p> <p>Replacement tree species to fulfil original design intent and heritage criteria, including:</p> <ul style="list-style-type: none">- locations to north, south and western boundaries of original memorial park, predominantly;- continuous, windbreak form;- tree type to be evergreen to symbolise death, and- tree type able to be managed to maintain long-distance panoramic views from top of tower (lookout) over trees. <p>Tree spacing to be appropriate to species selected, and to maintain good windbreak form, without crowding, rather than replacing existing locations like for like.</p> <p>Gap in western windbreak planting to enable Western Park Area Threshold, specifically view connection to western parkland from original rectangular park - see WESTERN PARK AREA THRESHOLD AND DDA ACCESS TO MOOR-RUL VIEWING PLATFORM.</p>	<p>Tree planting to locations identified indicatively on Plan of Works.</p> <p>Note: not all existing trees that are to be removed are to be replaced and locations are not like for like.</p> <p>Additional detailed survey of floor level of tower lookout required to determine average eye height of person standing at top of tower on lookout, to enable determination of max height of tree to be maintained in consideration of tree replacement selection.</p> <p>All cypress trees that are to be replaced are to be replaced at the same time, to enable progressive and even growth of trees and development of overall perimeter enclosure effect.</p> <p>Area beneath and around tree planting to be weeded, aerated, fertilised and mulched prior to time of planting.</p> <p>24-months tree establishment and maintenance.</p>	<p>Cypress tree replacement subject to a memorial park or tree replacement conservation plan that includes consultation with identified stakeholders as well as community.</p> <p>Heritage review</p> <p>Planning permit for tree removal</p>	<p>To be planted after the planning or construction of NEW PARK ROAD and WESTERN PARK AREA THRESHOLD AND DDA ACCESS TO MOOR-RUL VIEWING PLATFORM to ensure replacement tree planting locations and finished levels are not affected by road alignment and road and path finished levels.</p>	<p>Subject to alternative park access road investigation</p> <p>TREE REMOVAL</p> <p>WESTERN PARK AREA THRESHOLD AND DDA ACCESS TO MOOR-RUL VIEWING PLATFORM</p> <p>CYPRESS TREE REMOVAL</p>	<p>High level of heritage significance</p>		<p>HIGH</p> <p>Known public safety and loss of heritage risks associated with ageing trees in decline with average life expectancy less than 10 years.</p>	<p>Refer Cost Plan</p>	<p>Manager, Infrastructure</p>	
TR	LANDSCAPE - TREES	CYPRESS TREE REMOVAL	<p>Removal (and no replacement) of existing cypress trees that are not located to boundaries of original rectangular park, to enable increased natural light levels and better view connections within park.</p>	<p>Removal of cypress trees indicated on Plan of Works, including grubbing out stump and roots and making good ground.</p>	<p>Removal of cypress trees to be part the memorial park or tree replacement conservation plan that includes consultation with identified stakeholders as well as community - see CYPRESS TREE REPLACEMENT TREE PLANTING.</p> <p>Planning approval for tree removal.</p>		<p>CYPRESS TREE REPLACEMENT</p>	<p>High level of heritage significance</p>			<p>HIGH</p> <p>Known public safety and loss of heritage risks associated with ageing trees in decline with average life expectancy less than 10 years.</p>	<p>Refer Cost Plan</p>	<p>Manager, Infrastructure</p>
SE	LANDSCAPE - EDGING	STONE EDGE REINSTATEMENT AROUND TOWER BASE	<p>To reinforce the tower as a tower on a grassy hill, and reinstate the square-shaped grassed area implied at the tower base by informal stone edging, opening up views and access to the tower.</p>	<p>Removal of formalised stone retaining wall and rosemary hedge.</p> <p>Installation of local stone edging in rectangular layout to original form and location, to subtly imply grassed area at tower base.</p> <p>Grassing of disturbed/ demolished areas.</p> <p>Grass area around tower to be irrigated with automatic irrigation- refer Memorial Gardens.</p>	<p>Heritage review</p>		<p>MEMORIAL GARDENS (Automatic irrigation to include grass area around tower)</p>	<p>Existing stone retaining wall and rosemary have no heritage significance.</p> <p>Refer Revised Citation H049 Memorial Park, Kangaroo Ground - Final Draft (12 October 2020) for description and photographs of original tower base, including local stone edging and implied grassed rectangular area at tower base.</p>			<p>MEDIUM</p> <p>The works will enhance the heritage value of the tower and visitation experience, but are not time critical in context of the current park use and its interpretation.</p>	<p>Refer Cost Plan</p>	<p>Manager, Infrastructure</p>

Dwg Code	Work Category	Item: Park Feature/Element	Management Intent	Scope of work	Critical implementation requirements	Critical construction sequencing	Associated work in Management Plan	Known site constraints	Heritage notes	Particular Stakeholder Interests	Priority HIGH: 1-3 yrs MEDIUM: 3-5 yrs LOW: 5-7 yrs	Budgetary allowance	NSC Delivery Responsibility Lead
MW	LANDSCAPE - GARDEN	MEMORIAL WALK	Discontinuance of existing park access road, and conversion of existing road to a reduced width pedestrian pathway and new gardens memorialising original park road and providing opportunity for future memorialisation within the garden as determined through GOVERNANCE , and providing seasonal display at special memorial times of year.	Removal of 2m wide asphaltic concrete to southern side of existing park access road. Creation of new mulched garden in location of removed road. Automatic irrigation to garden. Plant selection to comprise low groundcovers to enable extensive views through all areas of the memorial walk. Plant selection to provide seasonal display at following times: - ANZAC Day, and - Remembrance Day. Memorialisation as determined through separate GOVERNANCE project.	Subject to investigation into alternative park access road and discontinuance of existing park access road. Determination of curatorial approach to any memorialisation within Memorial Walk gardens is subject to GOVERNANCE project. Heritage review	Constructed with or after construction of any alternate park access road, not before.	MEMORIAL GARDENS GOVERNANCE		Existing park access road alignment is consistent with early park.		MEDIUM The works would ideally be part of, or commence soon after, any alternate park access road.	Refer Cost Plan	Manager, Infrastructure
MG	LANDSCAPE - GARDEN	MEMORIAL GARDENS	New display gardens that incorporate existing heritage significance (trees and memorials around tower area and which provide opportunity for future memorialisation within the gardens as determined through GOVERNANCE , and providing seasonal display at special memorial times of year.	New mulched gardens. Renovation of grass areas throughout. Automatic irrigation to gardens. Automatic irrigation to renovated grass areas. Gardens not to be located in grassed area in front of tower entrance that is used for service congregation and assembly. Plant selection to comprise low groundcovers to enable extensive views through all areas of the memorial gardens. Plant selection to provide seasonal display at following times: - ANZAC Day, and - Remembrance Day. Memorialisation as determined through separate GOVERNANCE project.	Determination of curatorial approach to any memorialisation within the Memorial Gardens is subject to GOVERNANCE project. Heritage review		MEMORIAL WALK STONE EDGE RESTATEMENT AROUND TOWER BASE (Automatic irrigation to grass area around tower base) GOVERNANCE				LOW	Refer Cost Plan	Manager, Infrastructure
PS 01	SIGNAGE	PARK SIGN	Clear identification of memorial park/ park name, in Hillumbik Shire Council (HSC) identity on HSC-type park sign at park access road entry.	Quantity: 1	Memorial park name determination to be undertaken through GOVERNANCE project and subject to naming process outlined by Geographic Names Victoria. Location to be determined on completion of alternate park access road investigation. Heritage review		Subject to outcome of alternate park access road investigation GOVERNANCE				HIGH The park is without a name and the issue is contentious among community groups.	Refer Cost Plan	Manager, Infrastructure
IS 01	SIGNAGE	INTERPRETATIVE SIGN - WAR MEMORIAL	Clear, sensitively designed signage that is integrated with rest of park signage and display material and identifies the war memorial and provides interpretation of its heritage.	Quantity: 1	War memorial name confirmation to be undertaken through GOVERNANCE project and any renaming of the war memorial from 'Kangaroo Ground War Memorial Tower' (registered with Geographic Names Victoria) is subject to naming process outlined by Geographic Names Victoria. Determination of curatorial approach to all interpretative signage and display material, through GOVERNANCE project. Heritage review		GOVERNANCE All other INTERPRETATIVE SIGNS and DISPLAY MATERIAL				With related work	Refer Cost Plan	Manager, Infrastructure
IS 02	SIGNAGE	INTERPRETATIVE SIGN - STONE CARETAKER'S COTTAGE	Clear, sensitively designed signage that is integrated with rest of park signage and display material and identifies the cottage and its function, and provides interpretation of its heritage.	Quantity: 1	Determination of STONE CARETAKER'S COTTAGE RENNOVATION function, use, and curatorial approach to all interpretative signage and display material through GOVERNANCE project. Heritage review		GOVERNANCE STONE CARETAKER'S COTTAGE RENNOVATION All other INTERPRETATIVE SIGNS and DISPLAY MATERIAL				With related work	Refer Cost Plan	Manager, Infrastructure
IS 03	SIGNAGE	INTERPRETATIVE SIGN - MEMORIAL GARDENS	Clear, sensitively designed signage that is integrated with rest of park signage and display material and identifies the Memorial Gardens and provides interpretation of its cultural value.	Quantity: 1	Determination of curatorial approach to all interpretative signage and display material, through GOVERNANCE project. Heritage review		GOVERNANCE All other INTERPRETATIVE SIGNS and DISPLAY MATERIAL				With related work	Refer Cost Plan	Manager, Infrastructure
IS 04	SIGNAGE	INTERPRETATIVE SIGN - MEMORIAL WALK	Clear, sensitively designed signage that is integrated with rest of park signage and display material and identifies the Memorial Walk and provides interpretation of its cultural value and heritage, namely the alignment of the former park road.	Quantity: 1	Determination of curatorial approach to all interpretative signage and display material, through GOVERNANCE project. Heritage review		GOVERNANCE All other INTERPRETATIVE SIGNS and DISPLAY MATERIAL				With related work	Refer Cost Plan	Manager, Infrastructure
IS 05	SIGNAGE	INTERPRETATIVE SIGN - MOOR-RUL THRESHOLD	Clear, sensitively designed signage that is integrated with rest of park signage and display material and identifies connection to the western hillside acquired in 1973, and access to Moor-rul Grasslands, hillside picnic area and Moor-rul Viewing Platform.	Quantity: 1	Determination of curatorial approach to all interpretative signage and display material, through GOVERNANCE project. Heritage review		GOVERNANCE All other INTERPRETATIVE SIGNS and DISPLAY MATERIAL MOOR-RUL THRESHOLD AND DDA ACCESS TO MOOR-RUL VIEWING PLATFORM				With related work	Refer Cost Plan	Manager, Infrastructure
IS 06	SIGNAGE	INTERPRETATIVE SIGN - MOOR-RUL GRASSLANDS	Clear, sensitively designed signage that is integrated with rest of park signage and display material and identifies the grasslands project and provides interpretation of its natural and cultural origins and systems and its management.	Quantity: 1	Determination of curatorial approach to all interpretative signage and display material, through GOVERNANCE project. Heritage review		GOVERNANCE All other INTERPRETATIVE SIGNS and DISPLAY MATERIAL				With related work	Refer Cost Plan	Manager, Infrastructure

Dwg Code	Work Category	Item: Park Feature/Element	Management Intent	Scope of work	Critical implementation requirements	Critical construction sequencing	Associated work in Management Plan	Known site constraints	Heritage notes	Particular Stakeholder Interests	Priority HIGH: 1-3 yrs MEDIUM: 3-5 yrs LOW: 5-7 yrs	Budgetary allowance	NSC Delivery Responsibility Lead
IS 07	SIGNAGE	INTERPRETATIVE SIGN - MOOR-RUL VIEWING PLATFORM	Clear, sensitively designed signage that is integrated with rest of park signage and display material and identifies the viewing platform and provides interpretation of its heritage.	Quantity: 1	Determination of curatorial approach to all interpretative signage and display material, through GOVERNANCE project. Heritage review		GOVERNANCE All other INTERPRETATIVE SIGNS and DISPLAY MATERIAL				HIGH The Moor-rul Viewing Platform appears cut-off from and alien to the original rectangular park.	Refer Cost Plan	Manager, Infrastructure
IS 08	SIGNAGE	INTERPRETATIVE SIGN - CARETAKERS'S RESIDENCE	Clear, sensitively designed signage that is integrated with rest of park signage and display material and identifies the residence and provides interpretation of its heritage.	Quantity: 1	Determination of curatorial approach to all interpretative signage and display material, through GOVERNANCE project. Heritage review		GOVERNANCE All other INTERPRETATIVE SIGNS and DISPLAY MATERIAL				HIGH	Refer Cost Plan	Manager, Infrastructure
DM 01	DISPLAY MATERIAL	INTERPRETATIVE DISPLAY MATERIAL - WAR MEMORIAL FOYER CABINETS	Clear, sensitively designed display material that is integrated with rest of park signage and display material and provides interpretation of lower heritage.	To existing display cabinet	Determination of curatorial approach to all interpretative signage and display material, through GOVERNANCE project. Heritage review		GOVERNANCE All other INTERPRETATIVE SIGNS and DISPLAY MATERIAL				HIGH Existing display panels present information not adequately curated and in poor condition, and appears to be neglected, potentially affecting perception of HSC's interest and care of the lower and park.	Refer Cost Plan	Manager, Community Partnerships
DM 02	DISPLAY MATERIAL	INTERPRETATIVE DISPLAY MATERIAL - MOOR-RUL VIEWING PLATFORM CABINETS	Clear, sensitively designed display material that is integrated with rest of park signage and display material. Interpretation subject(s) to be determined through GOVERNANCE project.	To existing display cabinets	Determination of curatorial approach to all interpretative signage and display material, through GOVERNANCE project. Heritage review		GOVERNANCE All other INTERPRETATIVE SIGNS and DISPLAY MATERIAL				HIGH Existing display panels are empty and appear to be neglected, potentially affecting perception of HSC's interest and care of the park.	Refer Cost Plan	Manager, Community Partnerships
N/A	FURNITURE	BENCH SEATING	One type of timber bench seating throughout park that replaces a variety of ageing seats and establishes one furniture identity in the memorial park that can be maintained. Maintenance of existing seat donor or memorialisation recognition (plaques)	Approved HSC park furniture and installation details, with adequate provision of DDA accessible furniture within park. Bench seat memorialisation and sponsor recognition as determined through separate GOVERNANCE project. Quantity: 7	Determination of curatorial approach to memorialisation and sponsor recognition , through GOVERNANCE project, prior to furniture replacement. Heritage review		GOVERNANCE PICNIC TABLES		Memorialisation Recognition of sponsor		MEDIUM	Refer Cost Plan	Manager, Infrastructure
N/A	FURNITURE	PICNIC TABLES	One type of timber picnic table throughout park that replaces a variety of ageing tables and establishes one furniture identity in the memorial park. Maintenance of existing seat donor or memorialisation recognition (plaques)	Approved HSC park furniture and installation details, with adequate provision of DDA accessible furniture within park. Quantity: 2	Heritage review		BENCH SEATING				MEDIUM	Refer Cost Plan	Manager, Infrastructure
N/A	MAINTENANCE (OPEX)	PARK LANDSCAPE MAINTENANCE	High standard of maintenance, fit for a park of significant heritage value, that keeps the memorial park in good condition for visitation all through the year.	Upgrade to Nillumbik Shire Council 'Priority Sites' maintenance standard classification from 'Amenity' standard.							HIGH Existing 'Amenity standard' maintenance fails to keep memorial park in condition that honours heritage significance and is fit for year-round visitation and important memorial services and events.	\$47,000 p.a.	Manager, Infrastructure

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Appendix C. Draft revised citation

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**CM.120/21 Kangaroo Ground War Memorial Park Draft Management Plan for Council endorsement
for public exhibition**
Attachment 1. Kangaroo Ground War Memorial Park Draft Management Plan 24 August 2021

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**Revised Citation HO49 Memorial Park, 385 Eltham-Yarra Glen Road, Kangaroo Ground
Final Draft (12 October 2020)**



Aerial view of the current Park showing the area of significance in red (the eastern section of land containing the entry is not in Council ownership)

Summary History of the Memorial Park

Prepared by Dr Peter Mills June 2020

The land prior to establishment of the Memorial Park

The area now known as Kangaroo Ground is part of the lands of the Wurundjeri. There is evidence that the landscape of Kangaroo Ground may have been managed by the Wurundjeri with fire to create productive open ground for animals and plants, which also favoured hunting. There is unfortunately little written evidence of other aspects of Wurundjeri occupation of Kangaroo Ground.

Dispossession of the Wurundjeri from their lands by pastoralists began in the mid-1830s. Interpolating from the wider history of dispossession in Victoria, it is likely the Wurundjeri were driven from their lands by a number of strategies and impacts. Squatters actively destroyed Aboriginal people's means of livelihood including their houses, encampments and fish traps. Stock trampled and destroyed Aboriginal food plants and waterholes, and game was driven away. Aboriginal people starved and resorted to killing the squatters' stock, which resulted in violent reprisals. The influx of European population in the gold-rushes only accelerated this process, and the 1850s saw a steady decline in the Aboriginal population in the area.

The Kangaroo Ground run, in which the summit later known as Garden Hill was located, was held by James Donald Bruce from 1840, and by Brown and Draper from 1844-49. Brown and Draper had a fenced-off cultivation area on the ridge 600m to the north of the summit. This part of the Parish of Nillumbik was surveyed in the late 1840s, and at the Crown land sales that followed soon after Allotment 4 Section 2, on which the summit of Garden Hill was located, was purchased by investor George Kirk. Kirk's land was leased by Scottish immigrants Jane and Alexander Thomson and family. Allotment 3 Section 2, just to the east of the summit of Garden Hill, was purchased by Andrew Harkness in 1848.

The open woodland of Kangaroo Ground around Garden Hill was progressively cleared and cultivated. The southern half of Allotment 4, which had been acquired by the Thomsons, was purchased by James and Jane (Stevenson) Mess in 1891. The summit of Garden Hill soon gained a wide reputation as a lookout and picnic area with expansive views in all directions. The Eltham-Yarra Glen Road followed the surveyed government road reserve on the south side Allotments 4 and 3, passing conveniently close to the summit. By the 1880s the Garden Hill summit had become a well-known feature on tours of the district.

Establishing the Memorial Park

After James Mess died in 1901 the property known as 'Garden Hill' was farmed by his sons. Towards the end of World War 1 Eltham Shire councillors began to consider creation of a memorial park with a monument at Garden Hill. Two acres at the southeast corner of Allotment 4 was purchased from the Mess

brothers in 1919 and the land was ploughed and cleared of rocks. Planting of ornamental trees including rows of Cypressess on the four boundaries began in 1920. A small block of land to the east was donated by Frances (Harkness) White to create an entrance road, which was soon marked by a timber archway and gate. The Shire of Eltham Memorial Park was opened in September 1921.

In 1922 a delegation of members of the Panton Hill Returned Sailors and Soldiers Imperial League of Australia attended an Eltham Shire Council meeting and suggested that a memorial to fallen soldiers from the district should be built in the park, taking the form of a cairn of local stone crowned with a monument. The Council allocated £250 to the project, a War Memorial Committee was appointed, and fundraising events followed. The Anzac Day memorial service held in the Memorial Park in 1923 was attended by 1000, starting with a procession of school children and a band from the Shire Hall (then in Kangaroo Ground) to Garden Hill.

A rounded cairn of field stone with a flagstaff above was in place by 1924. That year the Eltham Shire Memorial League was formed to plan and raise funds for a more substantial memorial. A design competition was held with entries invited from Melbourne monumental masons and technical schools, but the resulting proposals were considered too polished, when a more rustic effect was desired. A competition entry design for a 70ft lookout tower in local stone by the shire engineer was chosen.

Local resident Basil Hall recalled in 1963 that at a gathering at his house, presumably soon after the competition, artist Harold Herbert had sketched up a design inspired by watch towers built on the Scottish-English border from the 1450s and ca1600. Architect Percy Meldrum then volunteered to produce architectural drawings. By early 1925 the League had approved Meldrum's drawings for a 50ft tower, and this was reduced to 40ft because of cost constraints. The Shire arranged for sandstone to be brought to the tower site from a quarry on the nearby farm of Dr Ethel and Professor William Osborne. Builder Mr Rousell used cast-concrete quoins and dressings with the local stone as rubble veneer in between. The main structure of the tower was in reinforced concrete.

1500 people attended the opening of the tower on Armistice Day 1926. School children from Eltham, Panton Hill, Hurstbridge, Kangaroo Ground, Research, and Queenstown formed a guard of honour for the Governor General and Lady Stonehaven as they approached the tower and unveiled the temporary honour board painted on the panels on either side of the doorway. A pair of captured German field guns were arranged on either side of the tower in ca1929 but were mysteriously taken away during World War II.

Interwar and World War 2 history of the Memorial Park

With the rise of motor travel, the lookout tower became a very popular stopping point on day tours from Melbourne. A series of returned-soldier caretakers were employed to look after the site, with a one-room caretaker's cottage built in ca1927 from the same local rubble stone as the tower. In September 1930 a "handsome" bronze tablet costing over £100 and bearing the names of the fallen was erected on the tower above arch of the doorway. Returned soldier and ex prize-fighter William 'Tiny' Carroll was the most conspicuous of the early caretakers, living at the tower from c1934 to ca1938 and providing vivid interpretation for visitors.

Four cast iron direction plates were fitted to the lookout balustrades in 1931. The timber doors in the entrance were replaced with wrought iron gates in ca1936. The inside of the tower was painted white in ca1938 in an effort to improve the lighting of the stairs. The park and tower were considered somewhat neglected by 1939, and extensions to the caretaker's cottage to allow a married couple were considered. When the tower was rededicated by the Governor Sir Dallas Brooks in 1951, with new plaques for the names of the fallen in World War II, a new fibro house had been built for the caretakers. The house continues to be leased out to people who agree to take on caretaker duties as part of their residential lease arrangement.

Post World War 2 history of the Memorial Park

The potential of the tower for fire spotting was first canvassed in 1939, but the first spotter started in 1948. In 1966 the need for the addition of a spotter's cabin to the top of the tower was pushed by the Forestry Commission and opposed by the local Returned Services League branches. University of Melbourne architecture professor Brian Lewis and the aging Percy Meldrum advised that a suitable design

would not compromise the tower, and a prefabricated cabin was finally erected by crane in 1974. The Shire of Eltham purchased another block of land to the west in 1973, with the intention of providing better road access to the park.

Another rededication ceremony was held in 2001, with plaques installed to honour the fallen from the Korea, Borneo, Malaya and Vietnam conflicts. In 2008 the Moor-rul viewing platform, which functioned as a lookout for those unable to climb the stairs in the tower, was built on the upper part of the land acquired in 1973. The platform also accommodated interpretation panels. A new fire spotting cabin, this time raised above the original lookout level, was installed in 2010, as well as a new steel spiral staircase inside the tower.

Description

The site

The Memorial Park site consists of the original two acre rectangular park at the top of a hill and a piece of land containing the driveway entry at the south east corner, as well as the triangular piece of land to the west of the park and sloping down toward the Kangaroo Ground township, acquired in 1973.

The original area of the Memorial Park is defined by perimeter plantings of Cypress trees on the north, east and south boundaries, dating back to the 1920s. It is thought these trees were planted as a boundary demarcation but also had a memorial association in that they were evergreens. It is acknowledged that these trees are in poor health and will require replacement within 10 years. Planting of replacement trees that retain the landmark contribution, boundary demarcation and evergreen memorial association would be considered acceptable in retaining the significance of this historical boundary planting.

The War Memorial Tower (opened in 1926) is located at the highest point of the hill with a diagonal pedestrian path leading from the driveway entry to the tower entrance. A small stone clad former caretaker's cottage, built c1927, sits on the northern boundary and the 1951 caretaker's house is located in the north eastern corner and is fenced off from the park with a residential yard around the house.

The driveway is accessed from Eltham-Yarra Glen Road at the south east corner and follows the southern boundary, curving around the south west corner and along the eastern boundary of the original rectangular park to the asphalt car park.



Entrance driveway along southern boundary of the original rectangular park



North west corner car park of the original rectangular park



View towards 2010 toilet building on north boundary of the original rectangular park



View west towards Moor-rul viewing platform

At the top of the later acquired triangular parcel of grassland is the Moor-rul viewing platform, a roofed, steel and timber structure constructed in 2008.

There is a scatter of other memorials on the site including cairns, seats, interpretation panels and a “Lone Pine” planted in 2005.

Seats and tables were added to the site in 2004 and a toilet building located adjacent to the car park on the central north side of the site was constructed in 2005 and replaced the earlier 1969 toilet block.

Other tree species on the site include five Chusan Palms (*Trachycarpus fortunei*), which were planted in 2001 most likely as replacements of the original (7) Cabbage Palms, a Cedar (*Cedrus deodara*) between the tower and the cottage and two early Sugar Gums (*Eucalyptus cladocalyx*) and a Manna Gum (*Eucalyptus viminalis*) to the west of the tower likely to have been planted in the 1920s.

War Memorial Tower



The tower has a square plan and tapers slightly towards the top. The tower has a concrete plinth and has cast-concrete quoins and dressings with local sandstone, quarried from a nearby site, as rubble veneer in between. The main structure of the tower is reinforced concrete. A rendered string-course runs around the tower below the springing line of the arch. Reinforced concrete ring beams are located at the levels of the landings inside the tower. The internal walls still show the lines of formwork for the reinforced concrete structure.

The tower is 16 metres high with an arched entry facing east and a large bronze tablet above the doorway listing 79 names of men from the Shire who died in World War One and 28 from World War Two. Two

bronze plaques with wreaths for the Korea, Borneo Malaya and Vietnam conflicts were installed in the panels on either side of the doorway of the tower in 2001. Because of the 2009 bushfires, the current fire spotting cabin at the top of the tower was installed in 2010 and replaced the previous 1974 fire spotter's cabin, which was a prefabricated structure hoisted onto the top of the tower and that involved the removal of the original stone structure around the rooftop exit door. The old ladders inside the tower were replaced in 2010 with a steel spiral staircase.

A square-shaped area of earth/ grass immediately around the tower base was originally implied and differentiated from the rest of the park by rubble edging (visible in photographs of the tower in the 1930s). The square-shaped area around the tower base was formalised in 1994 by leveling the area and defining it with a low stone retaining wall (replacing the original rubble edging), and the entry to the tower paved. Rosemary planting has been added along the top of the stone retaining wall.

c.1927 Caretakers Cottage



The single room caretaker's cottage is also randomly course rubble sandstone stone facing over cast concrete walls. The rubble sandstone was most likely left over from construction of the tower. It has a simple gable roof clad in terracotta Marseille tiles. It has a single door and window on the front (south) elevation and a chimney on the west end.

1951 Caretaker's Residence



The 1951 caretaker's residence has a t-shaped plan and is constructed of rendered brick walls with intersecting gable roofs clad in corrugated iron and timber framed openings. The residence has four rooms and separate yard bounded by a timber-paling fence.

Comparative Analysis

Other surviving World War 1 Memorials in Nillumbik Shire are as follows:

- The Eltham Avenue of Honour. An avenue of London Plane trees planted in Main Road Eltham by volunteers in 1917.
- An Avenue of Honour was planted at Hurstbridge in August 1918.
- An Avenue of Honour was planted at Panton Hill.
- In Hurstbridge a Memorial Park was created in 1923 on ten acres of land adjacent to the railway, which was purchased from Sharp's orchards. Volunteers built sports ovals and a picnic area.

- The Christmas Hills Memorial Park was planted with Oaks and Kurrajongs and equipped with garden seats.
- Yarrambat's War Memorial Park is located in Yan Yean Road.
- The Eltham World War 1 Memorial (HO249) was a granite obelisk that was erected in a prominent position at the corner of Main Road and Bridge Street in 1919. It was moved to the front of the Eltham RSL building in the 1950s, and to a new Main Road site in 2012.
- The citizens of Diamond Creek erected a red-granite column in Collins Street Diamond Creek in 1921. In 1996 this memorial was relocated to Main Street and re-dedicated to cover the loss of all lives in conflicts since the Great War.
- The residents of Panton Hill chose to erect a Soldiers Memorial Cross (HO96) in the yard of St Matthews Church of England opposite the Soldiers' Memorial Hall, which was dedicated in 1926.
- A granite tablet memorial was unveiled in the Christmas Hills Memorial Park in 1921.
- The Diamond Creek Memorial Hall was opened in 1918.

Although there were other impressive parks and memorials constructed in the Shire following World War 1, the Memorial Park and War Memorial Tower has more significance to the whole Shire due to its establishment and construction as a whole of Shire memorial honouring all of those in the Shire who served and died in the wars rather than just from an individual town or locality within the Shire. In addition, the construction of the War Memorial Tower at the summit of the park as a memorial to those who died was seen as the highlight of the Shire's inter-war memorial building activity. A Shire holiday was declared for the opening of the tower on Armistice Day 1926. It is also distinctive as an all-encompassing memorial site with a park and monument rather than just one of these.

The War Memorial Tower, constructed in 1926, is one of only six War Memorial Towers constructed in Victoria to memorialise World War 1. The Kangaroo Ground Memorial is unusual in its location in a rural rather than town setting and its rustic styling compared to the more formal other examples. Apart from the water tower at Portland, which had the lookout function added at a much later date (1996), the Kangaroo Tower is the only other lookout tower of these examples. The other five memorial towers are shown below:



Ringwood War Memorial Clock tower 1928



Bright War Memorial Clock Tower 1929



Woodend War Memorial Clock Tower 1927



Mildura war memorial clock tower 1921



Portland War Memorial Lookout Tower – the 1930s water tower was converted to a memorial lookout at 50th anniversary of end of WW 2 - 1996

Analysis of Significance

The Heritage Council of Victoria has adopted a set of criteria to be used when assessing cultural heritage significance. The criteria have been nationally endorsed by the Heritage Chairs and Officials of Australia and New Zealand.

Criterion A:

Importance to the course, or pattern, of Nillumbik Shire's cultural history.

The Memorial Park is historically significant for its role in civic commemoration of all those who enlisted in the wars, from the former Shire of Eltham. The park, established in 1921 following World War One, as the 'Shire of Eltham Memorial Park', intended to serve the whole Shire rather than an individual town or locality. In addition, the construction of the War Memorial Tower at the summit of the park as a memorial to those who died was the highlight of the Shire's inter-war memorial building activity. A Shire holiday was declared for the opening of the tower on Armistice Day 1926.

The Memorial Park and War Memorial Tower are of historical significance for demonstrating the promotion of the idea that the war effort of the young nation proved its right to be on the world stage. The visiting governors and bishops were the symbolic carriers of this knowledge. This nationalistic role was linked in speeches to the view from the lookout of the successfully settled land.

The Memorial Park is of historical significance as a site that has been used as a tourist and picnic destination since at least the 1860s, long before the establishment of the Memorial Park and when the popular summit lookout was known as Garden Hill. This role of the site as a tourist and picnic destination that is further enhanced by the presence of a lookout tower, continues to the present day.

The Memorial Park is of historical significance for its association with the repatriation scheme for returned soldiers who were employed to establish and maintain the grounds as well as employed as caretakers, first living in the Caretaker's Cottage constructed c1927 and later in the larger residence constructed in 1951. The Caretaker's residences also indicate the importance of the park to the Shire indicating that it had to be cared for and demonstrating those early methods of care with an on-site caretaker.

The Memorial Park is of historical significance for its role in the fire history of the area with the use of the tower for fire spotting since 1939 to the present day.

Criterion B:

Possession of uncommon, rare or endangered aspects of Nillumbik Shire's cultural history.

The War Memorial Tower is of significance as a rare form of a World War One memorial, which more commonly took the form of a stone obelisk located in the centre of a town. There are only five other known War Memorial Lookout Towers in the State. The War Memorial Tower is also unusual for its rustic architectural expression using local rubble stone and minimal ornamentation, which was purposefully chosen for the tower, to reflect the largely rural character of the Shire and to set it apart from the more polished urban manifestations of memorialisation.

Criterion C:

Potential to yield information that will contribute to an understanding of Nillumbik Shire's cultural history.

None identified.

Criterion D:

Importance in demonstrating the principal characteristics of a class of cultural places and objects.

None identified.

Criterion E:

Importance in exhibiting particular aesthetic characteristics.

The Memorial Park is of aesthetic significance for its setting on a prominent hill with landmark evergreen plantings (Cypress trees) to the north, south and west boundaries of the original park, other specimen plantings and stone tower at the highest point offering magnificent views of the district. The views to the west of the site through the 1973 purchase of the triangular piece of land, contributes to this setting.

The War Memorial Tower and c.1927 Caretaker's Cottage are of aesthetic significance for their rustic styling and use of random rubble stone quarried locally, reflecting the largely rural character of the former Shire of Eltham.

The fire spotter's cabin on the top of this tower installed originally in 1974 and replaced with the current cabin in 2010 detrimentally impacts on this aesthetic significance.

Criterion F:

Importance in demonstrating a high degree of creative or technical achievement at a particular period.

None identified.

Criterion G:

Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons. This includes the significance of a place to Indigenous peoples as part of their continuing and developing cultural traditions.

None identified.

Criterion H:

Special association with the life or works of a person, or group of persons, of importance in Nillumbik's history.

The Memorial Park is of social significance as a commemorative focus for the Nillumbik community to remember those who fought in the Wars. The primary role of a memorial was to enable commemoration of the enlisted and fallen. In the early years there was great immediacy with the presence of the parents of the fallen at the services.

The Memorial Park is of social significance for its representation of community strength demonstrated by the involvement of locals in its establishment through community committees and leagues, fund raising efforts and continuing community involvement in its care and how it has evolved. This is also demonstrated in the ongoing need to honour, memorialise and tell stories at the site, including the need to acknowledge the previously unacknowledged traditional owners of the land, which saw the construction of the Moor-rul viewing platform in 2008.

The Moor-rul viewing platform also extends the educative role the site has played in teaching children and other visitors, initially about the young nation and ideas of loyalty and duty but also providing stories of the developing nation and its changing values over time.

Statement of Cultural Heritage Significance

What is significant?

The Memorial Park at 385 Eltham-Yarra Glen Road, Kangaroo Ground including, the original rectangular park, triangular parcel of land acquired in 1973, eastern parcel of land containing the driveway entry, the 1926 War Memorial Tower, c.1927 Caretaker's Cottage, 1951 Caretaker's Residence, diagonal path to the tower, Cypress trees to the north, west and south boundaries of the original rectangular park, Cedar (*Cedrus deodara*) between the tower and the cottage and two early Sugar Gums (*Eucalyptus cladocalyx*) and Manna Gum (*Eucalyptus viminalis*) to the west of the tower.

How is it significant?

The Memorial Park at 385 Eltham-Yarra Glen Road, Kangaroo Ground is historically, aesthetically and socially significant to Nillumbik Shire.

Why is it significant?

The Memorial Park is historically significant for its role in civic commemoration of all those who enlisted in the wars, from the former Shire of Eltham. The park, established in 1921 following World War One, as the 'Shire of Eltham Memorial Park', intended to serve the whole Shire rather than an individual town or locality. In addition, the construction of the War Memorial Tower at the summit of the park as a memorial to those who died was the highlight of the Shire's inter-war memorial building activity. A Shire holiday was declared for the opening of the tower on Armistice Day 1926.

The Memorial Park and War Memorial Tower are of historical significance for demonstrating the promotion of the idea that the war effort of the young nation proved its right to be on the world stage. The visiting governors and bishops were the symbolic carriers of this knowledge. This nationalistic role was linked in speeches to the view from the lookout of the successfully settled land.

The Memorial Park is of historical significance as a site that has been used as a tourist and picnic destination since at least the 1860s, long before the establishment of the Memorial Park and when the popular summit lookout was known as Garden Hill. This role of the site as a tourist and picnic destination that is further enhanced by the presence of a lookout tower, continues to the present day.

The Memorial Park is of historical significance for its association with the repatriation scheme for returned soldiers who were employed to establish and maintain the grounds as well as employed as caretakers, first living in the Caretaker's Cottage constructed c.1927 and later in the larger residence constructed in 1951. The Caretaker's residences also indicate the importance of the park to the Shire indicating that it had to be cared for and demonstrating those early methods of care with an on-site caretaker.

The Memorial Park is of historical significance for its role in the fire history of the area with the use of the tower for fire spotting since 1939 to the present day.

The War Memorial Tower is of significance as a rare form of a World War One memorial, which more commonly took the form of a stone obelisk located in the centre of a town. There are only five other known War Memorial Lookout Towers in the State. The War Memorial Tower is also unusual for its rustic architectural expression using local rubble stone and minimal ornamentation, which was purposefully

chosen for the tower, to reflect the largely rural character of the Shire and to set it apart from the more polished urban manifestations of memorialisation.

The Memorial Park is of aesthetic significance for its setting on a prominent hill with landmark evergreen plantings (Cypress trees) to the north, south and west boundaries of the original park, other specimen plantings and stone tower at the highest point offering magnificent views of the district. The views to the west of the site through the 1973 purchase of the triangular piece of land, contributes to this setting.

The War Memorial Tower and c.1927 Caretaker's Cottage are of aesthetic significance for their rustic styling and use of random rubble stone quarried locally, reflecting the largely rural character of the former Shire of Eltham. The fire spotter's cabin on the top of this tower installed originally in 1974 and replaced with the current cabin in 2010 detrimentally impacts on this aesthetic significance.

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The Memorial Park is of social significance for its representation of community strength demonstrated by the involvement of locals in its establishment, through community committees and leagues, fund raising efforts and continuing community involvement in its care and how it has evolved. This is also demonstrated in the ongoing need to honour, memorialise and tell stories at the site, including the need to acknowledge the previously unacknowledged traditional owners of the land, which saw the construction of the Moor-rul viewing platform in 2008.

The Moor-rul viewing platform also extends the educative role the site has played in teaching children and other visitors, initially about the young nation and ideas of loyalty and duty but also providing stories of the developing nation and its changing values over time.

Recommended Heritage Overlay Revisions

It is recommended that the proposed revised Statement of Significance be adopted to accompany the listing of this place in the Nillumbik Shire Heritage Overlay, replacing the existing Statement of Significance.

The following revised Heritage Overlay Schedule entries are recommended for the place:

Name – Memorial Park, 385 Eltham-Yarra Glen Road, Kangaroo Ground

External Paint Controls – No

Internal Alteration Controls – No

Tree Controls – Cypress trees to the north, west and south boundaries of the original park, Cedar (*Cedrus deodara*) between the tower and the cottage, two early Sugar Gums (*Eucalyptus cladocalyx*) and a Manna Gum (*Eucalyptus viminalis*) west of the tower.

Fences & Outbuildings – War Memorial Tower, Stone Caretakers Cottage

Prohibited Uses May Be Permitted – Yes

The recommended revised (increased) extent for the HO49 Heritage Overlay listing is provided below:



Appendix D. Cost Plan

DRAFT



Kangaroo Ground War Memorial Park Management Plan

Nilumbik Shire Council Draft Management Plan Cost Plan 01

2nd August, 2021

37–41 Prospect Street
Box Hill VIC 3128

T +61 3 9899 0411

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PROJECT SUMMARY



Project: KANGAROO GROUND WAR MEMORIAL PARK
Cost Plan: DRAFT MANAGEMENT PLAN COST PLAN 01

No.	Item Description	Proj Cost %	Quantity	Rate	Total
1	NOTES AND EXCLUSIONS	0.00			0
2	PATHWAY TO VIEWING PLATFORM	3.73	110	431.63	47,479
3	TOWER WORKS	3.81	31	1,564.52	48,500
4	CARETAKERS COTTAGE	7.96	20	5,075.00	101,500
5	TREE REPLACEMENT WORKS	18.35	30	7,798.67	233,960
6	TREE REMOVAL WORKS (INTERNAL TREES)	1.57	3	6,666.67	20,000
7	STONE EDGING AT TOWER BASE	4.38	162	344.14	55,750
8	MEMORIAL WALK	17.28	1,934	113.92	220,315
9	MEMORIAL GARDENS	26.77	3,521	96.95	341,346
10	SIGNAGE - PARK	1.34	1	17,000.00	17,000
11	SIGNAGE - WAR MEMORIAL	1.06	1	13,500.00	13,500
12	SIGNAGE - CARETAKERS COTTAGE	0.67	1	8,500.00	8,500
13	SIGNAGE - MEMORIAL GARDENS	0.67	1	8,500.00	8,500
14	SIGNAGE - MEMORIAL WALK	0.67	1	8,500.00	8,500
15	SIGNAGE - WESTERN PARK THRESHOLD	0.67	1	8,500.00	8,500
16	SIGNAGE - MOOR-RUL GRASSLANDS	0.67	1	8,500.00	8,500
17	SIGNAGE - MOOR-RUL VIEWING PLATFORM	0.67	1	8,500.00	8,500
18	SIGNAGE - CARETAKERS RESIDENCE	0.67	1	8,500.00	8,500
19	SIGNAGE - WAR MEMORIAL CABINET	0.67	1	8,500.00	8,500
20	SIGNAGE - MOOR-RUL VIEWING PLATFORM CABINETS	2.44	16	1,937.50	31,000
21	BENCH SEATING	2.20	6	4,666.67	28,000
22	PICNIC TABLES	3.85	6	8,166.67	49,000
	ESTIMATED TOTAL PROJECT COST (EXCLUDING ALL ACCESS ROAD OPTIONS)		5,778	220.73	1,275,350
	GFA: 0.00 m2		100		1,275,350

DETAILED COST PLAN



Project: KANGAROO GROUND WAR MEMORIAL PARK
Cost Plan: DRAFT MANAGEMENT PLAN COST PLAN 01

No.	Item Description	Quantity	Unit	Rate	Total
NOTES AND EXCLUSIONS					
NOTES					
Generally					
1	Assumes a competitive tender process to four or more appropriately sized and interested contractors under an industry standard lump sum contract tendered within 12 months		note		
2	This cost plan includes services allowances by Wilde and Woollard. Wilde and Woollard are not specialised in services design and estimating thus we recommend all figures are confirmed by a specialist services consultant		note		
This cost plan has been based on the following documentation:-					
Architectural					
3	KGWMP Management Plan - Plan of Works (P1) - For Draft 01 Costing and Schedule of Works received 23rd April, 2021.		note		
4	Emails from NSC received between 28th April and 3rd May, 2021		note		
5	Emails from NSC received 14th May, 2021		note		
Reports					
6	FG Dixon Group Condition Inspection Report dated 3rd June, 2019				
Structural					
7	Nothing provided		note		
Mechanical					
8	Nothing provided		note		
Electrical					
9	Nothing provided		note		
Hydraulic					
10	Nothing provided		note		
Civil					
11	CivilTest soil investigation and pavement design report No. 1171043 received 20th August 2020		note		
Fire					
12	Nothing provided		note		
Landscaping					
13	Refer Architectural		note		

DETAILED COST PLAN



Project: KANGAROO GROUND WAR MEMORIAL PARK
Cost Plan: DRAFT MANAGEMENT PLAN COST PLAN 01

No.	Item Description	Quantity	Unit	Rate	Total
NOTES AND EXCLUSIONS					(Continued)
NOTES					(Continued)
NOTES TOTAL					0
EXCLUSIONS					
EXCLUSIONS					
The following has been excluded from this cost plan:-					
14	Access road options		note		
15	The cost plan is based on current known construction cost data and excludes any effects that COVID-19 (Coronavirus) will have on the construction tender market including availability of imported materials.		note		
16	Adverse market conditions including saturation of work in market place and non competitive sub-contractor prices		note		
17	Authorities Fees and Charges, unless scheduled. Allowances for Authorities Fees and Charges (over and above the allowances included for scheduled items, would need to be made, if value of project works is over \$1 million and scheduled allowances for Authorities and Charges are inadequate		note		
18	Our estimate is based on competitive quantitative tender criteria only. Allowances or factors for higher priced tenders being selected on qualitative criteria has not been allowed		note		
19	Removal and replacement of hazardous materials including asbestos and contaminated soil		note		
20	Excavation, removal and replacement of rock, building rubble, inground structures etc. - other than those noted		note		
21	Excavation, removal and replacement of soft spots		note		
22	Upgrading or diversion of existing services other than allowances for lowering existing services as noted		note		
23	Site infrastructure works beyond the site boundary not indicated		note		
24	Work to the war memorial		note		
25	Full removal of existing access road		note		
26	Irrigation to park areas not identified in the cost plan		note		
27	Cost escalation beyond 12 months		note		
28	Out of hours work		note		
29	On-going park maintenance costs beyond 12 month establishment periods for new works		note		
30	Goods and services tax (GST)		note		
EXCLUSIONS TOTAL					0
NOTES AND EXCLUSIONS TOTAL					0

DETAILED COST PLAN



Project: KANGAROO GROUND WAR MEMORIAL PARK
Cost Plan: DRAFT MANAGEMENT PLAN COST PLAN 01

No.	Item Description	Quantity	Unit	Rate	Total
PATHWAY TO VIEWING PLATFORM					
XP	32 SITE PREPARATION				
	SITE DEMOLITION				
31	Demolition of existing pavements, etc	1	item	5,000.00	5,000
	SITE PREPARATION				
32	Allow for site clearing of all rubbish and vegetation where new works to occur	1	item	1,000.00	1,000
	EARTHWORKS				
	Pavements				
33	300 Deep excavation to pavement areas	134	m2	15.00	2,010
34	Trim, grade and compact	134	m2	5.00	670
	32 SITE PREPARATION TOTAL				8,680
XR	33 ROADS, FOOTPATHS AND PAVED AREAS				
	ASPHALT PAVEMENTS				
35	Asphalt pavement including 150 deep cement stabilised existing subgrade, 100 deep Class 2 crushed rock, 140 deep Class 2 crushed rock, primer and 60 deep asphalt	134	m2	120.00	16,079
36	Allow for steel edging to asphalt pavement	92	m	35.00	3,220
37	Pram crossing	1	no	2,500.00	2,500
	33 ROADS, FOOTPATHS AND PAVED AREAS TOTAL				21,799
PR	00 PRELIMINARIES				
	PRELIMINARIES				
38	Allow for builder's preliminaries	1		3,000.00	3,000
	00 PRELIMINARIES TOTAL				3,000
YY	46 DESIGN CONTINGENCY				
	DESIGN CONTINGENCY				
39	Allow for design contingency	1		4,000.00	4,000
	46 DESIGN CONTINGENCY TOTAL				4,000
YY	46 OTHER PROJECT COSTS				
	ESCALATION TO TENDER				
40	Allow for cost escalation to Tender (allow 12 months @ 3% p.a)	1	item	2,000.00	2,000
	CONSTRUCTION CONTINGENCY				
41	Allow for construction contingency @ 5.0%	1	item	2,000.00	2,000
	PROFESSIONAL FEES				
42	Allow for Professional Fees @ 12%	1	item	5,000.00	5,000

DETAILED COST PLAN



Project: KANGAROO GROUND WAR MEMORIAL PARK
Cost Plan: DRAFT MANAGEMENT PLAN COST PLAN 01

No.	Item Description	Quantity	Unit	Rate	Total
PATHWAY TO VIEWING PLATFORM					(Continued)
YY	46 OTHER PROJECT COSTS				(Continued)
INSURANCES					
43	Allow for insurances (Provisional Sum)	1	item	1,000.00	1,000
AUTHORITIES FEES AND CHARGES					
44	Allow for authorities fees and charges, permits, planting offset payments, etc (Provisional Sum)	1	item		Excluded
46 OTHER PROJECT COSTS TOTAL					10,000
PATHWAY TO VIEWING PLATFORM TOTAL					47,479

DETAILED COST PLAN



Project: KANGAROO GROUND WAR MEMORIAL PARK
Cost Plan: DRAFT MANAGEMENT PLAN COST PLAN 01

No.	Item Description	Quantity	Unit	Rate	Total
TOWER WORKS					
AR	31 ALTERATIONS AND RENOVATIONS				
	REMOVAL OF EXISTING EQUIPMENT				
45	Allow for removal of existing equipment in Tower foyer including making good (Provisional Sum)	1	item	10,000.00	10,000
	PAINTING OF FIRE SPOTTERS CABIN				
46	Allow for painting of Fire Spotters Cabin including access via boom lift (Provisional Sum)	1	item	20,000.00	20,000
	31 ALTERATIONS AND RENOVATIONS TOTAL				30,000
PR	00 PRELIMINARIES				
	PRELIMINARIES				
47	Allow for builder's preliminaries	1	item	3,000.00	3,000
	00 PRELIMINARIES TOTAL				3,000
YY	46 DESIGN CONTINGENCY				
	DESIGN CONTINGENCY				
48	Allow for design contingency	1	item	4,000.00	4,000
	46 DESIGN CONTINGENCY TOTAL				4,000
YY	46 OTHER PROJECT COSTS				
	ESCALATION TO TENDER				
49	Allow for cost escalation to Tender (allow 12 months @ 3% p.a)	1	item	2,000.00	2,000
	CONSTRUCTION CONTINGENCY				
50	Allow for construction contingency @ 5.0%	1	item	2,000.00	2,000
	PROFESSIONAL FEES				
51	Allow for Professional Fees @ 12%	1	item	5,000.00	5,000
	INSURANCES				
52	Allow for insurances (Provisional Sum)	1	item	2,500.00	2,500
	AUTHORITIES FEES AND CHARGES				
53	Allow for authorities fees and charges, permits, planting offset payments, etc (Provisional Sum)	1	item		Excluded
	46 OTHER PROJECT COSTS TOTAL				11,500
	TOWER WORKS TOTAL				48,500

DETAILED COST PLAN



Project: KANGAROO GROUND WAR MEMORIAL PARK
Cost Plan: DRAFT MANAGEMENT PLAN COST PLAN 01

No.	Item Description	Quantity	Unit	Rate	Total
CARETAKERS COTTAGE					
AR	31 ALTERATIONS AND RENOVATIONS				
	RESTORATION OF CARETAKERS COTTAGE				
54	Allow for restoration works to existing Caretakers Cottage (within existing footprint only) including temporary propping, removal and reinstatement of roof, replacement of damaged timber structural elements to roof, ceiling and floor, replacement of door, repair of cracking stone walls, removal of vegetation growing over walls, repairs to roof tiles, drainage works to redirect water from door, etc	1	item	60,000.00	60,000
	31 ALTERATIONS AND RENOVATIONS TOTAL				60,000
PR	00 PRELIMINARIES				
	PRELIMINARIES				
55	Allow for builder's preliminaries	1	item	6,000.00	6,000
	00 PRELIMINARIES TOTAL				6,000
YY	46 DESIGN CONTINGENCY				
	DESIGN CONTINGENCY				
56	Allow for design contingency	1	item	7,000.00	7,000
	46 DESIGN CONTINGENCY TOTAL				7,000
YY	46 OTHER PROJECT COSTS				
	ESCALATION TO TENDER				
57	Allow for cost escalation to Tender (allow 12 months @ 3% p.a)	1	item	3,000.00	3,000
	CONSTRUCTION CONTINGENCY				
58	Allow for construction contingency @ 5.0%	1	item	4,000.00	4,000
	PROFESSIONAL FEES				
59	Allow for Professional Fees @ 12%	1	item	9,000.00	9,000
	INSURANCES				
60	Allow for insurances (Provisional Sum)	1	item	2,500.00	2,500
	AUTHORITIES FEES AND CHARGES				
61	Allow for authorities fees and charges, permits, planting offset payments, etc (Provisional Sum)	1	item	10,000.00	10,000
	46 OTHER PROJECT COSTS TOTAL				28,500
	CARETAKERS COTTAGE TOTAL				101,500

DETAILED COST PLAN



Project: KANGAROO GROUND WAR MEMORIAL PARK
Cost Plan: DRAFT MANAGEMENT PLAN COST PLAN 01

No.	Item Description	Quantity	Unit	Rate	Total
TREE REPLACEMENT WORKS					
XP	32 SITE PREPARATION				
	TREE REMOVAL				
62	Allow for removal of existing trees/shrubs including grubbing out roots and removing from site	53	no	2,500.00	132,500
	32 SITE PREPARATION TOTAL				132,500
XL	36 LANDSCAPING AND IMPROVEMENTS				
	MULCHED AREA				
63	75 deep mulch below new trees	996	m2	10.00	9,960
	TREES				
64	Evergreen tree (40L)	30	no	150.00	4,500
	MAINTENANCE				
65	Allow for maintenance to trees (2 years)	1	item	7,000.00	7,000
	36 LANDSCAPING AND IMPROVEMENTS TOTAL				21,460
PR	00 PRELIMINARIES				
	PRELIMINARIES				
66	Allow for builder's preliminaries	1		14,000.00	14,000
	00 PRELIMINARIES TOTAL				14,000
YY	46 DESIGN CONTINGENCY				
	DESIGN CONTINGENCY				
67	Allow for design contingency	1		17,000.00	17,000
	46 DESIGN CONTINGENCY TOTAL				17,000
YY	46 OTHER PROJECT COSTS				
	ESCALATION TO TENDER				
68	Allow for cost escalation to Tender (allow 12 months @ 3% p.a)	1	item	6,000.00	6,000
	CONSTRUCTION CONTINGENCY				
69	Allow for construction contingency @ 5.0%	1	item	10,000.00	10,000
	PROFESSIONAL FEES				
70	Allow for Professional Fees @ 12%	1	item	23,000.00	23,000
	INSURANCES				
71	Allow for insurances (Provisional Sum)	1	item	5,000.00	5,000
	AUTHORITIES FEES AND CHARGES				
72	Allow for authorities fees and charges, permits, planting offset payments, etc (Provisional Sum)	1	item	5,000.00	5,000
	46 OTHER PROJECT COSTS TOTAL				49,000

DETAILED COST PLAN



Project: KANGAROO GROUND WAR MEMORIAL PARK
Cost Plan: DRAFT MANAGEMENT PLAN COST PLAN 01

No.	Item Description	Quantity	Unit	Rate	Total
TREE REPLACEMENT WORKS					(Continued)
TREE REPLACEMENT WORKS TOTAL					233,960

DETAILED COST PLAN



Project: KANGAROO GROUND WAR MEMORIAL PARK
Cost Plan: DRAFT MANAGEMENT PLAN COST PLAN 01

No.	Item Description	Quantity	Unit	Rate	Total
TREE REMOVAL WORKS (INTERNAL TREES)					
XP	32 SITE PREPARATION				
	TREE REMOVAL				
73	Allow for removal of existing trees/shrubs including grubbing out roots and removing from site	3	no	2,500.00	7,500
	32 SITE PREPARATION TOTAL				7,500
PR	00 PRELIMINARIES				
	PRELIMINARIES				
74	Allow for builder's preliminaries	1		1,000.00	1,000
	00 PRELIMINARIES TOTAL				1,000
YY	46 DESIGN CONTINGENCY				
	DESIGN CONTINGENCY				
75	Allow for design contingency	1		1,000.00	1,000
	46 DESIGN CONTINGENCY TOTAL				1,000
YY	46 OTHER PROJECT COSTS				
	ESCALATION TO TENDER				
76	Allow for cost escalation to Tender (allow 12 months @ 3% p.a)	1	item	1,000.00	1,000
	CONSTRUCTION CONTINGENCY				
77	Allow for construction contingency @ 5.0%	1	item	1,000.00	1,000
	PROFESSIONAL FEES				
78	Allow for Professional Fees @ 12%	1	item	2,000.00	2,000
	INSURANCES				
79	Allow for insurances (Provisional Sum)	1	item	1,500.00	1,500
	AUTHORITIES FEES AND CHARGES				
80	Allow for authorities fees and charges, permits, planting offset payments, etc (Provisional Sum)	1	item	5,000.00	5,000
	46 OTHER PROJECT COSTS TOTAL				10,500
	TREE REMOVAL WORKS (INTERNAL TREES) TOTAL				20,000

DETAILED COST PLAN



Project: KANGAROO GROUND WAR MEMORIAL PARK
Cost Plan: DRAFT MANAGEMENT PLAN COST PLAN 01

No.	Item Description	Quantity	Unit	Rate	Total
STONE EDGING AT TOWER BASE					
XP	32 SITE PREPARATION				
	SITE PREPARATION				
81	Demolition of existing garden beds and Rosemary hedge	97	m2	10.00	970
	32 SITE PREPARATION TOTAL				970
XN	34 BOUNDARY WALLS, FENCING AND GATES				
	REINSTATE ROCK PLINTH				
82	Allow to remove existing and reinstate new rock edging to war memorial	49	m	650.00	31,850
	34 BOUNDARY WALLS, FENCING AND GATES TOTAL				31,850
XL	36 LANDSCAPING AND IMPROVEMENTS				
	GRASSED AREAS				
83	Make good to existing lawn including aeration, fertiliser and top dressing as required	162	m2	15.00	2,430
	36 LANDSCAPING AND IMPROVEMENTS TOTAL				2,430
PR	00 PRELIMINARIES				
	PRELIMINARIES				
84	Allow for builder's preliminaries	1		4,000.00	4,000
	00 PRELIMINARIES TOTAL				4,000
YY	46 DESIGN CONTINGENCY				
	DESIGN CONTINGENCY				
85	Allow for design contingency	1		4,000.00	4,000
	46 DESIGN CONTINGENCY TOTAL				4,000
YY	46 OTHER PROJECT COSTS				
	ESCALATION TO TENDER				
86	Allow for cost escalation to Tender (allow 12 months @ 3% p.a)	1	item	2,000.00	2,000
	CONSTRUCTION CONTINGENCY				
87	Allow for construction contingency @ 5.0%	1	item	3,000.00	3,000
	PROFESSIONAL FEES				
88	Allow for Professional Fees @ 12%	1	item	6,000.00	6,000
	INSURANCES				
89	Allow for insurances (Provisional Sum)	1	item	1,500.00	1,500
	AUTHORITIES FEES AND CHARGES				
90	Allow for authorities fees and charges, permits, planting offset payments, etc (Provisional Sum)	1	item		Excluded

DETAILED COST PLAN



Project: KANGAROO GROUND WAR MEMORIAL PARK
Cost Plan: DRAFT MANAGEMENT PLAN COST PLAN 01

No.	Item Description	Quantity	Unit	Rate	Total
	STONE EDGING AT TOWER BASE				(Continued)
YY 46	OTHER PROJECT COSTS				(Continued)
	46 OTHER PROJECT COSTS TOTAL				12,500
	STONE EDGING AT TOWER BASE TOTAL				55,750

DETAILED COST PLAN



Project: KANGAROO GROUND WAR MEMORIAL PARK
Cost Plan: DRAFT MANAGEMENT PLAN COST PLAN 01

No.	Item Description	Quantity	Unit	Rate	Total
MEMORIAL WALK					
XP	32 SITE PREPARATION				
	SITE DEMOLITION				
91	Demolition of part-existing access road including saw cutting	1,464	m2	30.00	43,920
	SITE PREPARATION				
92	Allow for site clearing of all rubbish and vegetation where new works to occur	470	m2	1.00	470
	EARTHWORKS				
	Landscaped Area (Excluding Grasslands and Existing Lawn Areas)				
93	Excavation to landscape area including decompaction	470	m2	4.00	1,880
94	Trim and grade	470	m2	1.50	705
	32 SITE PREPARATION TOTAL				46,975
XL	36 LANDSCAPING AND IMPROVEMENTS				
	GARDEN BEDS				
95	Garden bed including cultivation, soil conditioner, fertiliser, 300 deep topsoil, 75 deep mulch and ground cover planting at 4 x 140 diameter pots/m2 and edging	470	m2	122.00	57,340
96	Establishment and maintenance - 12 months	1	item	11,500.00	11,500
	IRRIGATION				
97	Allow for irrigation to garden beds	1	item	10,000.00	10,000
	SUNDRIES				
98	Allow for new memorial plaques including concrete plinths (Provisional Sum)	1	item	24,000.00	24,000
	36 LANDSCAPING AND IMPROVEMENTS TOTAL				102,840
PR	00 PRELIMINARIES				
	PRELIMINARIES				
99	Allow for builder's preliminaries	1		14,000.00	14,000
	00 PRELIMINARIES TOTAL				14,000
YY	46 DESIGN CONTINGENCY				
	DESIGN CONTINGENCY				
100	Allow for design contingency	1		17,000.00	17,000
	46 DESIGN CONTINGENCY TOTAL				17,000
YY	46 OTHER PROJECT COSTS				
	ESCALATION TO TENDER				
101	Allow for cost escalation to Tender (allow 12 months @ 3% p.a)	1	item	6,000.00	6,000
	CONSTRUCTION CONTINGENCY				

DETAILED COST PLAN



Project: KANGAROO GROUND WAR MEMORIAL PARK
Cost Plan: DRAFT MANAGEMENT PLAN COST PLAN 01

No.	Item Description	Quantity	Unit	Rate	Total
MEMORIAL WALK					(Continued)
YY	46 OTHER PROJECT COSTS				
					(Continued)
102	Allow for construction contingency @ 5.0%	1	item	10,000.00	10,000
PROFESSIONAL FEES					
103	Allow for Professional Fees @ 12%	1	item	22,000.00	22,000
INSURANCES					
104	Allow for insurances (Provisional Sum)	1	item	1,500.00	1,500
AUTHORITIES FEES AND CHARGES					
105	Allow for authorities fees and charges, permits, planting offset payments, etc (Provisional Sum)	1	item		Excluded
46 OTHER PROJECT COSTS TOTAL					39,500
MEMORIAL WALK TOTAL					220,315

DETAILED COST PLAN



Project: KANGAROO GROUND WAR MEMORIAL PARK
Cost Plan: DRAFT MANAGEMENT PLAN COST PLAN 01

No.	Item Description	Quantity	Unit	Rate	Total
MEMORIAL GARDENS					
XP	32 SITE PREPARATION				
	SITE PREPARATION				
106	Allow for site clearing of all rubbish and vegetation where new works to occur	3,521	m2	1.00	3,521
	EARTHWORKS				
	Landscaped Area (Excluding Grasslands and Existing Lawn Areas)				
107	Excavation to landscape area	3,521	m2	2.00	7,042
108	Trim and grade	3,521	m2	1.50	5,282
	32 SITE PREPARATION TOTAL				15,845
XL	36 LANDSCAPING AND IMPROVEMENTS				
	GRASSED AREAS				
109	Make good to existing lawn including aeration, fertiliser and top dressing as required	2,521	m2	5.00	12,605
	GARDEN BEDS				
110	Garden bed including cultivation, soil conditioner, fertiliser, 300 deep topsoil, 75 deep mulch and ground cover planting at 4 x 140 diameter pots/m2 and edging	1,000	m2	122.00	122,000
111	Extra over garden bed with shrub planting for additional buffer planting	141	m2	56.00	7,896
112	Establishment and maintenance - 12 months	1	item	11,500.00	11,500
	IRRIGATION				
113	Allow for irrigation to garden beds and grass renovation area	1	item	40,000.00	40,000
	SUNDRIES				
114	Allow for new memorial plaques including concrete plinths (Provisional Sum)	1	item	24,000.00	24,000
	36 LANDSCAPING AND IMPROVEMENTS TOTAL				218,001
PR	00 PRELIMINARIES				
	PRELIMINARIES				
115	Allow for builder's preliminaries	1		22,000.00	22,000
	00 PRELIMINARIES TOTAL				22,000
YY	46 DESIGN CONTINGENCY				
	DESIGN CONTINGENCY				
116	Allow for design contingency	1		26,000.00	26,000
	46 DESIGN CONTINGENCY TOTAL				26,000
YY	46 OTHER PROJECT COSTS				
	ESCALATION TO TENDER				

DETAILED COST PLAN



Project: KANGAROO GROUND WAR MEMORIAL PARK
Cost Plan: DRAFT MANAGEMENT PLAN COST PLAN 01

No.	Item Description	Quantity	Unit	Rate	Total
MEMORIAL GARDENS					(Continued)
YY	46 OTHER PROJECT COSTS				
					(Continued)
117	Allow for cost escalation to Tender (allow 12 months @ 3% p.a)	1	item	9,000.00	9,000
CONSTRUCTION CONTINGENCY					
118	Allow for construction contingency @ 5.0%	1	item	15,000.00	15,000
PROFESSIONAL FEES					
119	Allow for Professional Fees @ 12%	1	item	34,000.00	34,000
INSURANCES					
120	Allow for insurances (Provisional Sum)	1	item	1,500.00	1,500
AUTHORITIES FEES AND CHARGES					
121	Allow for authorities fees and charges, permits, planting offset payments, etc (Provisional Sum)	1	item		Excluded
46 OTHER PROJECT COSTS TOTAL					59,500
MEMORIAL GARDENS TOTAL					341,346

DETAILED COST PLAN



Project: KANGAROO GROUND WAR MEMORIAL PARK
Cost Plan: DRAFT MANAGEMENT PLAN COST PLAN 01

No.	Item Description	Quantity	Unit	Rate	Total
SIGNAGE - PARK					
YY	46 SPECIAL PROVISIONS				
	SIGNAGE				
122	Allow for Park sign (Provisional Sum)	1	item	10,000.00	10,000
	46 SPECIAL PROVISIONS TOTAL				10,000
PR	00 PRELIMINARIES				
	PRELIMINARIES				
123	Allow for builder's preliminaries	1		1,000.00	1,000
	00 PRELIMINARIES TOTAL				1,000
YY	46 DESIGN CONTINGENCY				
	DESIGN CONTINGENCY				
124	Allow for design contingency	1		2,000.00	2,000
	46 DESIGN CONTINGENCY TOTAL				2,000
YY	46 OTHER PROJECT COSTS				
	ESCALATION TO TENDER				
125	Allow for cost escalation to Tender (allow 12 months @ 3% p.a)	1	item	1,000.00	1,000
	CONSTRUCTION CONTINGENCY				
126	Allow for construction contingency @ 5.0%	1	item	1,000.00	1,000
	PROFESSIONAL FEES				
127	Allow for Professional Fees @ 12%	1	item	2,000.00	2,000
	AUTHORITIES FEES AND CHARGES				
128	Allow for authorities fees and charges, permits, planting offset payments, etc (Provisional Sum)	1	item		Excluded
	46 OTHER PROJECT COSTS TOTAL				4,000
	SIGNAGE - PARK TOTAL				17,000

DETAILED COST PLAN



Project: KANGAROO GROUND WAR MEMORIAL PARK
Cost Plan: DRAFT MANAGEMENT PLAN COST PLAN 01

No.	Item Description	Quantity	Unit	Rate	Total
SIGNAGE - WAR MEMORIAL					
YY	46 SPECIAL PROVISIONS				
	SIGNAGE				
129	Allow for War Memorial sign (Provisional Sum)	1	item	7,500.00	7,500
	46 SPECIAL PROVISIONS TOTAL				7,500
PR	00 PRELIMINARIES				
	PRELIMINARIES				
130	Allow for builder's preliminaries	1		1,000.00	1,000
	00 PRELIMINARIES TOTAL				1,000
YY	46 DESIGN CONTINGENCY				
	DESIGN CONTINGENCY				
131	Allow for design contingency	1		1,000.00	1,000
	46 DESIGN CONTINGENCY TOTAL				1,000
YY	46 OTHER PROJECT COSTS				
	ESCALATION TO TENDER				
132	Allow for cost escalation to Tender (allow 12 months @ 3% p.a)	1	item	1,000.00	1,000
	CONSTRUCTION CONTINGENCY				
133	Allow for construction contingency @ 5.0%	1	item	1,000.00	1,000
	PROFESSIONAL FEES				
134	Allow for Professional Fees @ 12%	1	item	2,000.00	2,000
	AUTHORITIES FEES AND CHARGES				
135	Allow for authorities fees and charges, permits, planting offset payments, etc (Provisional Sum)	1	item		Excluded
	46 OTHER PROJECT COSTS TOTAL				4,000
	SIGNAGE - WAR MEMORIAL TOTAL				13,500

DETAILED COST PLAN



Project: KANGAROO GROUND WAR MEMORIAL PARK
Cost Plan: DRAFT MANAGEMENT PLAN COST PLAN 01

No.	Item Description	Quantity	Unit	Rate	Total
SIGNAGE - CARETAKERS COTTAGE					
YY	46 SPECIAL PROVISIONS				
	SIGNAGE				
136	Allow for Caretakers Cottage sign (Provisional Sum)	1	item	3,500.00	3,500
	46 SPECIAL PROVISIONS TOTAL				3,500
PR	00 PRELIMINARIES				
	PRELIMINARIES				
137	Allow for builder's preliminaries	1		1,000.00	1,000
	00 PRELIMINARIES TOTAL				1,000
YY	46 DESIGN CONTINGENCY				
	DESIGN CONTINGENCY				
138	Allow for design contingency	1		1,000.00	1,000
	46 DESIGN CONTINGENCY TOTAL				1,000
YY	46 OTHER PROJECT COSTS				
	ESCALATION TO TENDER				
139	Allow for cost escalation to Tender (allow 12 months @ 3% p.a)	1	item	1,000.00	1,000
	CONSTRUCTION CONTINGENCY				
140	Allow for construction contingency @ 5.0%	1	item	1,000.00	1,000
	PROFESSIONAL FEES				
141	Allow for Professional Fees @ 12%	1	item	1,000.00	1,000
	AUTHORITIES FEES AND CHARGES				
142	Allow for authorities fees and charges, permits, planting offset payments, etc (Provisional Sum)	1	item		Excluded
	46 OTHER PROJECT COSTS TOTAL				3,000
	SIGNAGE - CARETAKERS COTTAGE TOTAL				8,500

DETAILED COST PLAN



Project: KANGAROO GROUND WAR MEMORIAL PARK
Cost Plan: DRAFT MANAGEMENT PLAN COST PLAN 01

No.	Item Description	Quantity	Unit	Rate	Total
SIGNAGE - MEMORIAL GARDENS					
YY	46 SPECIAL PROVISIONS				
	SIGNAGE				
143	Allow for Memorial Gardens sign (Provisional Sum)	1	item	3,500.00	3,500
	46 SPECIAL PROVISIONS TOTAL				3,500
PR	00 PRELIMINARIES				
	PRELIMINARIES				
144	Allow for builder's preliminaries	1		1,000.00	1,000
	00 PRELIMINARIES TOTAL				1,000
YY	46 DESIGN CONTINGENCY				
	DESIGN CONTINGENCY				
145	Allow for design contingency	1		1,000.00	1,000
	46 DESIGN CONTINGENCY TOTAL				1,000
YY	46 OTHER PROJECT COSTS				
	ESCALATION TO TENDER				
146	Allow for cost escalation to Tender (allow 12 months @ 3% p.a)	1	item	1,000.00	1,000
	CONSTRUCTION CONTINGENCY				
147	Allow for construction contingency @ 5.0%	1	item	1,000.00	1,000
	PROFESSIONAL FEES				
148	Allow for Professional Fees @ 12%	1	item	1,000.00	1,000
	AUTHORITIES FEES AND CHARGES				
149	Allow for authorities fees and charges, permits, planting offset payments, etc (Provisional Sum)	1	item		Excluded
	46 OTHER PROJECT COSTS TOTAL				3,000
	SIGNAGE - MEMORIAL GARDENS TOTAL				8,500

DETAILED COST PLAN



Project: KANGAROO GROUND WAR MEMORIAL PARK
Cost Plan: DRAFT MANAGEMENT PLAN COST PLAN 01

No.	Item Description	Quantity	Unit	Rate	Total
SIGNAGE - MEMORIAL WALK					
YY	46 SPECIAL PROVISIONS				
	SIGNAGE				
150	Allow for Memorial Walk sign (Provisional Sum)	1	item	3,500.00	3,500
	46 SPECIAL PROVISIONS TOTAL				3,500
PR	00 PRELIMINARIES				
	PRELIMINARIES				
151	Allow for builder's preliminaries	1		1,000.00	1,000
	00 PRELIMINARIES TOTAL				1,000
YY	46 DESIGN CONTINGENCY				
	DESIGN CONTINGENCY				
152	Allow for design contingency	1		1,000.00	1,000
	46 DESIGN CONTINGENCY TOTAL				1,000
YY	46 OTHER PROJECT COSTS				
	ESCALATION TO TENDER				
153	Allow for cost escalation to Tender (allow 12 months @ 3% p.a)	1	item	1,000.00	1,000
	CONSTRUCTION CONTINGENCY				
154	Allow for construction contingency @ 5.0%	1	item	1,000.00	1,000
	PROFESSIONAL FEES				
155	Allow for Professional Fees @ 12%	1	item	1,000.00	1,000
	AUTHORITIES FEES AND CHARGES				
156	Allow for authorities fees and charges, permits, planting offset payments, etc (Provisional Sum)	1	item		Excluded
	46 OTHER PROJECT COSTS TOTAL				3,000
	SIGNAGE - MEMORIAL WALK TOTAL				8,500

DETAILED COST PLAN



Project: KANGAROO GROUND WAR MEMORIAL PARK
Cost Plan: DRAFT MANAGEMENT PLAN COST PLAN 01

No.	Item Description	Quantity	Unit	Rate	Total
SIGNAGE - WESTERN PARK THRESHOLD					
YY	<u>46 SPECIAL PROVISIONS</u>				
	SIGNAGE				
157	Allow for Western Park Threshold sign (Provisional Sum)	1	item	3,500.00	3,500
	<u>46 SPECIAL PROVISIONS TOTAL</u>				3,500
PR	<u>00 PRELIMINARIES</u>				
	PRELIMINARIES				
158	Allow for builder's preliminaries	1		1,000.00	1,000
	<u>00 PRELIMINARIES TOTAL</u>				1,000
YY	<u>46 DESIGN CONTINGENCY</u>				
	DESIGN CONTINGENCY				
159	Allow for design contingency	1		1,000.00	1,000
	<u>46 DESIGN CONTINGENCY TOTAL</u>				1,000
YY	<u>46 OTHER PROJECT COSTS</u>				
	ESCALATION TO TENDER				
160	Allow for cost escalation to Tender (allow 12 months @ 3% p.a)	1	item	1,000.00	1,000
	CONSTRUCTION CONTINGENCY				
161	Allow for construction contingency @ 5.0%	1	item	1,000.00	1,000
	PROFESSIONAL FEES				
162	Allow for Professional Fees @ 12%	1	item	1,000.00	1,000
	AUTHORITIES FEES AND CHARGES				
163	Allow for authorities fees and charges, permits, planting offset payments, etc (Provisional Sum)	1	item		Excluded
	<u>46 OTHER PROJECT COSTS TOTAL</u>				3,000
	SIGNAGE - WESTERN PARK THRESHOLD TOTAL				8,500

DETAILED COST PLAN



Project: KANGAROO GROUND WAR MEMORIAL PARK
Cost Plan: DRAFT MANAGEMENT PLAN COST PLAN 01

No.	Item Description	Quantity	Unit	Rate	Total
SIGNAGE - MOOR-RUL GRASSLANDS					
YY	<u>46 SPECIAL PROVISIONS</u>				
	SIGNAGE				
164	Allow for Moor-Rul Grasslands sign (Provisional Sum)	1	item	3,500.00	3,500
	<u>46 SPECIAL PROVISIONS TOTAL</u>				3,500
PR	<u>00 PRELIMINARIES</u>				
	PRELIMINARIES				
165	Allow for builder's preliminaries	1		1,000.00	1,000
	<u>00 PRELIMINARIES TOTAL</u>				1,000
YY	<u>46 DESIGN CONTINGENCY</u>				
	DESIGN CONTINGENCY				
166	Allow for design contingency	1		1,000.00	1,000
	<u>46 DESIGN CONTINGENCY TOTAL</u>				1,000
YY	<u>46 OTHER PROJECT COSTS</u>				
	ESCALATION TO TENDER				
167	Allow for cost escalation to Tender (allow 12 months @ 3% p.a)	1	item	1,000.00	1,000
	CONSTRUCTION CONTINGENCY				
168	Allow for construction contingency @ 5.0%	1	item	1,000.00	1,000
	PROFESSIONAL FEES				
169	Allow for Professional Fees @ 12%	1	item	1,000.00	1,000
	AUTHORITIES FEES AND CHARGES				
170	Allow for authorities fees and charges, permits, planting offset payments, etc (Provisional Sum)	1	item		Excluded
	<u>46 OTHER PROJECT COSTS TOTAL</u>				3,000
	SIGNAGE - MOOR-RUL GRASSLANDS TOTAL				8,500

DETAILED COST PLAN



Project: KANGAROO GROUND WAR MEMORIAL PARK
Cost Plan: DRAFT MANAGEMENT PLAN COST PLAN 01

No.	Item Description	Quantity	Unit	Rate	Total
SIGNAGE - MOOR-RUL VIEWING PLATFORM					
YY	46 SPECIAL PROVISIONS				
	SIGNAGE				
171	Allow for Moor-Rul Viewing Platform sign (Provisional Sum)	1	item	3,500.00	3,500
	46 SPECIAL PROVISIONS TOTAL				3,500
PR	00 PRELIMINARIES				
	PRELIMINARIES				
172	Allow for builder's preliminaries	1		1,000.00	1,000
	00 PRELIMINARIES TOTAL				1,000
YY	46 DESIGN CONTINGENCY				
	DESIGN CONTINGENCY				
173	Allow for design contingency	1		1,000.00	1,000
	46 DESIGN CONTINGENCY TOTAL				1,000
YY	46 OTHER PROJECT COSTS				
	ESCALATION TO TENDER				
174	Allow for cost escalation to Tender (allow 12 months @ 3% p.a)	1	item	1,000.00	1,000
	CONSTRUCTION CONTINGENCY				
175	Allow for construction contingency @ 5.0%	1	item	1,000.00	1,000
	PROFESSIONAL FEES				
176	Allow for Professional Fees @ 12%	1	item	1,000.00	1,000
	AUTHORITIES FEES AND CHARGES				
177	Allow for authorities fees and charges, permits, planting offset payments, etc (Provisional Sum)	1	item		Excluded
	46 OTHER PROJECT COSTS TOTAL				3,000
	SIGNAGE - MOOR-RUL VIEWING PLATFORM TOTAL				8,500

DETAILED COST PLAN



Project: KANGAROO GROUND WAR MEMORIAL PARK
Cost Plan: DRAFT MANAGEMENT PLAN COST PLAN 01

No.	Item Description	Quantity	Unit	Rate	Total
SIGNAGE - CARETAKERS RESIDENCE					
YY	46 SPECIAL PROVISIONS				
	SIGNAGE				
178	Allow for Caretakers Residence sign (Provisional Sum)	1	item	3,500.00	3,500
	46 SPECIAL PROVISIONS TOTAL				3,500
PR	00 PRELIMINARIES				
	PRELIMINARIES				
179	Allow for builder's preliminaries	1		1,000.00	1,000
	00 PRELIMINARIES TOTAL				1,000
YY	46 DESIGN CONTINGENCY				
	DESIGN CONTINGENCY				
180	Allow for design contingency	1		1,000.00	1,000
	46 DESIGN CONTINGENCY TOTAL				1,000
YY	46 OTHER PROJECT COSTS				
	ESCALATION TO TENDER				
181	Allow for cost escalation to Tender (allow 12 months @ 3% p.a)	1	item	1,000.00	1,000
	CONSTRUCTION CONTINGENCY				
182	Allow for construction contingency @ 5.0%	1	item	1,000.00	1,000
	PROFESSIONAL FEES				
183	Allow for Professional Fees @ 12%	1	item	1,000.00	1,000
	AUTHORITIES FEES AND CHARGES				
184	Allow for authorities fees and charges, permits, planting offset payments, etc (Provisional Sum)	1	item		Excluded
	46 OTHER PROJECT COSTS TOTAL				3,000
	SIGNAGE - CARETAKERS RESIDENCE TOTAL				8,500

DETAILED COST PLAN



Project: KANGAROO GROUND WAR MEMORIAL PARK
Cost Plan: DRAFT MANAGEMENT PLAN COST PLAN 01

No.	Item Description	Quantity	Unit	Rate	Total
SIGNAGE - WAR MEMORIAL CABINET					
YY	46 SPECIAL PROVISIONS				
	SIGNAGE				
185	Allow for War Memorial Cabinet sign (Provisional Sum)	1	item	3,500.00	3,500
	46 SPECIAL PROVISIONS TOTAL				3,500
PR	00 PRELIMINARIES				
	PRELIMINARIES				
186	Allow for builder's preliminaries	1		1,000.00	1,000
	00 PRELIMINARIES TOTAL				1,000
YY	46 DESIGN CONTINGENCY				
	DESIGN CONTINGENCY				
187	Allow for design contingency	1		1,000.00	1,000
	46 DESIGN CONTINGENCY TOTAL				1,000
YY	46 OTHER PROJECT COSTS				
	ESCALATION TO TENDER				
188	Allow for cost escalation to Tender (allow 12 months @ 3% p.a)	1	item	1,000.00	1,000
	CONSTRUCTION CONTINGENCY				
189	Allow for construction contingency @ 5.0%	1	item	1,000.00	1,000
	PROFESSIONAL FEES				
190	Allow for Professional Fees @ 12%	1	item	1,000.00	1,000
	AUTHORITIES FEES AND CHARGES				
191	Allow for authorities fees and charges, permits, planting offset payments, etc (Provisional Sum)	1	item		Excluded
	46 OTHER PROJECT COSTS TOTAL				3,000
	SIGNAGE - WAR MEMORIAL CABINET TOTAL				8,500

DETAILED COST PLAN



Project: KANGAROO GROUND WAR MEMORIAL PARK
Cost Plan: DRAFT MANAGEMENT PLAN COST PLAN 01

No.	Item Description	Quantity	Unit	Rate	Total
SIGNAGE - MOOR-RUL VIEWING PLATFORM CABINETS					
YY	46 SPECIAL PROVISIONS				
	SIGNAGE				
192	Allow for Moor-Rul Viewing Platform signage in Cabinets (Provisional Sum)	1	item	20,000.00	20,000
	46 SPECIAL PROVISIONS TOTAL				20,000
PR	00 PRELIMINARIES				
	PRELIMINARIES				
193	Allow for builder's preliminaries	1		2,000.00	2,000
	00 PRELIMINARIES TOTAL				2,000
YY	46 DESIGN CONTINGENCY				
	DESIGN CONTINGENCY				
194	Allow for design contingency	1		3,000.00	3,000
	46 DESIGN CONTINGENCY TOTAL				3,000
YY	46 OTHER PROJECT COSTS				
	ESCALATION TO TENDER				
195	Allow for cost escalation to Tender (allow 12 months @ 3% p.a)	1	item	1,000.00	1,000
	CONSTRUCTION CONTINGENCY				
196	Allow for construction contingency @ 5.0%	1	item	2,000.00	2,000
	PROFESSIONAL FEES				
197	Allow for Professional Fees @ 12%	1	item	3,000.00	3,000
	AUTHORITIES FEES AND CHARGES				
198	Allow for authorities fees and charges, permits, planting offset payments, etc (Provisional Sum)	1	item		Excluded
	46 OTHER PROJECT COSTS TOTAL				6,000
	SIGNAGE - MOOR-RUL VIEWING PLATFORM CABINETS TOTAL				31,000

DETAILED COST PLAN



Project: KANGAROO GROUND WAR MEMORIAL PARK
Cost Plan: DRAFT MANAGEMENT PLAN COST PLAN 01

No.	Item Description	Quantity	Unit	Rate	Total
BENCH SEATING					
XP	32 SITE PREPARATION				
	SITE DEMOLITION				
199	Allow for demolition of miscellaneous hardscape items, picnic tables, etc	1	item	2,500.00	2,500
	32 SITE PREPARATION TOTAL				2,500
XL	36 LANDSCAPING AND IMPROVEMENTS				
	SUNDRIES				
200	Allow for bench seating (Provisional Sum)	1	item	15,000.00	15,000
	36 LANDSCAPING AND IMPROVEMENTS TOTAL				15,000
PR	00 PRELIMINARIES				
	PRELIMINARIES				
201	Allow for builder's preliminaries	1		2,000.00	2,000
	00 PRELIMINARIES TOTAL				2,000
YY	46 DESIGN CONTINGENCY				
	DESIGN CONTINGENCY				
202	Allow for design contingency	1		2,000.00	2,000
	46 DESIGN CONTINGENCY TOTAL				2,000
YY	46 OTHER PROJECT COSTS				
	ESCALATION TO TENDER				
203	Allow for cost escalation to Tender (allow 12 months @ 3% p.a)	1	item	1,000.00	1,000
	CONSTRUCTION CONTINGENCY				
204	Allow for construction contingency @ 5.0%	1	item	2,000.00	2,000
	PROFESSIONAL FEES				
205	Allow for Professional Fees @ 12%	1	item	3,000.00	3,000
	INSURANCES				
206	Allow for insurances (Provisional Sum)	1	item	500.00	500
	AUTHORITIES FEES AND CHARGES				
207	Allow for authorities fees and charges, permits, planting offset payments, etc (Provisional Sum)	1	item		Excluded
	46 OTHER PROJECT COSTS TOTAL				6,500
	BENCH SEATING TOTAL				28,000

DETAILED COST PLAN



Project: KANGAROO GROUND WAR MEMORIAL PARK
Cost Plan: DRAFT MANAGEMENT PLAN COST PLAN 01

No.	Item Description	Quantity	Unit	Rate	Total
PICNIC TABLES					
XP	32 SITE PREPARATION				
	SITE DEMOLITION				
208	Allow for demolition of miscellaneous hardscape items, picnic tables, etc	1	item	2,500.00	2,500
	32 SITE PREPARATION TOTAL				2,500
XL	36 LANDSCAPING AND IMPROVEMENTS				
	SUNDRIES				
209	Allow for picnic tables (Provisional Sum)	1	item	30,000.00	30,000
	36 LANDSCAPING AND IMPROVEMENTS TOTAL				30,000
PR	00 PRELIMINARIES				
	PRELIMINARIES				
210	Allow for builder's preliminaries	1		3,000.00	3,000
	00 PRELIMINARIES TOTAL				3,000
YY	46 DESIGN CONTINGENCY				
	DESIGN CONTINGENCY				
211	Allow for design contingency	1		4,000.00	4,000
	46 DESIGN CONTINGENCY TOTAL				4,000
YY	46 OTHER PROJECT COSTS				
	ESCALATION TO TENDER				
212	Allow for cost escalation to Tender (allow 12 months @ 3% p.a)	1	item	2,000.00	2,000
	CONSTRUCTION CONTINGENCY				
213	Allow for construction contingency @ 5.0%	1	item	2,000.00	2,000
	PROFESSIONAL FEES				
214	Allow for Professional Fees @ 12%	1	item	5,000.00	5,000
	INSURANCES				
215	Allow for insurances (Provisional Sum)	1	item	500.00	500
	AUTHORITIES FEES AND CHARGES				
216	Allow for authorities fees and charges, permits, planting offset payments, etc (Provisional Sum)	1	item		Excluded
	46 OTHER PROJECT COSTS TOTAL				9,500
	PICNIC TABLES TOTAL				49,000

**CM.120/21 Kangaroo Ground War Memorial Park Draft Management Plan for Council endorsement
for public exhibition**
Attachment 1. Kangaroo Ground War Memorial Park Draft Management Plan 24 August 2021

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KANGAROO GROUND WAR MEMORIAL PARK CONCEPT

16 Sept 2020

DRAFT

Not final.

Changes identified in Council resolution of
OCM 15 Sept 2020 to be implemented in
preparation of Draft Master Plan.

PROJECT: KANGAROO GROUND WAR MEMORIAL PARK MASTER PLAN

DATE: 8 SEPTEMBER 2020

REV: -



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16 Sept 2020
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Not final.
Changes identified in Council resolution of
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preparation of Draft Master Plan.





1. INTRODUCTION

1.1 Background

This report outlines a Concept for the Kangaroo Ground War Memorial Park. The Concept is a key component and milestone product of the Kangaroo Ground War Memorial Park Master Plan project being undertaken by Nillumbik Shire Council.

The master plan project has set out to provide a long-term framework for managing change in the park, in a coordinated way, toward a desired state that will enable the park to have the greatest public value in the future.

The Concept, as a formative product, provides the conceptual basis for the preparation of a master plan that will confirm the concept design and further outline capital works, maintenance, costs, priorities, governance and implementation timeframes.

As a master plan needs to be strategic, the Concept is intentionally visionary, as a necessary responsibility to imagine possible futures that have the greatest public value. The concept also reconciles multiple and complex issues in its design. This will enable the subsequent master plan to adopt a coordinated approach to managing change in the future. Implementation of the master plan that is to be prepared can be staged over time, and multiple benefactors and sources of funding can be sought for its implementation.

1.2 Heritage

Extensive research has been undertaken into the history of the site to ensure its cultural heritage significance is maintained and enhanced. An existing citation for the tower and its setting is out of date and was in need of updating to determine the significance of the park holistically, and, especially concerning the park as it is today. As part of the master plan project, a final draft of a revised citation has been prepared (Appendix A) to inform the Concept, and will be separately considered for future amendment of the planning scheme as part of Council's broader heritage review process currently being undertaken.

1.3 Community Engagement/ communication to date

The Concept has evolved from wide and intensive community engagement. In addition to being informed by a public user survey conducted on Participate Nillumbik from 28th April – 14th May, 2020, the Concept has been prepared with the input of a diverse group of stakeholders over multiple meetings conducted on-line in the COVID-19 environment, including:

- Friends of Kangaroo Ground War Memorial Park Incorporated (FKGWMPI);
- Montmorency Eltham RSL Sub Branch;
- Mick Woiwod (deceased), author and member of FKGWMPI;
- Nillumbik Reconciliation Group, including Friends of Moor-rul Grasslands;
- Andrew Ross Museum;
- Yarra Plenty Heritage Group;
- Yarra Plenty Regional Library;

- Eltham District Historical Society;
- Yarra Ranges Tourism;
- Park caretaker resident, and
- Victoria Police (leaseholder).

1.4 Status of Concept

The Concept is prepared for considered by Council for endorsement at an Ordinary Council Meeting (OCM) on 15 September 2020, and endorsement will also be sought from Council at the OCM to progress to the preparation of a Draft Master Plan for public review and feedback.

Subject to endorsement, the Concept will be made available for public information only, via the Council's Participate Nillumbik project website, with public notification through Council's normal media channels.

1.5 Draft Master Plan and public review

Subject to Council's endorsement of the Concept (and their endorsement to prepare a Draft Master Plan), a Draft Master Plan will be prepared and is targeted for public review and feedback mid-2021.

1.6 Master Plan adoption

It is intended that a Master Plan is finalised for adoption by Council by end-2021.

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2. CONCEPT

2.1 Design objectives

Design objectives for the concept have been developed from research, site observation and community and stakeholder inputs, to provide clear direction for the development of the Concept. The design objectives are listed below.

1. *Enhance the park's special landscape/ open space and cultural values as the essential spirit of place.*
2. *Integrate the 1919 original and 1973 western park acquisition as one overall park/ one park identity.*
3. *Maintain/ restore the cultural heritage significance of the original 1919 rectangular-shaped park.*
4. *Enable interpretation of pre-settlement landscape values in the western park area.*
5. *Maintain and reinforce the war memorial tower as the central feature of the park and Garden Hill.*
6. *Provide open space in front of the tower that facilitates war memorial services.*
7. *Improve people's ability to access and appreciate all of the park features, spaces and heritage values.*
8. *Provide a new, safe vehicular entry.*
9. *Provide bus access and drop-off within the park (for services, schools, tours groups).*
10. *Increase car parking numbers without impact on park, to help address event mode peaks (e.g., ANZAC Day and Remembrance Day).*

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ORIGINAL (1919) 2-ACRE RECTANGULAR PARK AND, AT SOUTH-EAST CORNER OF ORIGINAL PARK, (L-R), ADDITIONAL DONATED (1924) AND PURCHASED (1952) LANDS, RESPECTIVELY, FOR THE PARK ENTRY. THE DONATED AND ACQUIRED ADDITIONAL LANDS TO THE SOUTH-EAST ARE NOW THE PROPERTY OF THE DEPARTMENT OF TRANSPORT.



ADDITIONAL WESTERN TRIANGULAR-SHAPED LAND ACQUIRED IN 1973 FOR ALTERNATE VEHICLE ENTRY TO PARK (UNREALISED)



FROM DESIGN OBJECTIVE 2, ONE OVERALL PARK AND PARK IDENTITY (THE AREA TO THE EAST NOW OWNED BY DEPARTMENT OF TRANSPORT IS CONCEPTUALLY STILL AN IMPORTANT PART OF THE PARK)

NORTH IS TO TOP OF IMAGES

2. CONCEPT



THE NILLUMBIK SHIRE COUNCIL BOUNDARY OF THE PARK IS SHOWN IN WHITE; THE CONCEPTUAL BOUNDARY OF THE PARK IS SHOWN IN RED (INCLUSIVE OF THE LAND TO THE SOUTH-EAST OF THE PARK, AT THE EXISTING VEHICULAR ENTRY, THAT IS OWNED BY DEPARTMENT OF TRANSPORT)

NORTH IS TO TOP OF IMAGE

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Changes identified in Council resolution of
OCM 15 Sept 2020 to be implemented in
preparation of Draft Master Plan.

KANGAROO GROUND WAR MEMORIAL PARK CONCEPT 16 SEPTEMBER 2020 K.G.

2. CONCEPT

2.2 Design strategies

The design objectives for the park provide a set of clear expected outcomes that can be measured. But they do not provide conceptual ideas that are required for meeting them—and certainly not a set of ideas that imagine integrated outcomes and their experiential qualities. For this a number of essential design strategies have been developed, that are a synthesis of all the observations, community inputs and research undertaken in the project. The design strategies provide clear ‘breakthroughs’ in how the park can be enhanced and improved in a spatial sense. They, essentially, frame and deal with a number of critical spatial issues that currently compromise the public value of the park, to improve the park’s function, and enhance the park’s heritage values and experiential qualities.

Critical spatial issues to be addressed

The critical spatial issues that currently compromise the public value of the park are outlined below.



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preparation of Draft Master Plan.

2. CONCEPT

1. An unsafe vehicle entry

The existing vehicular entry is located at a point of the Eltham-Yarra Glen Road just off the crest of the hill where sight lines at the entry are compromised. The entry is also constrained horizontally by surrounding steep grades and underground services, is steep and with inadequate manoeuvring space for safe entry and exit, especially for buses.

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preparation of Draft Master Plan.



2. CONCEPT

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Changes identified in Council resolution of
OCM 15 Sept 2020 to be implemented in
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2. A compromising carpark

The existing carpark is located where visitors arrive behind the tower, and where the carpark splits the overall park. On arrival at the carpark, visitors are keen to access the war memorial tower and its lookout, yet the front of the tower is not visible and access to its entrance is not clear or direct. The carpark grade is excessive. Short-cutting across to the tower entry impacts the existing gardens and has necessitated in barriers which add unnecessary visual clutter, divorcing the visitor from the tower and taking away their freedom to explore its beauty. This circumstance further reinforces the disconnection between the original memorial park and the western park area, preventing an understanding and appreciation of the whole of the park and what it has or could offer.



2. CONCEPT

3. A separate western area of park

The western area of the park, acquired in 1973, is adjunct and peripheral to the original memorial park, and is without a clear sense of public invitation and permission to occupy.

The slashed pasture grass of the sloping hillside appears as an adjunct private paddock (as it once was) unrelated to the original memorial park, and not clearly appearing as part of the memorial park or overall park and its public space.

The Moor-rul viewing platform is representative of a significant moment in history as it sought to enable interpretation of the site's natural and cultural history, including the local heritage of indigenous people. Yet the structure itself is disconnected from the original memorial park, being situated down the existing slope of the hill, peripheral and without any visual connection to the original memorial park. Its structure is out of scale with the park, especially the whole of the park and its expansive views, and appears introverted. The highly stylised form of the structure is overtly self-referential, appearing alien within the park, especially within the whole of the park, confusing the essential memorial identity of the park and detracting from the simplicity and richness of the central tower war memorial and its vertical pre-eminence. Access to the structure is not welcoming nor explicitly public in scale and invitation, and does not comply with DDA requirements with the narrow path being too steep leading toward the platform. The structure compromises the ability to integrate all of the park and establish one clear overall park identity that is essential for the appreciation of the memorial nature of the park and its greater cultural landscape context, and its function as a viewing and interpretive platform could be improved by being better located and articulated within the overall park.

The existing Moor-rul grasslands plot is the project of the Nillumbik Reconciliation Group and the Friends of Moor-rul Grasslands who have regenerated what was a small area of remnant grassland. The grasslands are testament to community spirit and agency, and serve as a living continuum of pre-settlement landscape and culture, yet the plot, also, is divorced from the original memorial park, disconnected and without the clear identity and sense of public legitimacy it deserves.



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Not final.
Changes identified in Council resolution of
OCM 15 Sept 2020 to be implemented in
preparation of Draft Master Plan.

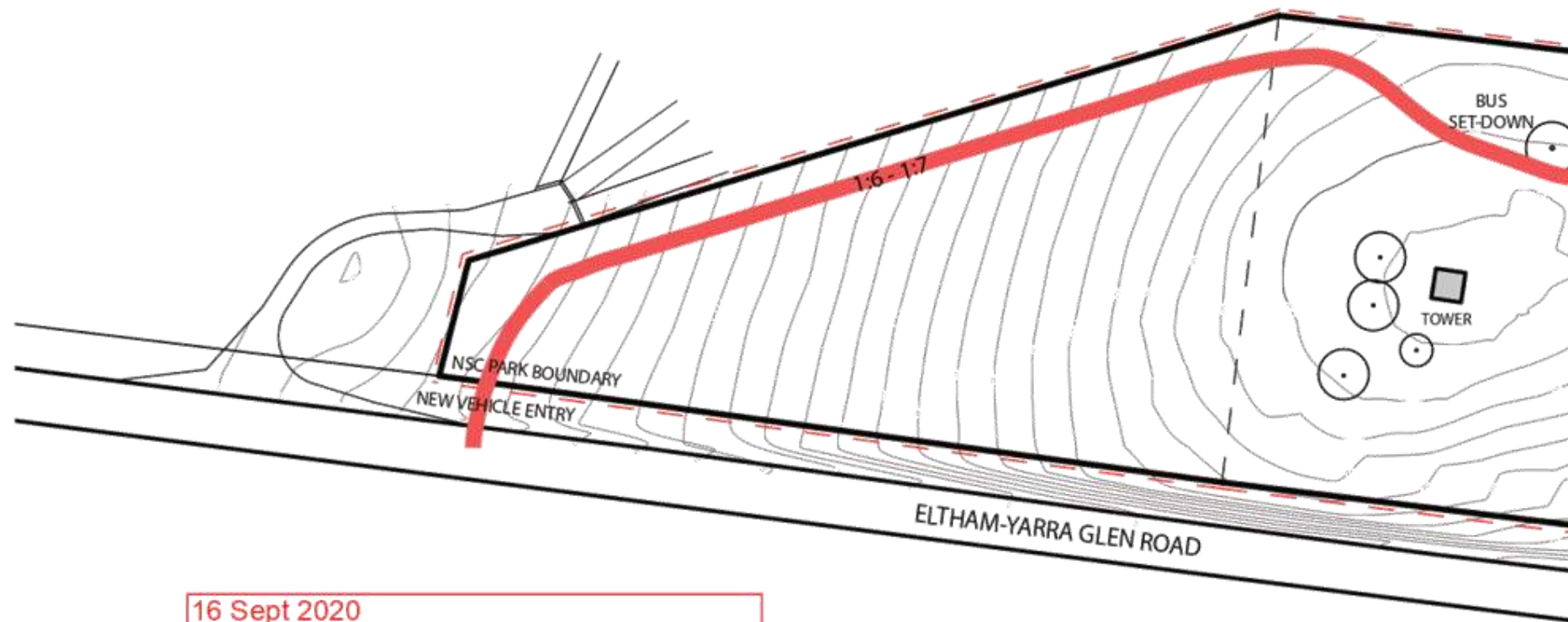
2. CONCEPT

Design Strategies

The essential design strategies that have shaped the Concept are listed below.

1. A new, safe vehicle entry

A new vehicle entry is proposed where sight lines along Eltham Yarra Glen Road are best and where the park is at a similar level to the Eltham-Yarra Glen Road, to address road safety issues at the existing park entry. The new road provides on-road car parking capacity for peak events such as ANZAC Day, Remembrance Day and New Year's Eve.

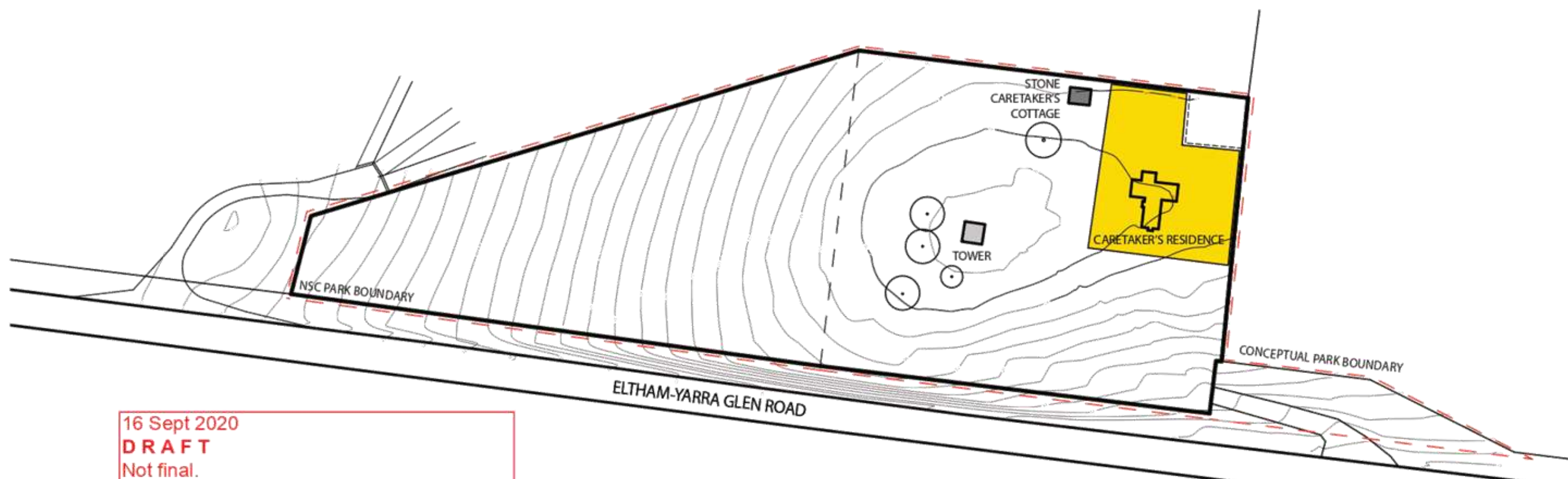


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Not final.
Changes identified in Council resolution of
OCM 15 Sept 2020 to be implemented in
preparation of Draft Master Plan.

2. CONCEPT

2. A new carpark located in front of the war memorial tower at the flattest, most accessible grade

A new car park of increased capacity and with bus turn-around is provided at the location of the existing Caretaker's Residence that is in a dilapidated condition, where the existing grade is flattest for accessibility, and from where visitors can look toward the whole of the park and what it has to offer including the front and entrance of the war memorial tower.



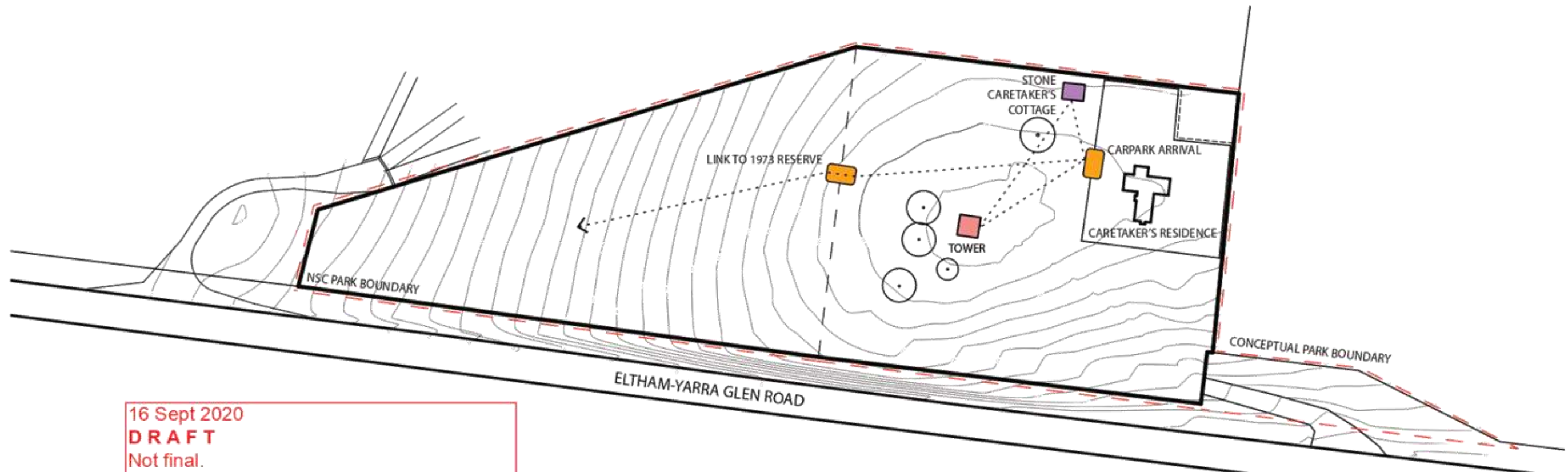
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Not final.
Changes identified in Council resolution of
OCM 15 Sept 2020 to be implemented in
preparation of Draft Master Plan.

2. CONCEPT

3. A new threshold at the carpark for visitors to appreciate the whole of the park on arrival

A new arrival threshold at the carpark is provided for visitors to appreciate the whole of the park on arrival. Included in this arrival experience are newly created views to:

- the war memorial tower front and entry;
- a renovated stone Caretaker's Cottage and new public toilet and store building that is complimentary to the memorial character of the park and is welcoming with improved environmental design for crime prevention; and
- a new public space that serves as a visual and physical linking element between the original park and the western park area acquired in 1973 that are currently disassociated.



16 Sept 2020
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 Not final.
 Changes identified in Council resolution of
 OCM 15 Sept 2020 to be implemented in
 preparation of Draft Master Plan.

2. CONCEPT

4. Enhancing the experience and understanding of the whole of the park as one park identity.

The experience and understanding of the whole of the park is afforded through reinforcing the memorial nature of the original park and the pre-settlement landscape and cultural values of the western hillside, and by the proposed public space linking element between the two existing park areas. Coordinated signage and memorials curated in one identity for the park will assist in this interpretation and understanding.



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Not final.
Changes identified in Council resolution of
OCM 15 Sept 2020 to be implemented in
preparation of Draft Master Plan.

2. CONCEPT

2.3 Concept Plan

The Concept is spatially illustrated in the Concept Plan, below, and in a larger format across the following spread. The Concept Plan is also provided at Appendix B.



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Not final.
Changes identified in Council resolution of OCM 15 Sept 2020 to be implemented in preparation of Draft Master Plan.





2. CONCEPT

The Concept proposes the key functions, spaces and features listed below.

- New two-way park vehicle access road, car and bus parking, with demolition of the existing Caretaker's Residence.
- Restoration of stone Caretaker's Cottage for public interpretation.
- New Toilet and store building complimentary in form to the war memorial tower and stone Caretaker's Cottage.
- Reinstatement of rock plinth at tower base, to original form.
- Memorial Gardens featuring new/ replacement memorials that are curated and coordinated for improved interpretation.
- Memorial Walk, comprising a retained, reduced-width existing park road for Memorial Garden interpretation and pedestrian and horse riding circulation.
- Cypress tree replacement planting.
- Amenity tree planting.
- Retained pedestrian access to the existing Police telecommunications tower compound, and retained vehicle access gates used by Police for maintenance of tower.
- New Belvedere and Pavilion integrating original and expanded parkland in a form complimentary to the war memorial tower and enabling appreciation of landscape and views.
- Picnic and viewing area of indigenous grass lawn to western hill slope.
- Moor-rul grassland expansion and tree planting to enable interpretation of pre-settlement landscape and cultural values, and to create an emphatic landscape entry.
- New, curated and coordinated interpretative signage at key locations such as the location of the removed Caretaker's Residence to mark that history, stone Caretaker's Cottage, war memorial tower, Belvedere, location of existing Moor-rul viewing platform ~~proposed to be relocated to another park in the Shire to mark its social significance~~, and Moor-rul grasslands.

16 Sept 2020

Existing Moor-rul viewing platform to be retained per Council resolution of OCM 15 Sept 2020.



NEW VIEW TO FRONT OF WAR MEMORIAL TOWER AND THE NEW BELVEDERE CONNECTION TO THE WESTERN AREA OF PARK, FROM THE NEW CARPARK ARRIVAL THRESHOLD

16 Sept 2020

Artist impression only; existing fire spotters' cabin (not illustrated) is not proposed for removal per Council resolution of OCM 15 Sept 2020.

16 Sept 2020

DRAFT

Not final.

Changes identified in Council resolution of OCM 15 Sept 2020 to be implemented in preparation of Draft Master Plan.

2. CONCEPT



NEW VIEW TO RESTORED STONE CARETAKER'S COTTAGE,
NEW PUBLIC AMENITIES AND NEW BUS DROP-OFF,
FROM THE NEW CARPARK ARRIVAL THRESHOLD



THE NEW BELEVEDERE INTEGRATING THE ORIGINAL
MEMORIAL AND WESTERN PARK AREAS, AND ENABLING
APPRECIATION OF LANDSCAPE AND VIEWS

16 Sept 2020
DRAFT
Not final.
Changes identified in Council resolution of
OCM 15 Sept 2020 to be implemented in
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3. COSTING

3.1 Capital Expenditure

A Cost Plan for capital expenditure (CAPEX) costs has been prepared based directly on the Concept and its level of detail, and includes allowances where detail is as yet unknown. A revised CAPEX cost plan will be prepared on further design refinement and review in the master plan phase.

Implementation of any adopted master plan will be over the long-term and is likely to be delivered through a mix of Council's capital expenditure and grant funding.

The estimated total project capital expenditure cost of the Concept is \$3,560,157 (refer Concept Cost Plan 01, Appendix C).

A summary of total project costs, from Concept Cost Plan 01, is provided below.

• Stone Caretaker's Cottage renovation	\$73,000
• New Pavilion at Belvedere	\$61,000
• New public toilet and storage building	\$201,000
• External works and services	\$2,512,157
• Escalation to tender	\$86,000
Estimated Construction Tender	\$2,933,157
• Construction contingency	\$147,000
Estimated total construction cost	\$3,080,157
• Other project costs	\$480,000
Estimated total project costs	\$3,560,157

3.2 Operational Expenditure (Park landscape)

The operational expenditure (OPEX) costs for park maintenance (landscape) is estimated at \$61,603.50 p.a., calculated as 2% of the CAPEX total construction costs (\$3,080,175). This estimate is based on providing an improved standard of maintenance ('Priority Sites') in recognition of the park's heritage significance and cultural value, compared to the current maintenance standard of the park ('Amenity Standard') that costs \$16,160 p.a., representing an increase of \$45,443.50 p.a. (an additional \$987.90 per week over 46 weeks).

A revised OPEX maintenance (landscape) budget will be prepared on further design refinement and review in the master plan phase.



16 Sept 2020
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Not final.
Changes identified in Council resolution of
OCM 15 Sept 2020 to be implemented in
preparation of Draft Master Plan.

4. ISSUES FOR FURTHER INVESTIGATION/ COORDINATION IN MASTER PLAN PHASE OF PROJECT

In addition to undertaking further design development that is required in the preparation of a master plan from the Concept, a number of specific issues have been identified in the development of the Concept that will require further investigation/ coordination in the master plan phase of the project, as listed below.

- Endorsement of the Concept with regard to the proposed new park vehicle road entry and discontinuance of the existing park vehicle entry and road for vehicle use by Department of Transport (DOT).
- Investigation into the type, number and depth of existing power and Telstra services located at the proposed park entry, and the costing of any adjustment to them. (Concept Cost Plan 01 (Appendix B) makes provisional allowances to lower existing power cables and relocate an existing power pole, and to lower existing Telstra services.)
- Detailed arboriculture investigation of existing Cypress tree (T47 on Concept Plan) to confirm retention of tree/ setback of proposed park road.
- Consultation with Montmorency-Eltham RSL Sub Branch and FKGWMP to determine storage capacity needs for ceremonies and services within proposed new toilet and store building, to confirm design brief for, and cost estimate of, proposed building.
- Research into the establishment of the expanded Moor-rul grasslands and their management, including fire management and costing of same.
- Design optimisation of Belvedere to maintain as much of existing Moor-rul grasslands plot as possible. (North-west corner of Belvedere juts into existing grassland plot and may be able to be adjusted to preserve more of the existing grassland providing the essential integrating objectives of the Belvedere can be achieved.)
- Design optimisation of car parking configuration for improved bus/ car manoeuvres.
- ~~Further consultation with the CFA regarding the potential long-term removal of the existing fire spotter's cabin, to restore heritage values of the tower noted in the existing and revised draft heritage citations as being compromised by the cabin, and enhance the public's experience of the lookout, and for appropriate interpretative signage to be provided to remember the important role the fire spotter's cabin has had in the shire and beyond.~~

5. COMMUNITY ENGAGEMENT ON A DRAFT MASTER PLAN

On endorsement of the Concept and the preparation of a Draft Master Plan, opportunity for full community review and feedback on the Draft Master Plan will be provided via the Council's Participate Nillumbik project website, for a period of four weeks.

16 Sept 2020
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 Not final.
 Changes identified in Council resolution of
 OCM 15 Sept 2020 to be implemented in
 preparation of Draft Master Plan.

16 Sept 2020
 Existing fire spotters' cabin is not proposed
 for removal per Council resolution of
 OCM 15 Sept 2020.

6. CONCLUSION

The Kangaroo Ground War Memorial Park Master Plan project seeks to provide a long-term visionary framework for managing change in the park, in an integrated way, that will enable the park to have the greatest net community benefit for present and future generations.

The Concept is a key product and formative step towards realising this project objective. It has been prepared from the inputs of community and participating stakeholders. Once endorsed, the Concept will be further developed and refined as a Draft Master Plan. The Draft Master Plan will then be tested and finalised as a Master Plan, through engagement with the broader community for whom the Kangaroo Ground War Memorial Park is, ultimately, for.



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Not final.
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APPENDIX

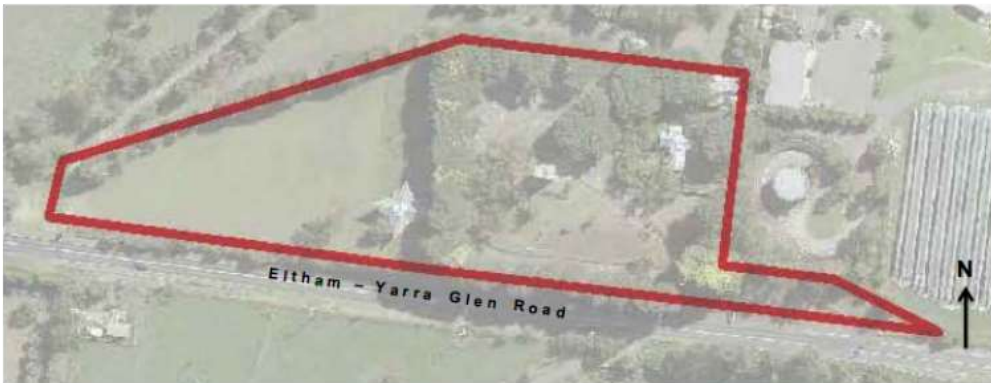
16 Sept 2020
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Not final.
Changes identified in Council resolution of
OCM 15 Sept 2020 to be implemented in
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APPENDIX A

Revised Citation H049 Former Shire of Eltham Memorial Park - Final Draft

16 Sept 2020
DRAFT
Not final.
Changes identified in Council resolution of
OCM 15 Sept 2020 to be implemented in
preparation of Draft Master Plan.

**Revised Citation HO49 Former Shire of Eltham Memorial Park
Final Draft (07 September 2020)**



Aerial view of the current Park showing the area of significance in red (the eastern section of land containing the entry is not in Council ownership)

Summary History of the Park

Prepared by Dr Peter Mills June 2020

The land prior to establishment of the Memorial Park

The area now known as Kangaroo Ground is part of the lands of the Wurundjeri. There is evidence that the landscape of Kangaroo Ground may have been managed by the Wurundjeri with fire to create productive open ground for animals and plants, which also favoured hunting. There is unfortunately little written evidence of other aspects of Wurundjeri occupation of Kangaroo Ground.

Dispossession of the Wurundjeri from their lands by pastoralists began in the mid-1830s. Interpolating from the wider history of dispossession in Victoria, it is likely the Wurundjeri were driven from their lands by a number of strategies and impacts. Squatters actively destroyed Aboriginal people's means of livelihood including their houses, encampments and fish traps. Stock trampled and destroyed Aboriginal food plants and waterholes, and game was driven away. Aboriginal people starved and resorted to killing the squatters' stock, which resulted in violent reprisals. The influx of European population in the gold-rushes only accelerated this process, and the 1850s saw a steady decline in the Aboriginal population in the area.

The Kangaroo Ground run, in which the summit later known as Garden Hill was located, was held by James Donald Bruce from 1840, and by Brown and Draper from 1844-49. Brown and Draper had a fenced-off cultivation area on the ridge 600m to the north of the summit. This part of the Parish of Nillumbik was surveyed in the late 1840s, and at the Crown land sales that followed soon after Allotment 4 Section 2, on which the summit of Garden Hill was located, was purchased by investor George Kirk. Kirk's land was leased by Scottish immigrants Jane and Alexander Thomson and family. Allotment 3 Section 2, just to the east of the summit of Garden Hill, was purchased by Andrew Harkness in 1848.

The open woodland of Kangaroo Ground around Garden Hill was progressively cleared and cultivated. The southern half of Allotment 4, which had been acquired by the Thomsons, was purchased by James and Jane (Stevenson) Mess in 1891. The summit of Garden Hill soon gained a wide reputation as a lookout and picnic area with expansive views in all directions. The Eltham-Yarra Glen road followed the surveyed government road reserve on the south side Allotments 4 and 3, passing conveniently close to the summit. By the 1880s the Garden Hill summit had become a well-known feature on tours of the district.

Establishing the Memorial Park

After James Mess died in 1901 the property known as 'Garden Hill' was farmed by his sons. Towards the end of World War 1 Eltham Shire councillors began to consider creation of a memorial park with a monument at Garden Hill. Two acres at the southeast corner of Allotment 4 was purchased from the Mess brothers in 1919 and the land was ploughed and cleared of rocks. Planting of ornamental trees including rows of Cypresses on the four boundaries began in 1920. A small block of land to the east was donated by Frances (Harkness) White to create an entrance road, which was soon marked by a timber archway and gate. The Shire of Eltham Memorial Park was opened in September 1921.

In 1922 a delegation of members of the Panton Hill Returned Sailors and Soldiers Imperial League of Australia attended an Eltham Shire Council meeting and suggested that a memorial to fallen soldiers from the district should be built in the park, taking the form of a cairn of local stone crowned with a monument. The Council allocated £250 to the project, a War Memorial Committee was appointed, and fundraising events followed. The Anzac Day memorial service held in the Memorial Park in 1923 was attended by 1000, starting with a procession of school children and a band from the Shire Hall (then in Kangaroo Ground) to Garden Hill.

A rounded cairn of field stone with a flagstaff above was in place by 1924. That year the Eltham Shire Memorial League was formed to plan and raise funds for a more substantial memorial. A design competition was held with entries invited from Melbourne monumental masons and technical schools, but the resulting proposals were considered too polished, when a more rustic effect was desired. A competition entry design for a 70ft lookout tower in local stone by the shire engineer was chosen.

Local resident Basil Hall recalled in 1963 that at a gathering at his house, presumably soon after the competition, artist Harold Herbert had sketched up a design inspired by watch towers built on the Scottish -English border from the 1450s and ca1600. Architect Percy Meldrum then volunteered to produce architectural drawings. By early 1925 the League had approved Meldrum's drawings for a 50ft tower, and this was reduced to 40ft because of cost constraints. The Shire arranged for sandstone to be brought to the tower site from a quarry on the nearby farm of Dr Ethel and Professor William Osborne. Builder Mr Rousell used cast-concrete quoins and dressings with the local stone as rubble veneer in between. The main structure of the tower was in reinforced concrete.

1500 people attended the opening of the tower on Armistice Day 1926. School children from Eltham, Panton Hill, Hurstbridge, Kangaroo Ground, Research, and Queenstown formed a guard of honour for the Governor General and Lady Stonehaven as they approached the tower and unveiled the temporary honour board painted on the panels on either side of the doorway. A pair of captured German field guns were arranged on either side of the tower in ca1929 but were mysteriously taken away during World War II.

Interwar and World War 2 history of the Memorial Park

With the rise of motor travel, the lookout tower became a very popular stopping point on day tours from Melbourne. A series of returned-soldier caretakers were employed to look after the site, with a one-room caretaker's cottage built in ca1927 from the same local rubble stone as the tower. In September 1930 a "handsome" bronze tablet costing over £100 and bearing the names of the fallen was erected on the tower above arch of the doorway. Returned soldier and ex prize-fighter William 'Tiny' Carroll was the most conspicuous of the early caretakers, living at the tower from c1934 to ca1938 and providing vivid interpretation for visitors.

Four cast iron direction plates were fitted to the lookout balustrades in 1931. The timber doors in the entrance were replaced with wrought iron gates in ca1936. The inside of the tower was painted white in ca1938 in an effort to improve the lighting of the stairs. The park and tower were considered somewhat neglected by 1939, and extensions to the caretaker's cottage to allow a married couple were considered. When the tower was rededicated by the Governor Sir Dallas Brooks in 1951, with new plaques for the names of the fallen in World War II, a new fibro house had been built for the caretakers. The house continues to be leased out to people who agree to take on caretaker duties as part of the residential lease arrangement.

Post World War 2 history of the Memorial Park

The potential of the tower for fire spotting was first canvassed in 1939, but the first spotter started in 1948. In the 1966 the addition of a spotter's cabin to the top of the tower was pushed by the Forestry Commission and opposed by the local Returned Services League branches. University of Melbourne architecture professor Brian Lewis and the aging Percy Meldrum advised that a suitable design would not compromise the tower, and a prefabricated cabin was finally erected by crane in 1974. The Shire of Eltham purchased another block of land to the west in 1973, with the intention of providing better road access to the park.

Another rededication ceremony was held in 2001, with plaques installed to honour the fallen from the Korea, Borneo, Malaya and Vietnam conflicts. In 2008 the Moor-rul viewing platform, which functioned as a lookout for those unable to climb the stairs in the tower, was built on the upper part of the land acquired in 1973. The platform also accommodated interpretation panels. A new fire spotting cabin, this time raised above the original lookout level, was installed in 2010, as well as a new steel spiral staircase inside the tower.

Description

The site

The Memorial Park site consists of the original two acre rectangular park at the top of a hill and a piece of land containing the driveway entry at the south east corner, as well as the triangular piece of land to the west of the park and sloping down toward the Kangaroo Ground township, acquired in 1973.

The original area of the Memorial Park is defined by perimeter plantings of Cypress trees on the north, east and south boundaries, dating back to the 1920s. It is thought these trees were planted as a boundary demarcation but also had a memorial association in that they were evergreens. It is acknowledged that these trees are in poor health and will require replacement within 10 years. Planting of replacement trees that retain the landmark contribution, boundary demarcation and evergreen memorial association would be considered acceptable in retaining the significance of this historical boundary planting.

The War Memorial Tower (opened in 1926) is located at the highest point of the hill with a square stone clad boundary at the base (this has replaced the original earth plinth, which was levelled at a later date) and a diagonal pedestrian path leading from the driveway entry. A small stone clad former caretaker's cottage, built c1927, sits on the northern boundary and the 1951 caretaker's house is located in the north eastern corner and is fenced off from the park with a residential yard around the house.

The driveway is accessed from Eltham-Yarra Glen Road at the south east corner and follows the southern boundary, curving around the south west corner and along the eastern boundary to the asphalt car park in the north east corner.



Entrance driveway along southern boundary



North west corner car parking area



View towards 2010 toilet building on north boundary



View west towards Moor-rul viewing platform

At the top of the later acquired triangular parcel of grassland is the Moor-rul viewing platform, a roofed, steel and timber structure constructed in 2008.

There is a scatter of other memorials on the site including cairns, seats, interpretation panels and a "Lone Pine" planted in 2005.

Seats and tables were added to the site in 2004 and a toilet building located adjacent to the car park on the central north side of the site was constructed in 2005 and replaced the earlier 1969 toilet block.

Other tree species on the site include five Chusan Palms (*Trachycarpus fortunei*), which were 2001 replacements of original (7) Cabbage palms, a Cedar (*Cedrus deodara*) between the tower and the cottage and two early Sugar Gums (*Eucalyptus cladocalyx*) and a Manna Gum (*Eucalyptus viminalis*) to the west of the tower likely to have been planted in the 1920s.

Memorial Tower



The tower has a square plan and tapers slightly towards the top. It sits on a concrete plinth and has cast-concrete quoins and dressings with local sandstone, quarried from a nearby site, as rubble veneer in between. The main structure of the tower is reinforced concrete. A rendered string course runs around the tower below the springing line of the arch. Reinforced concrete ring beams are located at the levels of the landings inside the tower. The internal walls still show the lines of formwork for the reinforced concrete structure.

The tower is 16 metres high with an arched entry facing east and a large bronze tablet above the doorway listing 79 names of men from the Shire who died in World War One and 28 from World War

Two. Two bronze plaques with wreaths for the Korea, Borneo Malaya and Vietnam conflicts were installed in the panels on either side of the doorway of the tower in 2001. Because of the 2009 bushfires, the current fire spotting cabin at the top of the tower was installed in 2010 and replaced the previous 1974 fire spotter's cabin, which was a prefabricated structure hoisted onto the top of the tower and that involved the removal of the original stone structure around the rooftop exit door. The old ladders inside the tower were replaced in 2010 with a steel spiral staircase.

The tower was originally on a low square earth plinth with rubble edging (visible in photographs of the tower in the 1930s) but this plinth has been levelled out and a new rubble retaining wall around the tower installed.

c.1927 Caretakers Cottage



The single room caretaker's cottage is also randomly course rubble sandstone stone facing over cast concrete walls. The rubble sandstone was most likely left over from construction of the tower. It has a simple gable roof clad in terracotta Marseille tiles. It has a single door and window on the front (south) elevation and a chimney on the west end.

1951 Caretaker's Residence



The 1951 caretaker's residence has a t-shaped plan and is constructed of rendered brick walls with intersecting gable roofs clad in corrugated iron and timber framed openings. The residence has four rooms and separate yard bounded by a timber-paling fence.

Comparative Analysis

Other surviving World War 1 Memorials in Nillumbik Shire are as follows:

- The Eltham Avenue of Honour. An avenue of London Plane trees planted in Main Road Eltham by volunteers in 1917.
- An "Honour Avenue" was planted at Hurstbridge in August 1918.
- An "Honour Avenue" was planted at Panton Hill.
- In Hurstbridge a Memorial Park was created in 1923 on ten acres of land adjacent to the railway, which was purchased from Sharp's orchards. Volunteers built sports ovals and a picnic area.
- The Christmas Hills Memorial Park was planted with Oaks and Kurrajongs and equipped with garden seats.
- Yarrambat's War Memorial Park is located in Yan Yean Road.

- The Eltham World War 1 Memorial (HO249) was a granite obelisk was erected in a prominent position at the corner of Main Road and Bridge Street in 1919. It was moved to the front of the Eltham RSL building in the 1950s, and to a new Main Road site in 2012.
- The citizens of Diamond Creek erected a red-granite column in Collins Street Diamond Creek in 1921. In 1996 this memorial was relocated to Main Street and re-dedicated to cover the loss of all lives in conflicts since the Great War.
- The residents of Panton Hill chose to erect a Soldiers Memorial Cross (HO96) in the yard of St Matthews Church of England opposite the Soldiers' Memorial Hall, which was dedicated in 1926.
- A granite tablet memorial was unveiled in the Christmas Hills Memorial Park in 1921.
- The Diamond Creek Memorial Hall was opened in 1918.

Although there were other impressive parks and memorials constructed in the Shire following World War 1, the War Memorial Park and Tower has more significance to the whole Shire due to its establishment and construction as a whole of Shire memorial honouring all of those in the Shire who served and died in the wars rather than just from an individual town or locality within the Shire. In addition, the construction of the War Memorial Lookout Tower at the summit of the park as a memorial to those who died was seen as the highlight of the Shire's inter-war memorial building activity. A Shire holiday was declared for the opening of the tower on Armistice Day 1926. It is also distinctive as an all-encompassing memorial site with a park and monument rather than just one of these.

The War Memorial Tower, constructed in 1926, is one of only six War Memorial Towers constructed in Victoria to memorialise World War 1. The Kangaroo Ground Memorial is unusual in its location in a rural rather than town setting and its rustic styling compared to the more formal other examples. Apart from the water tower at Portland, which had the lookout function added at a much later date (1992), the Kangaroo Tower is the only other lookout tower of these examples. The other five memorial towers are shown below:



Ringwood War Memorial Clock tower 1928



Bright War Memorial Clock Tower 1929



Woodend War Memorial Clock Tower 1927



Mildura war memorial clock tower 1921



Portland War Memorial Lookout Tower – the 1930s water tower was converted to a memorial lookout at 50th anniversary of end of WW 2 - 1996

Analysis of Significance

The Heritage Council of Victoria has adopted a set of criteria to be used when assessing cultural heritage significance. The criteria have been nationally endorsed by the Heritage Chairs and Officials of Australia and New Zealand.

Criterion A:

Importance to the course, or pattern, of Nillumbik Shire's cultural history.

The Memorial Park is historically significant for its role in civic commemoration of all those who enlisted in the wars, from the former Shire of Eltham. The park, established in 1921 following World War One, as the 'Shire of Eltham Memorial Park', intended to serve the whole Shire rather than an individual town or locality. In addition, the construction of the War Memorial Lookout Tower at the summit of the park as a memorial to those who died was the highlight of the Shire's inter-war memorial building activity. A Shire holiday was declared for the opening of the tower on Armistice Day 1926.

The Memorial Park and Memorial Tower are of historical significance for demonstrating the promotion of the idea that the war effort of the young nation proved its right to be on the world stage. The visiting governors and bishops were the symbolic carriers of this knowledge. This nationalistic role was linked in speeches to the view from the lookout of the successfully settled land.

The Memorial Park is of historical significance as a site that has been used as a tourist and picnic destination since at least the 1860s, long before the establishment of the Memorial Park and when the popular summit lookout was known as Garden Hill. This role of the site as a tourist and picnic destination and further enhanced by the presence of a lookout tower, continues to the present day.

The Memorial Park is of historical significance for its association with the repatriation scheme for returned soldiers who were employed to establish and maintain the grounds as well as employed as caretakers, first living in the Caretaker's Cottage constructed c1927 and later in the larger residence constructed in 1951. The Caretaker's residences also indicate the importance of the park to the Shire indicating that it had to be cared for and demonstrating those early methods of care with an on site caretaker.

The Memorial Park is of historical significance for its role in the fire history of the area with the use of the tower for fire spotting since 1939 to the present day.

Criterion B:

Possession of uncommon, rare or endangered aspects of Nillumbik Shire's cultural history.

The memorial tower is of significance as a rare form of a World War One memorial, which more commonly took the form of a stone obelisk located in the centre of a town. There are only five other known War Memorial Lookout Towers in the State. The memorial tower is also unusual for its rustic architectural expression using local rubble stone and minimal ornamentation, which was purposefully chosen for the tower, to reflect the largely rural character of the Shire and to set it apart from the more polished urban manifestations of memorialisation.

Criterion C:

Potential to yield information that will contribute to an understanding of Nillumbik Shire's cultural history.

Criterion D:

Importance in demonstrating the principal characteristics of a class of cultural places and objects.

Criterion E:

Importance in exhibiting particular aesthetic characteristics.

The Memorial Park is of aesthetic significance for its setting on a prominent hill with landmark evergreen plantings (Cypress trees) to the north, south and west boundaries of the original park, other specimen plantings and stone tower at the highest point offering magnificent views of the district. The retention of views to the west of the site through the 1973 purchase of the triangular piece of land, contributes to this setting.

The hierarchy on the site moving from the park in general, dedicated to the enlisted from the Shire, and the central tower element dedicated to the fallen from the Shire is of note. This is emphasised by the raised platform around the tower and the diagonal path from the driveway as part of this intended procession to the centre.

The War Memorial Tower, surrounding plinth and c.1927 Caretaker's Cottage are of aesthetic significance for their rustic styling and use of random rubble stone quarried locally, reflecting the largely rural character of the Shire.

The fire spotter's cabin on the top of this tower installed originally in 1974 and replaced with the current cabin in 2010 detrimentally impacts on this aesthetic significance.

Criterion F:

Importance in demonstrating a high degree of creative or technical achievement at a particular period.

Criterion G:

Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons. This includes the significance of a place to Indigenous peoples as part of their continuing and developing cultural traditions.

Criterion H:

Special association with the life or works of a person, or group of persons, of importance in Nillumbik's history.

The War Memorial Park is of social significance as a commemorative focus for the Nillumbik community to remember those who fought in the Wars. The primary role of a memorial was to enable commemoration of the enlisted and fallen. In the early services there was great immediacy with the presence of the parents of the fallen was mentioned.

The park is of social significance for its representation of community strength demonstrated by the involvement of locals in its establishment through community committees and leagues, fund raising efforts and continuing community involvement in its care and how it has evolved. This is also demonstrated in the ongoing need to honour, memorialise and tell stories at the site, including the need to acknowledge, the previously unacknowledged traditional owners of the land, which saw the construction of the Moor-rul viewing platform in 2008.

This platform also extends the educative role the site has played in teaching children and other visitors, initially about the young nation and ideas of loyalty and duty but also providing stories of the developing nation and its changing values over time.

Statement of Cultural Heritage Significance

What is significant?

The Former Shire of Eltham Memorial Park at 385 Eltham-Yarra Glen Road, Kangaroo Ground including, the original rectangular park, triangular parcel of land acquired in 1973, eastern parcel of land containing the driveway entry, the 1926 tower, c.1927 Caretaker's Cottage, 1951 Caretaker's Residence, diagonal path to the tower, Cypress trees to the north, west and south boundaries of the original park, Cedar (*Cedrus deodara*) between the tower and the cottage and two early Sugar Gums (*Eucalyptus cladocalyx*) and a Manna Gum (*Eucalyptus viminalis*).

How is it significant?

The Former Shire of Eltham Memorial Park at 385 Eltham-Yarra Glen Road, Kangaroo Ground is historically, aesthetically and socially significant to the Shire of Nillumbik.

Why is it significant?

The Memorial Park is historically significant for its role in civic commemoration of all those who enlisted in the wars, from the former Shire of Eltham. The park, established in 1921 following World War One, as the 'Shire of Eltham Memorial Park', intended to serve the whole Shire rather than an individual town or locality. In addition, the construction of the War Memorial Lookout Tower at the summit of the park as a memorial to those who died was the highlight of the Shire's inter-war memorial building activity. A Shire holiday was declared for the opening of the tower on Armistice Day 1926.

The Memorial Park and Memorial Tower are of historical significance for demonstrating the promotion of the idea that the war effort of the young nation proved its right to be on the world stage. The visiting governors and bishops were the symbolic carriers of this knowledge. This nationalistic role was linked in speeches to the view from the lookout of the successfully settled land.

The Memorial Park is of historical significance as a site that has been used as a tourist and picnic destination since at least the 1860s, long before the establishment of the Memorial Park and when the popular summit lookout was known as Garden Hill. This role of the site as a tourist and picnic destination and further enhanced by the presence of a lookout tower, continues to the present day.

The Memorial Park is of historical significance for its association with the repatriation scheme for returned soldiers who were employed to establish and maintain the grounds as well as employed as caretakers, first living in the Caretaker's Cottage constructed c1927 and later in the larger residence constructed in 1951. The Caretaker's residences also indicate the importance of the park to the Shire indicating that it had to be cared for and demonstrating those early methods of care with an on site caretaker.

The Memorial Park is of historical significance for its role in the fire history of the area with the use of the tower for fire spotting since 1939 to the present day.

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architectural expression using local rubble stone and minimal ornamentation, which was purposefully chosen for the tower, to reflect the largely rural character of the Shire and to set it apart from the more polished urban manifestations of memorialisation.

The Memorial Park is of aesthetic significance for its setting on a prominent hill with landmark evergreen plantings (Cypress trees) to the north, south and west boundaries of the original park, other specimen plantings and stone tower at the highest point offering magnificent views of the district. The retention of views to the west of the site through the 1973 purchase of the triangular piece of land, contributes to this setting.

The hierarchy on the site moving from the park in general, dedicated to the enlisted from the Shire, and the central tower element dedicated to the fallen from the Shire is of note. This is emphasised by the raised platform around the tower and the diagonal path from the driveway as part of this intended procession to the centre.

The War Memorial Tower and c.1927 Caretaker's Cottage are of aesthetic significance for their rustic styling and use of random rubble stone quarried locally, reflecting the largely rural character of the Shire. The fire spotter's cabin on the top of this tower installed originally in 1974 and replaced with the current cabin in 2010 detrimentally impacts on this aesthetic significance.

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The park is of social significance for its representation of community strength demonstrated by the involvement of locals in its establishment, through community committees and leagues, fund raising efforts and continuing community involvement in its care and how it has evolved. This is also demonstrated in the ongoing need to honour, memorialise and tell stories at the site, including the need to acknowledge, the previously unacknowledged traditional owners of the land, which saw the construction of the Moor-rul viewing platform in 2008.

This platform also extends the educative role the site has played in teaching children and other visitors, initially about the young nation and ideas of loyalty and duty but also providing stories of the developing nation and its changing values over time.

Recommended Heritage Overlay Revisions

It is recommended that the proposed revised Statement of Significance be adopted to accompany the listing of this place in the Shire of Nillumbik Heritage Overlay, replacing the existing Statement of Significance.

The following revised Heritage Overlay Schedule entries are recommended for the place:

Name – The Former Shire of Eltham Memorial Park at 385 Eltham-Yarra Glen Road, Kangaroo Ground

External Paint Controls - No

Internal Alteration Controls – No

Tree Controls – Cypress trees to the north, west and south boundaries of the original park, Cedar (*Cedrus deodara*) between the tower and the cottage and two early Sugar Gums (*Eucalyptus cladocalyx*) and a Manna Gum (*Eucalyptus viminalis*) west of the tower.

Fences & Outbuildings – War Memorial Tower, Stone Caretakers Cottage

Prohibited Uses May Be Permitted - Yes

The recommended revised (increased) extent for the Heritage Overlay listing is provided below:



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APPENDIX B

Concept Plan

16 Sept 2020
DRAFT
Not final.
Changes identified in Council resolution of
OCM 15 Sept 2020 to be implemented in
preparation of Draft Master Plan.



APPENDIX C

Concept Cost Plan 01

16 Sept 2020
DRAFT
Not final.
Changes identified in Council resolution of
OCM 15 Sept 2020 to be implemented in
preparation of Draft Master Plan.

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Kangaroo Ground War Memorial Park - Nilumbik Shire Council Concept Cost Plan 01

2nd September, 2020

16 Sept 2020

DRAFT

Not final.

Changes identified in Council resolution of
OCM 15 Sept 2020 to be implemented in
preparation of Draft Master Plan.

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16 Sept 2020

DRAFT

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PROJECT SUMMARY



Project: KANGAROO GROUND WAR MEMORIAL PARK

Cost Plan: CONCEPT COST PLAN 01

No.	Item Description	Proj Cost %	Quantity	Rate	Total
1	NOTES AND EXCLUSIONS	0.00			0
2	CARETAKERS COTTAGE	2.06	20	3,650.00	73,000
3	NEW PAVILION	1.72	51	1,196.08	61,000
4	PUBLIC TOILET AND STORAGE	5.65	41	4,902.44	201,000
5	EXTERNAL WORKS AND SERVICES	70.57	14,736	170.48	2,512,157
6	ESCALATION TO TENDER	2.42	14,736	5.84	86,000
7	ESCALATION DURING CONSTRUCTION	0.00	14,736	0.00	0
	ESTIMATED CONSTRUCTION TENDER		14,736	199.05	2,933,157
8	CONSTRUCTION CONTINGENCY	4.13	5.00		147,000
	ESTIMATED TOTAL CONSTRUCTION COST		14,736	209.02	3,080,157
9	OTHER PROJECT COSTS	13.49	14,736	32.57	480,000
	ESTIMATED TOTAL PROJECT COST		14,736	241.60	3,560,157
GFA: 0.00 m2			100		3,560,157

16 Sept 2020

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DETAILED COST PLAN



Project: KANGAROO GROUND WAR MEMORIAL PARK

Cost Plan: CONCEPT COST PLAN 01

No.	Item Description	Quantity	Unit	Rate	Total
NOTES AND EXCLUSIONS					
NOTES					
Generally					
1	Assumes a competitive tender process to four or more appropriately sized and interested contractors under an industry standard lump sum contract tendered within 12 months		note		
2	This cost plan includes services allowances by Wilde and Woollard. Wilde and Woollard are not specialised in services design and estimating thus we recommend all figures are confirmed by a specialist services consultant		note		
This cost plan has been based on the following documentation:-					
Architectural					
3	DRAFT CONCEPT for Cost Plan 01 drawings dated and received 20th August, 2020 including survey drawing, survey/proposed overlay and proposed plan		note		
Reports					
4	FG Dixon Group Condition Inspection Report dated 3rd June, 2019				
5	FG Dixon Group Condition Inspection Report dated 3rd June, 2019				
Structural					
6	Nothing provided		note		
Mechanical					
7	Nothing provided		note		
Electrical					
8	Nothing provided		note		
Hydraulic					
9	Nothing provided		note		
Civil					
10	CivilTest soil investigation and pavement design report No. 1171043 received 20th August 2020		note		
Fire					
11	Nothing provided		note		
Landscaping					
12	Refer Architectural		note		
NOTES TOTAL					0

16 Sept 2020

DRAFT

Not final.

Changes identified in Council resolution of OCM 15 Sept 2020 to be implemented in preparation of Draft Master Plan.

DETAILED COST PLAN



Project: KANGAROO GROUND WAR MEMORIAL PARK

Cost Plan: CONCEPT COST PLAN 01

No.	Item Description	Quantity	Unit	Rate	Total
NOTES AND EXCLUSIONS					(Continued)
<u>EXCLUSIONS</u>					
EXCLUSIONS					
The following has been excluded from this cost plan:-					
13	The cost plan is based on current known construction cost data and excludes any effects that COVID-19 (Coronavirus) will have on the construction tender market including availability of imported materials.		note		
14	Adverse market conditions including saturation of work in market place and non competitive sub-contractor prices		note		
15	Our estimate is based on competitive quantitative tender criteria only. Allowances or factors for higher priced tenders being selected on qualitative criteria has not been allowed		note		
16	Removal and replacement of hazardous materials including asbestos and contaminated soil - other than allowance provided		note		
17	Excavation, removal and replacement of rock, building rubble, inground structures etc. - other than those noted		note		
18	Excavation, removal and replacement of soft spots		note		
19	Upgrading or diversion of existing services other than allowances for lowering existing services as noted		note		
20	Site infrastructure works beyond the site boundary not indicated		note		
21	Work to the war memorial		note		
22	Full removal of existing access road		note		
23	Irrigation		note		
24	Cost escalation beyond 12 months		note		
25	Out of hours work		note		
26	Goods and services tax (GST)		note		
<u>EXCLUSIONS TOTAL</u>					0
NOTES AND EXCLUSIONS TOTAL					0

16 Sept 2020

DRAFT

Not final.

Changes identified in Council resolution of OCM 15 Sept 2020 to be implemented in preparation of Draft Master Plan.

DETAILED COST PLAN



Project: KANGAROO GROUND WAR MEMORIAL PARK

Cost Plan: CONCEPT COST PLAN 01

No.	Item Description	Quantity	Unit	Rate	Total
CARETAKERS COTTAGE					
AR	<u>31 ALTERATIONS AND RENOVATIONS</u>				
	RESTORATION OF CARETAKERS COTTAGE				
27	Allow for restoration works to existing Caretakers Cottage including temporary propping, removal and reinstatement of roof, replacement of damaged timber structural elements to roof, ceiling and floor, replacement of door, repair of cracking stone walls, removal of vegetation growing over walls, repairs to roof tiles, drainage works to redirect water from door, etc	1	item	60,000.00	60,000
	<u>31 ALTERATIONS AND RENOVATIONS TOTAL</u>				60,000
PR	<u>00 PRELIMINARIES</u>				
	PRELIMINARIES				
28	Allow for builder's preliminaries	1	item	6,000.00	6,000
	<u>00 PRELIMINARIES TOTAL</u>				6,000
YY	<u>46 DESIGN CONTINGENCY</u>				
	DESIGN CONTINGENCY				
29	Allow for design contingency	1	item	7,000.00	7,000
	<u>46 DESIGN CONTINGENCY TOTAL</u>				7,000
	CARETAKERS COTTAGE TOTAL				73,000

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DETAILED COST PLAN



Project: KANGAROO GROUND WAR MEMORIAL PARK

Cost Plan: CONCEPT COST PLAN 01

No.	Item Description	Quantity	Unit	Rate	Total
NEW PAVILION					
YY	<u>46 SPECIAL PROVISIONS</u>				
	NEW PAVILION				
30	Allow for new pavilion structure over Belvedere (measured separately) (Provisional Sum)	1	item	50,000.00	50,000
	<u>46 SPECIAL PROVISIONS TOTAL</u>				50,000
PR	<u>00 PRELIMINARIES</u>				
	PRELIMINARIES				
31	Allow for builder's preliminaries	1	item	5,000.00	5,000
	<u>00 PRELIMINARIES TOTAL</u>				5,000
YY	<u>46 DESIGN CONTINGENCY</u>				
	DESIGN CONTINGENCY				
32	Allow for design contingency	1	item	6,000.00	6,000
	<u>46 DESIGN CONTINGENCY TOTAL</u>				6,000
	NEW PAVILION TOTAL				61,000

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No.	Item Description	Quantity	Unit	Rate	Total
PUBLIC TOILET AND STORAGE					
YY	<u>46 SPECIAL PROVISIONS</u>				
	NEW TOILET BLOCK				
33	Allow for new toilet block with storage area (septic treatment system allowed separately) (Provisional Sum)	1	item	165,000.00	165,000
	<u>46 SPECIAL PROVISIONS TOTAL</u>				165,000
PR	<u>00 PRELIMINARIES</u>				
	PRELIMINARIES				
34	Allow for builder's preliminaries	1	item	17,000.00	17,000
	<u>00 PRELIMINARIES TOTAL</u>				17,000
YY	<u>46 DESIGN CONTINGENCY</u>				
	DESIGN CONTINGENCY				
35	Allow for design contingency	1	item	19,000.00	19,000
	<u>46 DESIGN CONTINGENCY TOTAL</u>				19,000
	PUBLIC TOILET AND STORAGE TOTAL				201,000

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No.	Item Description	Quantity	Unit	Rate	Total
EXTERNAL WORKS AND SERVICES					
XP	32 SITE PREPARATION				
	SITE DEMOLITION				
36	Demolition of existing house including all footings, etc and removal from site	106	m2	150.00	15,900
37	Demolition of existing toilet block including all footings, etc and removal from site	21	m2	200.00	4,200
38	Allow for relocation of existing pavilion including removal of all footings, etc to another site within Nilumbik Shire - platform area measured (not roofline)	1	item	25,000.00	25,000
39	Demolition of existing shed and covered area including all footings, etc and removal from site	29	m2	100.00	2,900
40	Demolition of existing pavements, concrete pads, etc	282	m2	25.00	7,050
41	Demolition of existing access road including saw cutting	1,464	m2	30.00	43,920
42	Demolition of existing garden beds	514	m2	10.00	5,140
43	Demolition of existing fencing and posts	380	m	15.00	5,700
44	Allow for demolition of miscellaneous hardscape items, signage, picnic tables, etc	1	item	5,000.00	5,000
45	Allow for removal of existing trees/shrubs including grubbing out roots and removing from site	56	no	2,500.00	140,000
	SITE PREPARATION				
46	Allow for site clearing of all rubbish and vegetation where new works to occur	6,664	m2	1.00	6,664
47	Works to prepare new grasslands and picnic and viewing lawn	4,909	m2	2.00	9,818
	EARTHWORKS				
	Road/Carpark Areas				
48	300 Deep excavation to road/carpark areas including removal of excess material from site	2,795	m2	15.00	41,925
49	Trim, grade and compact	2,795	m2	5.00	13,975
	Pavements				
50	300 Deep excavation to pavement areas	923	m2	15.00	13,845
51	Trim, grade and compact	923	m2	5.00	4,615
	Landscaped Area (Excluding Grasslands and Existing Lawn Areas)				
52	Excavation to landscape area	2,851	m2	2.00	5,702
53	Trim and grade	2,851	m2	1.50	4,277
	PROTECTION				
54	Allow for protection of existing trees	1	item	3,000.00	3,000

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No.	Item Description	Quantity	Unit	Rate	Total
EXTERNAL WORKS AND SERVICES					(Continued)
XP	32 SITE PREPARATION				(Continued)
	32 SITE PREPARATION TOTAL				358,631
XR	33 ROADS, FOOTPATHS AND PAVED AREAS				
	NEW ASPHALT ACCESS ROAD AND CARPARKING				
55	Asphalt access road including 150 deep cement stabilised existing subgrade, 100 deep Class 2 crushed rock, 140 deep Class 2 crushed rock, primer seal and 60 deep asphalt	2,194	m2	125.00	274,239
56	Asphalt carparking bays, adjacent to access road, including 150 deep cement stabilised existing subgrade, 100 deep Class 2 crushed rock, 140 deep Class 2 crushed rock, primer seal and 60 deep asphalt	294	m2	125.00	36,749
57	Asphalt carparking bays including 150 deep cement stabilised existing subgrade, 100 deep Class 2 crushed rock, 140 deep Class 2 crushed rock, primer seal and 60 deep asphalt	307	m2	125.00	38,373
58	Allow for speed bumps	3	no	1,500.00	4,500
59	Allow for linemarking including DDA parking logos, etc	1	item	20,000.00	20,000
	KERB AND CHANNELS ETC				
60	Flush concrete kerb	128	m	75.00	9,600
61	Concrete kerb and channel	685	m	80.00	54,800
62	Aggricultural drain and crushed rock backfilling	685	m	50.00	34,250
	NEW CROSSOVER				
63	Allow for new crossover at park entry (service relocations included elsewhere)	1	item	20,000.00	20,000
	GRANITIC SAND PAVEMENTS				
64	Granitic sand pavement on and including 100 deep crushed rock sub-base and edging (assumes stabilisation of subbase not required)	661	m2	45.00	29,745
	ASPHALT PAVEMENTS				
65	Asphalt pavement including 150 deep cement stabilised existing subgrade, 100 deep Class 2 crushed rock, 140 deep Class 2 crushed rock, primer and 60 deep asphalt	82	m2	120.00	9,840
66	Allow for steel edging to asphalt pavement	90	m	35.00	3,150
67	Pram crossing	3	no	2,500.00	7,500
	STONE PAVEMENTS AND BELVEDERE				
68	Allow for contruction of Belvedere including stone pavement finish, retaining walls, balustrades, steps, etc (Pavilion allowed separately)	1	item	280,000.00	280,000
	33 ROADS, FOOTPATHS AND PAVED AREAS TOTAL				822,746

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No.	Item Description	Quantity	Unit	Rate	Total
EXTERNAL WORKS AND SERVICES					(Continued)
XN	<u>34 BOUNDARY WALLS, FENCING AND GATES</u>				
	FENCING AND GATES				
69	Existing perimeter fence to be retained - no new fencing allowed		note		
70	Allow for new gate into Police Communications compound	1	item	2,500.00	2,500
	REINSTATE ROCK PLINTH				
71	Allow to reinstate rock plinth to war memorial	49	m	500.00	24,500
	<u>34 BOUNDARY WALLS, FENCING AND GATES</u>				<u>27,000</u>
	<u>TOTAL</u>				
XL	<u>36 LANDSCAPING AND IMPROVEMENTS</u>				
	GRASSED AREAS				
72	Make good to existing lawn including aeration, fertiliser and top dressing as required	2,681	m2	5.00	13,405
73	Turf grass including cultivation of existing subgrade and 100 deep imported topsoil	349	m2	35.00	12,215
74	Picnic and Viewing Lawn indigenous grass species in existing topsoil	1,130	m2	15.00	16,950
75	Moor Rul grasslands indigenous grass species in existing topsoil	3,779	m2	15.00	56,685
76	No works allowed within existing Moor Rul grasslands area		note		
	GARDEN BEDS				
77	Garden bed including 300 deep topsoil, 75 deep mulch and ground cover planting at 4 x 140 diameter pots/m2 and edging	1,506	m2	120.00	180,720
78	Extra over garden bed with ground cover planting for additional buffer planting	241	m2	56.00	13,496
	IRRIGATION				
79	Allow for irrigation to trees, lawns, grasslands and garden beds				Excluded
	MULCHED AREA				
80	75 deep mulch below new trees	996	m2	10.00	9,960
	TREES				
81	Evergreen tree (40L)	24	no	150.00	3,600
82	Ornamental tree (40L)	24	no	150.00	3,600
83	Moor Rul tree (40L)	21	no	150.00	3,150
84	Relocate existing palm tree	1	no	2,500.00	2,500
	SUNDRIES				

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No.	Item Description	Quantity	Unit	Rate	Total
EXTERNAL WORKS AND SERVICES					(Continued)
XL	<u>36 LANDSCAPING AND IMPROVEMENTS</u>				(Continued)
85	Allow for street furniture, picnic tables, bollards, etc (Provisional Sum)	1	item	60,000.00	60,000
86	Allow for new memorial plaques including concrete plinths (Provisional Sum)	1	item	24,000.00	24,000
MAINTENANCE					
87	Allow for maintenance to lawn and garden beds (1 year)	1	item	23,000.00	23,000
88	Allow for maintenance to trees (2 years)	1	item	16,000.00	16,000
89	Allow for maintenance to Picnic and Viewing Area Grasslands (2 years)	1	item	14,000.00	14,000
90	Allow for maintenance to Moor Rul Grasslands (5 years)	1	item	95,000.00	95,000
<u>36 LANDSCAPING AND IMPROVEMENTS TOTAL</u>					<u>548,281</u>
XK	<u>37 EXTERNAL STORMWATER DRAINAGE</u>				
STORMWATER DRAINAGE					
91	Allow for stormwater drainage works (Provisional Sum)	1	item	50,000.00	50,000
<u>37 EXTERNAL STORMWATER DRAINAGE TOTAL</u>					<u>50,000</u>
XD	<u>38 EXTERNAL SEWER DRAINAGE</u>				
SEWERAGE TREATMENT PLANT					
92	Allow for new on-site septic treatment plant for toilet block (Provisional Sum)	1	item	25,000.00	25,000
<u>38 EXTERNAL SEWER DRAINAGE TOTAL</u>					<u>25,000</u>
XW	<u>39 EXTERNAL WATER SUPPLY</u>				
EXISTING WATER SUPPLY					
93	Services depths remain unknown at this time		note		
94	Allow to lower existing water supply for construction of access road (Provisional Sum)	1	item		Excluded
95	Allow to connect new toilets to existing water supply (Provisional Sum)	1	item	7,500.00	7,500
96	Allow for new drinking fountain	1	item	5,000.00	5,000
<u>39 EXTERNAL WATER SUPPLY TOTAL</u>					<u>12,500</u>
XE	<u>42 EXTERNAL ELECTRIC LIGHT AND POWER</u>				
EXISTING ELECTRICAL SERVICES					
97	Services depths remain unknown at this time		note		
98	Allow to relocate existing power pole for construction of access road (Provisional Sum)	1	item	20,000.00	20,000
99	Allow to lower existing power cables for construction of access road (say 55m) (Provisional Sum)	1	item	60,000.00	60,000

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No.	Item Description	Quantity	Unit	Rate	Total
EXTERNAL WORKS AND SERVICES					(Continued)
<u>XE</u>	<u>42 EXTERNAL ELECTRIC LIGHT AND POWER</u>				(Continued)
100	Allow to re-route existing power cables for construction of access road	1	item		Excluded
ELECTRICAL SERVICES					
101	Allow for new external lighting to carpark, toilets and pavilion (Provisional Sum)	1	item	100,000.00	100,000
<u>42 EXTERNAL ELECTRIC LIGHT AND POWER TOTAL</u>					<u>180,000</u>
<u>XC</u>	<u>43 EXTERNAL COMMUNICATIONS</u>				
EXISTING COMMUNICATIONS SERVICES					
102	Services depths remain unknown at this time		note		
103	Allow to lower existing Telstra services for construction of access road (say 240m) (Provisional Sum)	1	item	70,000.00	70,000
104	Allow to re-route existing Telstra services for construction of access road	1	item		Excluded
<u>43 EXTERNAL COMMUNICATIONS TOTAL</u>					<u>70,000</u>
<u>PR</u>	<u>00 PRELIMINARIES</u>				
PRELIMINARIES					
105	Allow for builder's preliminaries	1		189,000.00	189,000
<u>00 PRELIMINARIES TOTAL</u>					<u>189,000</u>
<u>YY</u>	<u>46 DESIGN CONTINGENCY</u>				
DESIGN CONTINGENCY					
106	Allow for design contingency	1		229,000.00	229,000
<u>46 DESIGN CONTINGENCY TOTAL</u>					<u>229,000</u>
EXTERNAL WORKS AND SERVICES TOTAL					2,512,157

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No.	Item Description	Quantity	Unit	Rate	Total
ESCALATION TO TENDER					
<u>ESCALATION TO TENDER</u>					
ESCALATION TO TENDER					
107	Allow for cost escalation to Tender (allow 12 months @ 3% p.a)	1	item	86,000.00	86,000
ESCALATION TO TENDER TOTAL					86,000
ESCALATION TO TENDER TOTAL					86,000

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No.	Item Description	Quantity	Unit	Rate	Total
ESCALATION DURING CONSTRUCTION					
ESCALATION DURING CONSTRUCTION					
ESCALATION DURING CONSTRUCTION					
108	Allow for cost escalation during construction	1	item		Excluded
ESCALATION DURING CONSTRUCTION TOTAL					0
ESCALATION DURING CONSTRUCTION TOTAL					0

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No.	Item Description	Quantity	Unit	Rate	Total
CONSTRUCTION CONTINGENCY					
<u>CONSTRUCTION CONTINGENCY</u>					
CONSTRUCTION CONTINGENCY					
109	Allow for construction contingency @ 5.0%	1	item	147,000.00	147,000
<u>CONSTRUCTION CONTINGENCY TOTAL</u>					<u>147,000</u>
CONSTRUCTION CONTINGENCY TOTAL					147,000

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No.	Item Description	Quantity	Unit	Rate	Total
OTHER PROJECT COSTS					
<u>OTHER PROJECT COSTS</u>					
PROFESSIONAL FEES					
110	Allow for Professional Fees @ 12%	1	item	370,000.00	370,000
INSURANCES					
111	Allow for insurances (Provisional Sum)	1	item	10,000.00	10,000
AUTHORITIES FEES AND CHARGES					
112	Allow for authorities fees and charges, permits, planting offset payments, etc (Provisional Sum)	1	item	50,000.00	50,000
SIGNAGE					
113	Allow for interpretative, directional/wayfinding and traffic signage (Provisional Sum)	1	item	50,000.00	50,000
<u>OTHER PROJECT COSTS TOTAL</u>					<u>480,000</u>
OTHER PROJECT COSTS TOTAL					480,000

1080 Heidelberg-Kinglake Road, Hurstbridge

‘Fermanagh’

Prepared by: Context	Survey date: April 2021
Place type: Residential	Designer: John Jenkin
Significance level: Significant	Builder: Not known
Extent of overlay: To title boundaries	Major construction: 1915-16



Figure 1. Principal (northeast) elevation of ‘Fermanagh’ at 1080 Heidelberg-Kinglake Road, Hurstbridge. (Source: realestate.com.au, 2019)



Figure 2. Northwest elevation of ‘Fermanagh’ at 1080 Heidelberg-Kinglake Road, Hurstbridge. (Source: realestate.com.au, 2019)

HISTORICAL CONTEXT

This place is associated with the following historic themes taken from the *Nillumbik Shire Thematic Environmental History* (2016):

6 BUILDING TOWNS AND SHAPING SUBURBS

6.2 Pre-World War I subdivisions and estates

From the 1890s Eltham had been included within the boundaries of Greater Melbourne for the purpose of the census, but its setting was still decidedly rural. The first impact of the railway, when it reached Eltham in 1902, was a great expansion in tourism but it was a number of years before new residential subdivisions appeared on the outskirts of the town. These were typically breakups of rural properties from the nineteenth century. In 1909 the Franktonia estate (or Beard's estate) on the north-east side of Eltham bordering Research was created from land that had been held by the Beard family since 1860. The blocks of six to 29 acres were advertised as 'well suited for farming and fruit growing and adapted for rural suburban residential purposes, the blocks comprising beautiful crests, some picturesquely wooded'. (Mills & Westbrooke 2016:69)

In reality, much of this activity remained speculative and before World War I the area stayed predominantly rural, punctuated by a few small towns. Eltham was still surrounded by cultivated land (Kellaway 1992). To the south, the edge of advancing metropolitan suburbia resulted in infill and consolidation in Montmorency and Greensborough. (Mills & Westbrooke 2016:69) In the early twentieth century, some of the larger rural properties in the Nillumbik area were being subdivided into smaller blocks, often at the sale of a deceased estate. Nevertheless, these were still typically bought as productive farms. At Arthurs Creek, Charles Draper's estate Charnwood was subdivided in 1903 into four orchards with grazing land attached. Cleir Hills orchard near Queenstown, the deceased estate of George Gray, was subdivided in 1905 into three orchard lots of 81, 60 and 145 acres. (Mills & Westbrooke 2016:70)

Most houses of the early twentieth century were modest weatherboard-clad timber-framed structures. There are only a few houses from this period in the shire that approached the standard of development that the subdividers had envisaged. The Stanhope Residence in Eltham (around 1910) (HO149) designed by Desbrowe Annear is a timber-framed house with roughcast walls and the detailing and internal timber panelling typical of the architect. The Mackey House in North Warrandyte (1914) is another timber house with stucco treatment and bungalow styling (HO181). (Mills & Westbrooke 2016:71)

4 TRANSFORMING AND MANAGING THE LAND AND NATURAL RESOURCES

4.4 Agriculture, orchards and viticulture

The spread of orchards began with the selectors in the 1860s and by 1900 orchards covered much of the west of the shire, from Diamond Creek up to Strathewen in the north. Auriferous or quartz-laden soil was said to be suitable for fruit growing and the slopes of the Diamond Valley offered well-drained soil for the trees. Fruit growing is a labour-intensive activity, well suited to the small blocks of land selected in the Diamond Valley. The growing population of Melbourne in the

second half of the nineteenth century provided a handy market for the fruit of the Diamond Valley (Mills & Westbrooke 2016:61).

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. While many smaller orchardists probably struggled to make profits in a labour-intensive industry, those who planted on a larger scale did very well (Mills & Westbrooke 2016:61).

The Arthurs Creek Fruitgrowers Association was formed in 1890. Members held regular shows at Diamond Creek and were active in the fight for railway connections between the fruit-growing districts and Melbourne. By the turn of the century, Arthurs Creek dominated the Melbourne fruit market. In 1912, following the passing of the Cool Store Trust Bill, for which the Arthurs Creek Association had actively lobbied, a cool store was constructed at Diamond Creek (on the site now occupied by squash courts). As well as the co-operative coolstore there were, by 1931, two privately owned cool stores at Diamond Creek operated by TJ Clark and Burke Brothers respectively. Even in the 1950s and 1960s Yarrambat orchardist Otto Rupp was placing his apples and pears in Mr Collins' cool store. In 1931 The Leader's correspondent wrote that 'scores of small orchards few more than 20 acres in extent, are to be found within the neighbourhood of Diamond Creek and Eltham, and it is on fruit growing that most of the inhabitants of this district depend for their livelihood.' Writing of the 1920s, Graham McInnes recalled that from Hurstbridge to Panton Hill the 'immediate countryside was undulating park-like bush with the trees widely spaced, or else rolled aside by the fastidious patterns of orchards. As we bowled merrily on the downhill stretches the neatly planted rows of peaches, apples, nectarines and pears went by like wheel spokes and made a neat line from every angle' (Mills & Westbrooke 2016:61).

The Shire of Nillumbik orchards probably peaked around the turn of the century, when local fruit was being exported to other states and overseas. By the First World War however, many local orchardists were experiencing difficulties. The Australasian reported in 1910 that 'growers have been loath to part with their old trees and their hesitation has resulted in one of the most important fruit-growing districts being left in the background.' Smaller orchardists struggled at the best of times to make a living from their trees, turning to raising chickens, selling firewood like Otto Rupp, even working for other landowners or in goldmines as well as tending their fruit trees. Even large growers like Draper disadvantaged themselves by offering too wide a variety of fruits at a time when dealers began to demand fewer varieties, but steady supplies, especially for overseas markets (Mills & Westbrooke 2016:62).

The Federation of Australia had removed tariffs between colonies so Tasmanian apples now competed with local produce, while the spread of railways throughout Victoria made fruit from the Goulburn Valley an equal competitor for the Melbourne market. There are still fruit growers in the shire today, but as a major local industry, orchards were finally defeated by the drop in exports to the United Kingdom during the Second World War. Disease wiped out some fruit trees and, as the city crept nearer, land became more valuable as building blocks rather than for farming or orcharding (Mills & Westbrooke 2016:62).

LOCALITY HISTORY

Hurstbridge, established near the junction of Arthurs Creek and Diamond Creek, is located on the country of the Wurundjeri-willam clan of the Woi wurrung people.

The Hurstbridge area, named after Henry Hurst and a ford he built over Diamond Creek in 1860, was originally known as Upper Diamond Creek, or Allwood, after Cornelius Haley's cattle run of the same name. 'Allwood' was taken up in 1841 and occupied by Robert Hurst, father of Henry, and his family from 1868 (Hurstbridge and District Local History Group). In 1894, Henry Hurst's daughter, Frances, and her husband, William (Bill) Gray, rebuilt the Allwood residence, incorporating a transported building, and named it 'Allwood House'. They developed the extensive Allwood Nurseries on the property, from which they exported fruit trees ('Hurstbridge Heritage Trail' n.d.).

A number of land Acts were introduced after the 1850s gold rushes in Victoria, to establish an agricultural industry. Land was made available in the Hurstbridge area under the 1869 land Act. Some of the land taken up under this Act was held freehold by the 1870s; other allotments were leased until the introduction of the 1901 land Act, and not held freehold until the first decades of the twentieth century (*Greensborough Parish Plan* 1961). Orchards and nurseries were subsequently established, with apples, in particular, grown in large quantities.

Hurstbridge was a part of a substantial area given over to the growing of apples, pears and stone fruit, the main agricultural industry in the Diamond Valley region (the area covered by much of the present Nillumbik Shire), from the 1880s to the 1930s. With its soil and climate suited to the growing of fruit, Diamond Valley formed a significant part of the wider fruit-growing region situated to the north and east of Melbourne in the counties of Evelyn, Bourke and Mornington. Orchards and nurseries were established on the hills and in the gullies of the catchments of Diamond Creek and Arthurs Creek, stretching from the township of Diamond Creek, through Hurstbridge, Cottles Bridge, Arthurs Creek and Panton Hill, to the foot of the Kinglake Ranges at Strathewen and Queenstown (now St Andrews) (National Trust Report, 'Shaws Cool Store, Cottlesbridge', B6979, cited in Butler 2006:140).

Up until 1900, when private subdivision commenced, Hurstbridge's businesses comprised only tearooms, a wine and billiard saloon, a butcher shop, a bakery and a blacksmith (Butler 1996:43). A public hall opened in 1892 (Eltham District Historical Society 2000).

When the Melbourne-Eltham railway line was extended to Hurstbridge in 1912, the railway station at today's Hurstbridge was named Allwood and a settlement subsequently developed (Hurstbridge Historical Trail; *Victorian Places* 2015). The Allwood Post Office and store opened in 1911 opposite the railway station (Eltham District Historical Society 2000). Fruit-drying works and a cool store for fruit were constructed behind the station in 1912. The railway station became a central point for the transport of fruit and timber from surrounding areas (Eltham District Historical Society 2000).

Subdivision of residential estates followed. In 1913, a sale advertisement noted that 219 acres in the 'Home of the Wattle' at Hurstbridge had been subdivided into allotments 'admirably adapted for week-end homes, small farms, orchard blocks' (*Argus* 10 December 1913:5).

Most of the town's growth between 1912 and the mid-1920s took place along Main Road. Offices to house the *Evelyn Observer* newspaper opened in 1918 (the building now houses the Hurstbridge Post Office) (*Victorian Places* 2015; 'Hurstbridge Heritage Trail' n.d.). Hurstbridge State School No. 3939 opened in the Church of England Sunday school hall in 1916, with a dedicated school building opened in 1922 (the building was destroyed by fire in 2005) (Blake 1973:445). A memorial sports oval

was opened at Hurstbridge in 1921 (Eltham District Historical Society 2000). A single lane bridge, designed by John Monash, opened in 1918 to replace the ford built by Henry Hurst.

Special trains ran to Hurstbridge so that Melbourne visitors could gather wattle. So great were their numbers and the destruction they wrought that a charity, the Wattle Day Red Cross afternoon tea, was established in the Hurstbridge to bring some control to the crowds (Butler 1996:48).

Further subdivision occurred in Hurstbridge in the interwar period. In 1920, for example, landowners Frances and Bill Gray subdivided 34 lots on the west side of Main Road in the northern part of what is now Hurstbridge; by 1925 a few lots had also been subdivided on the west side of Main Road. The Hurstbridge Railway Estate also opened in 1924 (Mills & Westbrooke 2017:72). Some soldier settlement also occurred on rural blocks in the area in the 1920s.

The township was renamed Hurstbridge in 1924 after Henry Hurst, although the derivations 'Hurst's Bridge' and 'Hurst Bridge' were in use until the 1950s. The section of railway line between Eltham and Hurstbridge was electrified in 1926, three years after the electrification of the line between Melbourne and Eltham.

Due to the increased competition in fruit-growing from irrigated districts after World War I and the impact of the economic depression of the 1930s, many of the area's orchardists turned to other pursuits such as raising poultry, selling firewood, or supplementing their incomes by working for other landowners or in the few goldmines still in operation in the Diamond Creek, Greensborough and Smiths Gully areas (Nillumbik Shire 2020; 'Victorian Gold Project' 1999:14).

By 1940, a recreation reserve, a croquet green and tennis courts had been established (*Victorian Places* 2015). The majority of the Hurstbridge township area was not subdivided into residential blocks until after World War II. With this subdivision and the availability of rail services to Melbourne, Hurstbridge's population nearly doubled between 1933 and 1954, increasing from 433 to 824. Electricity was supplied to the town in 1957, and in 1967 a high school was opened (*Victorian Places* 2015; 'Hurstbridge Heritage Trail').

Hurstbridge has been a tourist destination since the opening of the railway line in 1912, with visitor numbers rising with increased car ownership from the 1920s and particularly after World War II.

Like Eltham, Hurstbridge attracted artists, with Albert Tucker moving to a five-acre property with his wife, Barbara Bilcock, at Hurstbridge in the 1960s (Hurstbridge and District Local History Group).

The population had grown to 2350 residents in 1981. By the 1980s, Hurstbridge featured clubs, four churches and an active shopping centre (*Victorian Places* 2015).

PLACE HISTORY

'Fermanagh' at 1080 Heidelberg-Kinglake Road, Hurstbridge, is located on Crown Allotment 8, Section C, Parish of Greensborough. Comprising 18 acres, it was taken up under the 1869 land Act by Charles Carr by 1885 (*Greensborough Parish Plan* 1961; CT:V1898 F431).

After Carr died in 1896, Patrick Burke (senior), a farmer of Upper Diamond Creek, became the owner of the property in 1898 (CT:V1898 F431).

Burke's son, Patrick Joseph, married Margaret Brennan from Arthurs Creek in 1915. In the same year, Ivanhoe architect John Jenkin advertised tenders for a tiled, timber residence for P Burke Esq at Hurstbridge - the subject residence (*Argus*, 9 January 1915:3).

By 1916 Patrick and Margaret Burke were living in the subject house, named 'Fermanagh' after the county in Ireland of the same name, when Margaret gave birth to twins (Age 5 February 1916:5).

Patrick and Margaret went on to establish the Diamond Valley Orchards and Nursery on Diamond Creek and Arthurs Creek. The Burkes employed many locals in both their orchard and cool store, which Patrick built on the Kinglake Road homestead site after mismanagement of his crops at the Hurstbridge Cool Store. The Burkes' cool store burned down in the 1970s (Hurstbridge and District Local History Group 2003).

Patrick Burke and John Brennan took out a mining lease on the property in 1923 to prospect for gold (*Advertiser*, 31 August 1923:3).

Patrick Burke died in 1941, aged 67. His obituary noted that he had been born in the area and was survived by his wife, three sons and two daughters (*Eltham and Whittlesea Shires Advertiser*, 19 September 1941:1). After Patrick's death, Margaret Burke took over ownership of 'Fermanagh' (CT:V1898 F431). A road reserve was surveyed on the southern boundary of the property in 1968.

After Margaret Burke died in 1973, Carmel Blake (née Burke) became the owner in 1975. The property was subdivided into two lots in 1980, with Mary Burke becoming the owner of the eastern lot (approximately four hectares), in the same year (CT:V1898 F431; CT:V9085 F307; CT:V9402 F821).

The property was listed for sale in 2019. It appears that up until that time ownership of the house remained in the Burke family, a proprietorship of over 100 years.



Figure 3. Detail from a 1951 aerial photograph showing distinct circular planting pattern, and small outbuilding to the southeast of the house in existence at this time. (Source: CPO, 'MELBOURNE AND METROPOLITAN PROJECT NO.2' 1945, via Landata)



Figure 4. Detail from a 1987 aerial photograph showing the mature circular planting pattern, and carport erected in front of the small outbuilding. (Source: CPO, 'WESTERN PORT FORESHORES' 1987, via Landata)

Historical aerial imagery from 1951 shows a distinct ovoid planting pattern enclosing a front garden space to the northwest of the house (Figure 3). By 1987 these trees were well established (Figure 4). Current aerial imagery and recent photographs of the property indicate that the trees are Golden Cypress (*Hesperocyparis macrocarpa* 'Horizontalis Aurea'). A pair of trees to the northwest of the house are also shown in the 1951 and 1987 aerials. In recent photographs these appear to be mature Chinese Windmill Palms (*Trachycarpus fortunei*). Their maturity and intentional placement, in symmetry with the elevation, indicates they were planted as part of an early garden.

Historical aerial imagery also indicates that a small gabled weatherboard outbuilding with a chimney was erected by 1951 to the southeast side of the house. It is likely that this is an early addition, if not contemporary with the construction of the house. By 1987, a flat-roofed carport was erected in front of the weatherboard outbuilding, and in 2020 this carport was lengthened to extend beyond the front building line of the house.

Patrick and Margaret Burke, owners 1915-1973

Patrick Burke (senior), from County Fermanagh in Ireland, arrived in Hurstbridge in c1864. He and Mary Brennan married and settled on 20 acres of land in 1866 at Arthurs Creek. Patrick and Mary Burke and their sons, Patrick Joseph, James and Edward, purchased allotments bordering Hurstbridge township along Arthurs Creek and Diamond Creek where they established a nursery, market gardens, orchards and a cool store (Gangara Press Publishing; *Hurstbridge Happenings* nd). By 1909 P Burke of Upper Diamond Creek was advertising for sale 'all leading varieties' of fruit trees (*Evelyn Observer and Bourke East Record*, 9 July 1909:2).

Patrick Joseph Burke, son of Patrick and Mary, married Margaret Brennan of 'Pine Hill', Arthurs Creek, in 1915. They subsequently purchased two blocks on the Heidelberg-Kinglake Road across the Diamond Creek from the family's existing holdings and built a house, 'Fermanagh', and established an orcharding business (Hurstbridge and District Local History Group 2003).

Patrick and Margaret had two sons and three daughters: Mary, Pat, Frank, Claire and Carmel. The Burke family were and still are active in community affairs, having played prominent roles in both the local football and cricket teams, and in the local fire brigade. All were active in church affairs (Hurstbridge and District Local History Group 2003).

Both Patrick and Margaret Burke are buried in the Diamond Creek (Nillumbik) Cemetery.

DESCRIPTION

Fermanagh at 1080 Heidelberg-Kinglake Road, Hurstbridge, is a single-storey timber house built in 1915 to a design by John Jenkin. The house is accessed by a long drive that extends east from Heidelberg-Kinglake Road, curving around to the dwelling's northeast façade. The house is positioned on a substantial allotment, on sloping land. It is raised at its northern corner to accommodate the crossfall. It has a low-slung hipped roof clad with Marseilles roof tiles that sweeps down to incorporate a return verandah. The verandah has timber posts, balustrade and decorative fretwork and extends around three sides of the house. The roof has terracotta ridge capping and finials, and the walls are clad in weatherboards. Brick chimneys are face brick with roughcast detailing, flat concrete caps and terracotta pots. This type of dwelling, which has adopted Queen Anne architectural details combined with the massing and verandah form of an Australian homestead, is generally referred to as a Federation villa.

At the principal (northeast) elevation, access to the house is via timber steps which access the verandah and the front door beyond. The timber panelled front door has a leadlight highlight panel and transom window.



Figure 5. Principal (northeast) elevation 1080 Heidelberg-Kinglake Road, Hurstbridge. (Source: realestate.com.au 2019)

The northwest elevation is symmetrically arranged. Here, the return verandah is terminated with a central projecting gabled bay. This bay has a central, four-part casement window with highlight panels above and a terracotta tiled awning. Casement windows with multi-pane upper sashes sit either side of the projecting bay. The gable roof projects past the bay and is supported on decorative timber brackets. A panel of roughcast render sits beneath the eaves to ceiling height, and the gable end is treated with timber strapping to emulate half-timbering.



Figure 6. The northwest elevation. Note the projecting gabled bay, roughcast render panel beneath the eaves line, window awning and decorative timber fretwork to the verandah. (Source: realestate.com)

At the southeast side of the house there is an early gabled weatherboard outbuilding with brick chimney. In front of the outbuilding is a carport, erected c1951-1987 and lengthened in 2020 to extend beyond the front building line of the house.

To the northwest of the house is an early garden enclosed by mature Golden Cypress trees (*Hesperocyparis macrocarpa* 'Horizontalis Aurea') planted in an ovoid pattern. A pair of Chinese Windmill Palm trees (*Trachycarpus fortunei*) is planted at the northwestern elevation.

INTEGRITY

Fermanagh at 1080 Heidelberg-Kinglake Road, Hurstbridge is highly intact with minimal changes visible to original or early fabric. The building retains its original Federation villa form, with low-pitched hip roof sweeping down to incorporate the returning verandah, weatherboard-clad walls and fenestration. The integrity of the house is greatly enhanced by the intactness of these main elements, which includes details such as the Marseille terracotta roof tiles, ridge capping and finials, roughcast render detailing, gable end detailing, decorative timber fretwork and posts to the verandah, window and door joinery and leadlight glazing. The retention of the early garden at the northwest of the house and mature plantings including Golden Cypress trees (*Hesperocyparis macrocarpa* 'Horizontalis Aurea') arranged in a circular pattern and pair Chinese Windmill Palm trees (*Trachycarpus fortunei*) similarly enhance integrity. Overall, the place has very high integrity.

COMPARATIVE ANALYSIS

Much of the land in Nillumbik had been taken up as large agricultural properties from the 1860s onwards. By the late 1880s, though, the first smaller subdivisions in the area were spurred on by the land boom in Victoria. Although subdivisions occurred in the late 1880s and again in the first decade of the twentieth century, the nature of these subdivisions was predominantly speculative and little development occurred. The land continued to be largely rural until World War I, dotted by small townships.

These early subdivisions did not drastically change the rural nature of the area. In 1909, when a large farm to the northeast of Eltham was divided, the lots were still sold in parcels ranging between six and 29 acres each. These allotments were advertised as being equally as suited to farming and fruit-growing as they were to residential purposes (Mills & Westbrooke 2016:69). Most houses that appeared in these subdivided areas in the early twentieth century were weatherboard-clad, timber-framed structures often small in scale.

From the 1880s to the 1930s, Hurstbridge was part of a substantial area given over to the growing of apples, pears and stone fruit, the main agricultural industry in the Diamond Valley region (the area covered by much of the present Shire of Nillumbik). Fermanagh at 1080 Heidelberg-Kinglake Road, Hurstbridge, is an example of the type of farm and orchard houses built in the Nillumbik area prior to World War I, when land was increasingly being taken up for small scale agricultural pursuits, such as the Burke family's orchards.

The following examples of pre-1920 houses established in local orchards are listed on the Nillumbik Heritage Overlay.



Weatherboard house, 840 Heidelberg-Kinglake Road, Hurstbridge (HO73). (Source: VHD)

The weatherboard house at 840 Heidelberg-Kinglake Road, Hurstbridge, built c1917, is historically significant as a reminder of the changes in the township that occurred after the railway line was opened to Hurstbridge in 1912. The house is also aesthetically significant for its modest scale and simple design and as one of a cluster of similar houses built between c1910 and c1920 in Hurstbridge (VHD).



Residence, 748 Heidelberg-Kinglake Road, Hurstbridge (HO262). (Source: Google Maps)

The property at 748 Heidelberg-Kinglake Road, constructed c1918, is historically significant for associations with the early development of Hurstbridge. It is an early surviving residence in the main street of Hurstbridge dating from the boom period within the township that was stimulated by the orchard industry and the coming of the railway in 1912 (VHD).



Old Brinkkötter House, 32 Lindon Strike Court, Research (HO114). (Source VHD)

The c1913 timber house (left) at 32 Lindon Strike Court, Research, is significant together with the substantial brick house built c1935 also on the site, for its associations with the Brinkkötter family, well-known Research farmers and orchardists. The existence of two adjacent farmhouses on the one property is rare in the former Shire of Eltham. The timber house is of double-fronted face brick construction with a slate roof (VHD).



Harless Orchard House, 35 Ingrams Road, Research (HO218). (Source: VHD)

The Harless Orchard House, built in 1905, is described as 'as probably the best Edwardian era dwelling' in the former Shire of Eltham (VHD). Residential buildings from that era are not common, and many examples adopted the late nineteenth century standard house designs.

The orchard house is one of limited numbers of the surviving Federation period housing stock within the shire, and is a well-preserved example of an orchardist's house in an era of expansion for the industry (VHD).



Weatherboard farmhouse and outbuildings, 760 Hurstbridge-Arthurs Creek Road, Arthurs Creek (HO89). (Source: VHD)

The property comprises a c1905 farmhouse and pre-1920 outbuildings. The farmhouse is of historical and associative significance for its associated with the MacMillan family of orchardists over a long period of time and has strong links with Eltham's fruit-growing industry. The house is also historically and aesthetically significant as one of a small number of pre-1920s weatherboard dwellings in the rural areas of the shire, and as one of the most substantial examples (VHD). The house has a double-gable roof with return verandah, situated on a sloping land.

Discussion

'Fermanagh', at 1080 Heidelberg-Kinglake Road, Hurstbridge, compares well to the above examples. The house compares closely to the houses at 840 Heidelberg-Kinglake Road, Hurstbridge (HO73) and 748 Heidelberg-Kinglake Road (HO262), as a good demonstration of the early period of development of the Hurstbridge township, which accelerated due to the opening of the railway line in 1912.

Stylistically, it is distinguished from the houses at 840 and 748 Heidelberg-Kinglake Road, Hurstbridge (HO73 and HO262, respectively) that exhibit a transitional style, with elements of the late Victorian era combined with Edwardian-style details. These houses display a typically Victorian form as symmetrical, double-fronted timber dwellings. However, they are finished with Edwardian-era features such as red brick chimneys, front windows in pairs and turned timber verandah posts with timber fretwork. 760 Hurstbridge-Arthurs Creek Road, Arthurs Creek (HO89), built c1905-20, embodies the form of a Victorian dwelling with a double-gable roof. The c1913 timber house at 32 Lindon Strike Court, Research (HO114) and 35 Ingrams Road, Research (HO218), both established for local orchardists, provide more close comparison in terms of the style and intactness.

Overall, 'Fermanagh' is a fine example of a Federation villa built during the same period as the above examples, with its intact Queen Anne architectural details combined with the massing and verandah

form of an Australian homestead. Originally established as an orcharding property, the property retains of much of its original rural setting. This is particularly evident when compared with the group of houses along Kinglake-Heidelberg Road, Hurstbridge, which all demonstrate the residential subdivision of land and transition towards township living in Hurstbridge.

STATEMENT OF SIGNIFICANCE

WHAT IS SIGNIFICANT?

'Fermanagh' at 1080 Heidelberg-Kinglake Road, Hurstbridge, a single-storey timber Federation villa built in 1915 to a design by architect John Jenkin for Patrick and Margaret Burke, is significant.

Elements that contribute to the significance of the place include the:

- original Federation villa form and scale, including the low-pitched hip roof sweeping down to incorporate the returning verandah;
- Marseille terracotta roof tiles, including to the window awning, ridge capping and finials;
- weatherboard walls and roughcast render detailing;
- brick and roughcast chimneys and terracotta chimney pots;
- fenestration arrangement;
- gable end detailing, decorative timber fretwork and posts to the verandah, window and door joinery and leadlight glazing;
- early weatherboard gabled outbuilding with brick chimney; and
- early garden at northwest of house with mature plantings including Golden Cypress trees (*Hesperocyparis macrocarpa* 'Horizontalis Aurea') arranged in an ovoid pattern and pair of Chinese Windmill Palms (*Trachycarpus fortunei*).

HOW IS IT SIGNIFICANT?

Fermanagh at 1080 Heidelberg-Kinglake Road, Hurstbridge, is of local historic, aesthetic and associative significance to the Shire of Nillumbik.

WHY IS IT SIGNIFICANT?

Fermanagh at 1080 Heidelberg-Kinglake Road, Hurstbridge, is of historical significance for its ability to demonstrate the manner in which land in the Nillumbik area was subdivided and used for small agricultural pursuits. It illustrates the early period of development of the Hurstbridge township, which accelerated due to the opening of the railway line in 1912. 'Fermanagh' provides tangible evidence of its association with orcharding in Hurstbridge, which was the main agricultural industry in the Diamond Valley region from the 1880s to the 1930s, and with locally notable orchardists the Burke family. The Burke family lived at 'Fermanagh' for over 100 years, and ran an orchard on the property for at least 25 years. Patrick Burke had settled in the area in the 1860s and with his sons established a nursery, market garden and cool store. The Burke family employed many locals in their orchard at 'Fermanagh' and are known as prominent figures in Hurstbridge's agricultural history. (Criteria A and H)

Fermanagh and garden at 1080 Heidelberg-Kinglake Road, Hurstbridge, is aesthetically significant as a particularly well-executed and architect-designed Federation villa that retains an early garden. It is distinguished from other houses of the same era in Hurstbridge with its intact Queen Anne details including Marseille terracotta and roughcast render detailing, decorative timber fretwork and posts to the verandah, combined with the massing and verandah form of an Australian homestead. The property's aesthetic significance is further enhanced by the remaining garden elements including Golden Cypress trees (*Hesperocyparis macrocarpa* 'Horizontalis Aurea') arranged in an ovoid pattern

and two Chinese Windmill Palms (*Trachycarpus fortunei*) arranged symmetrically in relation to the house. (Criterion E)

RECOMMENDATIONS

Recommended for inclusion in the Schedule to the Heritage Overlay of the Nillumbik Planning Scheme as an Individually Significant place.

Extent of overlay: To title boundaries

Recommendations for the Schedule to the Heritage Overlay (Clause 43.01) in the Nillumbik Planning Scheme:

Nillumbik Planning Scheme

External paint controls	No
Internal alteration controls	No
Tree controls	Yes - Golden Cypress trees (<i>Hesperocyparis macrocarpa</i> 'Horizontalis Aurea') and Chinese Windmill Palms (<i>Trachycarpus fortunei</i>)
Outbuildings or fences	No
To be included on the Victorian Heritage Register	No
Prohibited uses may be permitted	No
Aboriginal heritage place	No

Other

N/A

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Planning and Environment Act 1987

NILLUMBIK PLANNING SCHEME

AMENDMENT C140

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 1080 Heidelberg-Kinglake Road, Hurstbridge.

What the amendment does

The Amendment proposes to:

- Amend Schedule to Clause 43.01(Heritage Overlay) to include 1080 Heidelberg-Kinglake Road, Hurstbridge.
- Amends the Schedule to Clause 72.04 (Documents Incorporated in this Planning Scheme) to include the Statement of Significance for 1080 Heidelberg-Kinglake Road, Hurstbridge.
- Amend Planning Scheme Map No. 11HO to apply HO to 1080 Heidelberg-Kinglake Road, Hurstbridge.

The amendment replaces an interim Heritage Overlay (HO269) applied through C139Nill over the site known as 'Fermanagh' at 1080 Heidelberg-Kinglake Road, Hurstbridge. A citation recommending the protection of the dwelling and garden was prepared as part of the Nillumbik Heritage Review Stage A. This citation was adopted by Council on 29 June 2021.

The amendment amends Planning Scheme Map No 11HO to apply a new heritage overlay to cover the site to the property lines and replaces Clause 43.01 Schedule 1 to show the new heritage overlay (HO270).

Strategic assessment of the amendment

Why is the amendment required?

A planning permit application has been received for 1080 Heidelberg-Kinglake Road, Hurstbridge known as 'Fermanagh' which upon review has alerted Council officers to proposed additions to the dwelling that make substantial changes to the façade of the existing dwelling.

The citation for the site identifies the property is of local historic, aesthetic and associative significance to the Shire of Nillumbik. Fermanagh is noted of historical significance for its ability to demonstrate the manner in which land in the Nillumbik area was subdivided and used for small agricultural pursuits. It illustrates the early period of development of the Hurstbridge Township, which accelerated due to the opening of the railway line in 1912. 'Fermanagh' provides tangible evidence of its association with orcharding in Hurstbridge, which was the main agricultural industry in the Diamond Valley region from the 1880s to the 1930s, and with locally notable orchardists the Burke family. The Burke family lived at 'Fermanagh' for over 100 years, and ran an orchard on the property for at least 25 years. Patrick Burke had settled in the area in the 1860s and with his sons established a nursery, market garden and cool store. The Burke family employed many locals in their orchard at 'Fermanagh' and are known as

prominent figures in Hurstbridge's agricultural history. This context meets Criteria A and H for assessment.

Fermanagh and garden is also aesthetically significant as a particularly well-executed and architect-designed Federation villa that retains an early garden. It is distinguished from other houses of the same era in Hurstbridge with its intact Queen Anne details including Marseille terracotta and roughcast render detailing, decorative timber fretwork and posts to the verandah, combined with the massing and verandah form of an Australian homestead. The property's aesthetic significance is further enhanced by the remaining garden elements including Golden Cypress trees (*Hesperocyparis macrocarpa* 'Horizontalis Aurea') arranged in an ovoid pattern and two Chinese Windmill Palms (*Trachycarpus fortunei*) arranged symmetrically in relation to the house meeting Criterion E of heritage assessment.

Given this significance, the citation adopted as part of Councils Heritage Review Stage A recommends that the site is included in the Schedule to the Heritage Overlay in the Nillumbik Planning Scheme with mapping applied to the property boundaries and tree controls to the Golden Cypress Trees and Chines Windmill Palms.

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?

Pursuant to section 12(2)(b) and (c) of the Act, the likely social and economic effects have been assessed as follows:

Environmental effects

The introduction of a heritage overlay is unlikely to result in any significant environmental effects.

The amendment will conserve and enhance a place identified as being of aesthetic and historic significance.

The amendment will also make a significant positive contribution to the built environment conserving a heritage place.

Social effects

The amendment is expected to have positive social impacts by providing protection for a place identified as being of aesthetic and historic significance.

Economic effects

The amendment is not expected to have any adverse or significant economic repercussions for the community. Some additional costs are likely to be imposed on the owners or developers of affected residential properties, since the amendment will necessitate a planning permit for most buildings and works. It is considered that economic effects will be offset by the contribution that the heritage place offers to the broader community.

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 following Ministerial Directions:

- *Ministerial Direction on the Form and Content of Planning Schemes* under section 7(5) of the Planning and Environment Act 1987
- *Ministerial Direction No. 9 – Metropolitan Strategy (Plan Melbourne)* in terms of the identification and protection of places of heritage significance. The relevant components of Plan Melbourne are:
 - Direction 4.7 – Respect our heritage as we build for our future

This direction seeks to ensure that heritage is valued when managing growth and change. It acknowledges that Melbourne is recognised for its well-preserved heritage buildings and that there is a need to manage future growth and change so Melbourne's distinctive characteristics and heritage are maintained.
 - Initiative 4.7.1- Value heritage when managing growth and change

This initiative aims to protect the city's heritage and improve heritage management processes within the Victoria planning system.
- The Amendment is consistent with the directions and initiatives in the Metropolitan Strategy, in that it identifies and provides protection of a property of local heritage significance and conserves a part of Nillumbik Shire Council's heritage. The amendment also addresses the requirements of *Ministerial Direction No. 11 – Strategic Assessments of Amendments*.

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

- Planning should ensure all land use and development appropriately responds to its surrounding landscape and character, valued built for form and cultural context.

Clause 15.03-1S Heritage conservation

- Objective: To ensure the conservation of places of heritage significance.
- Strategies:
 - Retain those elements that contribute to the importance of the heritage place.
 - Provide for the protection of natural heritage sites and man-made resources.
 - Support adaptive reuse of heritage buildings where their use has become redundant

How does the amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?

The Local Planning Policy Framework and Municipal Strategic Statement have now moved into the Planning Policy Framework and Municipal Planning Strategy in the Nillumbik Planning Scheme. Please see above for response to the Planning Policy Framework.

The Amendment is consistent with the Municipal Planning Strategy and implements the following:

Clause 02.03-5 Built Environment under Heritage

- Protect and enhance places of heritage significance, including sites of Aboriginal heritage significance.

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

The application of the Heritage Overlay is the most appropriate mechanism for recognising and protecting the cultural heritage significance of the identified place. The assessment undertaken identifies that the property meets the threshold for local significance as a place that is important to the Nillumbik community or locality.

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 Amendment C140.

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-c140

And/or

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 make a submission to the planning authority. Submissions about the amendment must be received by [insert submissions due date].

A submission must be sent to: Nillumbik Shire Council

Civic Drive (PO Box 476)
Greensborough 3088

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: [insert directions hearing date]
- panel hearing: [insert panel hearing date]

ATTACHMENT 1 - Mapping reference table

Location	Land /Area Affected	Mapping Reference
Hurstbridge	1010 Heidelberg-Kinglake Road	Nillumbik C140nill 001hoMap11 Exhibition

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Planning and Environment Act 1987

NILLUMBIK PLANNING SCHEME

AMENDMENT C140

INSTRUCTION SHEET

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

The Nillumbik 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

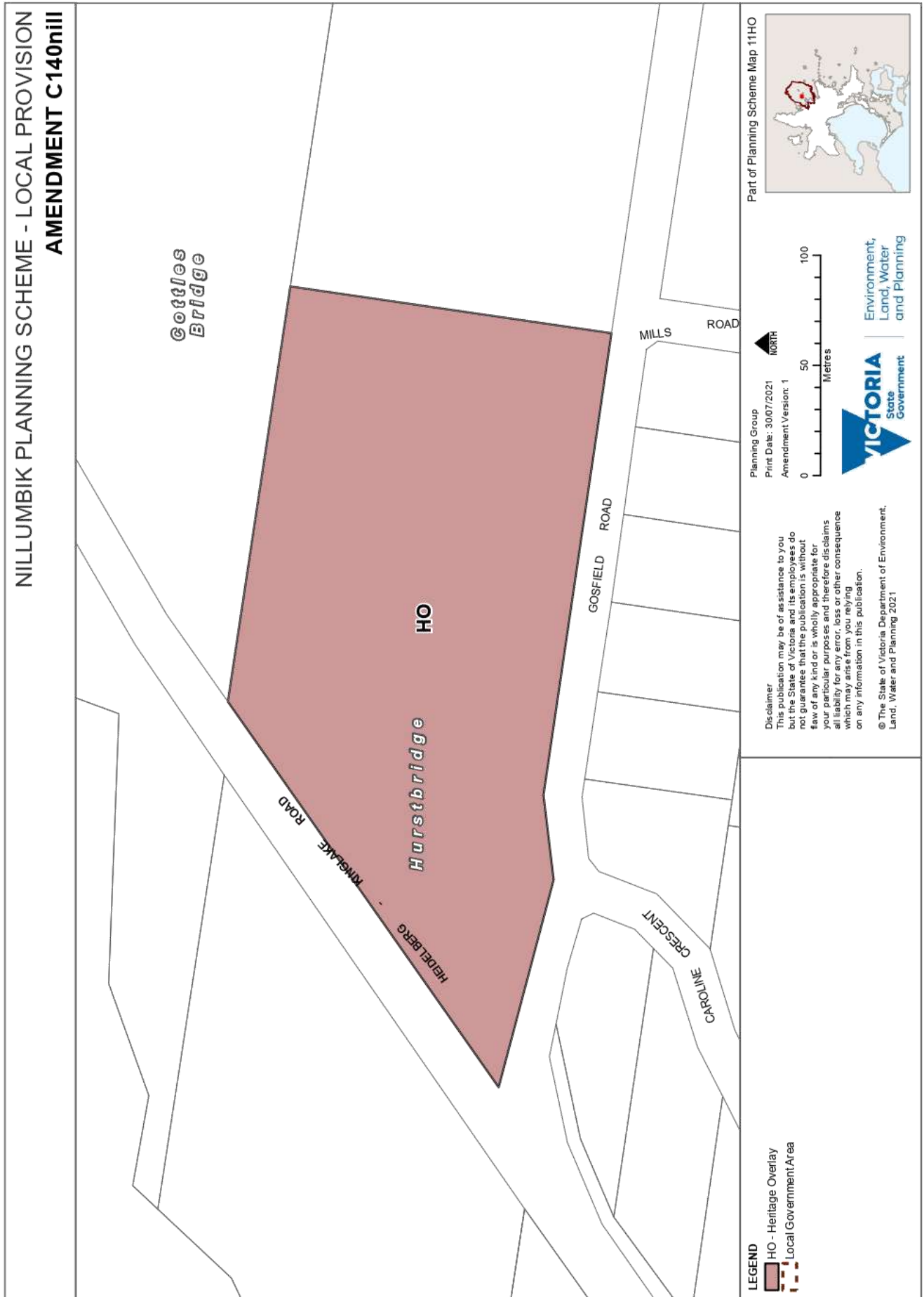
1. Amend Planning Scheme Map No 11HO in the manner shown on the attached map marked Nillumbik C140nill 001hoMap11 Exhibition.

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 Operational Provisions – Clause 72.04, replace Schedule 1 with a new Schedule 1 in the form of the attached document.

End of document



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**Planning
Panels
Victoria**

**Nillumbik Planning Scheme Amendment C126nill
Rezoning at Bridge Street and John Street, Eltham**

Panel Report

Planning and Environment Act 1987

11 June 2021



How will this report be used?

This is a brief description of how this report will be used for the benefit of people unfamiliar with the planning system. If you have concerns about a specific issue you should seek independent advice.

The planning authority must consider this report before deciding whether or not to adopt the Amendment.

[section 27(1) of the *Planning and Environment Act 1987* (the PE Act)]

For the Amendment to proceed, it must be adopted by the planning authority and then sent to the Minister for Planning for approval.

The planning authority is not obliged to follow the recommendations of the Panel, but it must give its reasons if it does not follow the recommendations. [section 31 (1) of the PE Act, and section 9 of the *Planning and Environment Regulations 2015*]

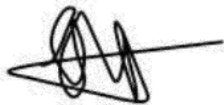
If approved by the Minister for Planning a formal change will be made to the planning scheme. Notice of approval of the Amendment will be published in the Government Gazette. [section 37 of the PE Act]

Planning and Environment Act 1987

Panel Report pursuant to section 25 of the PE Act

Nillumbik Planning Scheme Amendment C126nill

11 June 2021



Gabby McMillan, Chair

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Glossary and abbreviations

Council	Nillumbik Shire Council
DELWP	Department of Environment, Land, Water and Planning
LG Act	<i>Local Government Act 1989</i>
MAC	Major Activity Centre
Ministerial Direction on Form and Content	Ministerial Direction on <i>The Form and Content of Planning Schemes</i>
MPS	Municipal Planning Strategy
MSS	Municipal Strategic Statement
NRZ	Neighbourhood Residential Zone
PE Act	<i>Planning and Environment Act 1987</i>
PPF	Planning Policy Framework
PPRZ	Public Park and Recreation Zone
Practitioner's Guide	<i>Practitioner's Guide to the Victorian Planning Schemes</i> (V 1.4)
VPP	Victoria Planning Provisions

Overview

Amendment summary	
The Amendment	Nillumbik Planning Scheme Amendment C126nill
Common name	Rezoning at Bridge Street and John Street, Eltham
Brief description	The rezoning of the eastern end of Bridge Street and John Street, Eltham from Residential Zone Schedule 1 to Public Park and Recreation Zone.
Subject land	Eastern end of Bridge Street, Eltham and the eastern end of John Street, Eltham.
Planning Authority	Nillumbik Shire Council
Authorisation	13 November 2020
Exhibition	From 7 January until 18 February 2021
Submissions	Number of Submissions: 3 Opposed: 2 Richard Schurmann (supported and requested a change) Sue and Colin Cook (opposed) John Lordan (opposed)

Panel process	
The Panel	Gabby McMillan
Directions Hearing	29 April 2021 (Video conference)
Panel Hearing	25 May 2021 (Video conference)
Site inspections	Unaccompanied, 23 May 2021
Parties to the Hearing	Nillumbik Shire Council, represented by Bea Guevara and Leigh Northwood Richard Schurmann Sue and Colin Cook, represented by Kieren Mihaly of Counsel assisted by Megan Copas Solicitor John Lordan, represented by Pat Weaver of Mosaic Project services
Citation	Nillumbik PSA C126nill [2021] PPV
Date of this report	11 June 2021

Executive summary

Nillumbik Planning Scheme Amendment C126nill (the Amendment) seeks to:

- partially rezone the eastern end of John Street, Eltham from Neighbourhood Residential Zone Schedule 1 to Public Park and Recreation Zone
- partially rezone the eastern end of Bridge Street, Eltham from Neighbourhood Residential Zone Schedule 1 to Public Park and Recreation Zone.

Key issues raised in submissions included:

- status of the subject land, including the relationship between the Amendment and the road discontinuance process
- impacts on landscaping and vehicle access
- potential extension of the Public Park and Recreation Zone at Bridge Street.

(i) Status of the subject land

The Amendment runs in parallel with a process to discontinue the road reserves at the eastern end of Bridge Street and John Street (the same land affected by the Amendment) under the *Local Government Act 1989* (LG Act). The road discontinuance is a separate process and outside the remit of the Panel. However, the discontinuance process is relevant to the extent that it affects the status of the subject land.

The purpose of the Public Park and Recreation Zone is to recognise areas for public recreation and open space. A logical precursor for the application of the Public Park and Recreation Zone is that the land needs to be 'public land'.

The Ministerial Direction *The Form and Content of Planning Schemes* (Ministerial Direction on Form and Content) specifies that a planning scheme may only include land in a public land zone if the land is Crown land, vested in or controlled by a Minister, government department, public authority or a municipal Council. The *Practitioner's Guide to the Victorian Planning Schemes* (Version 1.4)¹ (Practitioner's Guide) explains that public land zones are not intended to identify the legal status of land.

Council submitted that the road discontinuance process is all but complete. Council submitted that the inclusion of the subject land in the Public Park and Recreation Zone would enable it to carry out its functions as a public land manager and allow for the consolidation of a public park network in this part of the Shire.

Some submitters disputed the legal status of the Amendment land. The submitted that it was not certain that the subject land would 'vest' in Council in the near future. They submitted that the Public Park and Recreation Zone should not be applied until the status of the subject land was resolved.

(ii) Landscaping and vehicle access

Submitters raised concerns in relation to vehicle access and landscaping were raised in written submission, however these concerns were not pursued at the Hearing.

¹ That replaced the content in Planning Practice Note 2 (Public Land Zones)

(iii) Extension of the PPRZ at Bridge Street

One submitter supported a change to the Amendment, being the extension of the PPRZ at Bridge Street, subject to that extra land being owned by Council.

(iv) Conclusions

The Panel concludes:

- The subject land must be Crown land or be vested in, or controlled by, Council (or another public body) before it is rezoned to PPRZ.
- It is not a matter for the Panel to determine the legal status of the subject land. The status of the land can only be resolved through separate processes outside the remit of this Panel.
- The Amendment will not result in any adverse impacts on existing vehicle access.
- The rezoning will enable Council to establish and maintain the proposed pocket parks as part of a broader open space network.
- That the extension of the PPRZ to the edge of Plumtree Close (at eastern end of Bridge Street) is a logical change to the Amendment, but such a rezoning proposal cannot proceed until the land is vested in or controlled by a Minister, government department, public authority or a municipal Council.

Recommendations

Based on the reasons set out in this Report, the Panel recommends that Nillumbik Planning Scheme Amendment C126nill be adopted as exhibited with changes subject to the following:

1. **That Council satisfy itself that sufficient notice of the Amendment was provided in accordance with the requirements at section 19 of the *Planning and Environment Act 1987* before it decides whether to adopt the Amendment. If it is not satisfied, it must give notice of the Amendment in accordance with the *Planning and Environment Act 1987*.**
2. **The subject land is not rezoned to Public Park and Recreation Zone until it is Crown land or is vested in or controlled by a Minister, government department, public authority or a municipal Council.**
3. **An additional section of land (as shown in Figure 2) at the eastern end Bridge Street, Eltham (to the edge of Plumtree Close) be rezoned from Neighbourhood Residential Zone Schedule 1 to Public Park and Recreation Zone, once that land is vested in or controlled by a Minister, government department, public authority or a municipal Council.**

1 Introduction

1.1 The Amendment

(i) Amendment description

The purpose of the Amendment is to rezone land at the eastern end of Bridge Street and John Street, Eltham to Public Park and Recreation Zone (PPRZ) to formalise two pocket parks.

Specifically, the Amendment proposes to:

- partially rezone the eastern end of John Street, Eltham from Neighbourhood Residential Zone Schedule 1 (NRZ1) to PPRZ
- partially rezone the eastern end of Bridge Street, Eltham from NRZ1 to PPRZ.

(ii) The subject land

The Amendment applies to subject land shown in Figure 1. The subject land is proposed to be used as two pocket parks which form a larger network of parks and larger reserves in Eltham.

The part of the subject land at the eastern end of Bridge Street is currently being used as a pedestrian link through to Harlington Avenue. The part of the subject land at the eastern end of John Street is currently being used as a pedestrian link and informal vehicle access. Bollards were recently installed on part of this land to limit informal access.

Figure 1 - Subject land and existing access



1.2 Background

The Amendment has been prepared by Council in parallel with a road discontinuance process under the *Local Government Act 1989*. While the discontinuance process is outside the Panel's remit, it is relevant to the extent that it affects the status of the subject land (e.g. whether it is public land).

1.3 Procedural issue: Notice to owners

There was some dispute between the parties as to who the legal owner of the subject land was. During the Hearing submitters mentioned that the subject land was owned by the 'original developer' of the subdivision.

In response to these matters, the Panel issued further directions on 26 May 2021 and asked Council to confirm whether the owners of the land affected by the Amendment had been notified of the Amendment.

(i) Council submissions

Council provided a response on 1 June 2021.² It submitted that:

The relevant source of owner/occupier information to inform notification under Section 19 of the Planning & Environment Act 1987 of a Planning Scheme Amendment is Council's GIS system. Council's GIS aligns and draws directly from the Department of Environment, Land, Water and Planning (DELWP) database and Council's ratepayers database.

Please see Attachment 2 for a map of ratepayers (owners) and occupiers that were notified for Amendment C126nill. This plan demonstrates that the Amendment site cannot be selected as it is identified in Council's GIS with no ownership details due to its road status.

When a road is private, for example, resulted from a development of multiple parcels, this road may be clicked on in Council's GIS system and information on the parcel and its ownership will appear.

The Amendment site roads were created in the 1850's and the title remains in the ownership of the original developer. This is a consequence of pre *Subdivision Act 1989*, where it was usual for road reserves to be retained in the name of original landholder's name as the sub-divider. There were no agreements in place, just a default outcome of the subdivision process. Once the road was included in Council's road register, ownership by another person is irrelevant.

In its response Council also referred the Panel to the notification requirements in the PE Act. The Panel has reviewed the relevant sections of the Act.

Section 19(1) and 1(A) of the PE Act states that:

- (1) A planning authority must give notice of its preparation of an amendment to a planning scheme—
 - (a) to every Minister, public authority and municipal council that it believes may be materially affected by the amendment; and
 - (b) to the owners (except persons entitled to be registered under the Transfer of Land Act 1958 as proprietor of an estate in fee simple) and occupiers of land that it believes may be materially affected by the amendment; and

² Document 10

- (1A) Subject to subsection (1C), the planning authority is not required to give notice of an amendment under subsection (1)(b) if it considers the number of owners and occupiers affected makes it impractical to notify them all individually about the amendment.

Section 19(1C) states that subsection (1A) does not apply in relation to the giving of notice to an owner of land of an amendment which provides for the reservation of land for public purposes or the closure of a road.

Section 19(5) provides that the failure of a planning authority to give notice under section 19(1) does not prevent the adoption or approval of the Amendment. However, section 19(6) of the PE Act goes on to state that section 19(5) does not apply to a failure where the Amendment provides for the reservation of land for public purposes or the closure of a road.

(ii) Discussion

The Panel does consider that the number of owners or occupiers make it impractical to notify the Amendment. This is not a circumstance where the notice exemptions at section 19(1A) could be used.

Accordingly, the Panel considers that Council is required to give notice to *‘owners (except persons entitled to be registered under the Transfer of Land Act 1958 as proprietor of an estate in fee simple) and occupiers of land that it believes may be materially affected by the amendment’* in accordance with section 19 (1) of the PE Act. It is open to Council to conclude that the underlying owner is not materially affected by the Amendment.

The Panel understands the practical difficulty in identifying the owner of the subject land in Council’s GIS system. The Panel understands that the subject land was, up until recently a ‘road reserve’ and therefore managed by Council. It is not clear whether the Council (in its capacity as manager of the road reserve) was given direct notice of the Amendment. However, officers within Council and Councillors were clearly aware of the Amendment.³

Council did not clearly explain its notification process in its submissions or response of 1 June 2021.⁴ In the latter response, Council alluded that notice was given in the Herald Sun on 8 January 2021 and in the Government Gazette on 7 January 2021. However, it is not crystal clear whether that was notice of the Amendment or something else.

The Panel considers it would be prudent for Council to confirm that sufficient notice of the Amendment is given before it decides whether to adopt the Amendment.

The Panel recommends:

- 1. That Council satisfy itself that sufficient notice of the Amendment was provided in accordance with the requirements at section 19 of the *Planning and Environment Act 1987* before it decides whether to adopt the Amendment. If it is not satisfied, it must give notice of the Amendment in accordance with the *Planning and Environment Act 1987*.**

³ Based on the number of reports to Council in relation to the Amendment and associated road discontinuance process.

⁴ Document 10

1.4 Summary of issues raised in submissions

(i) Planning Authority

The key issue for Council was the strategic justification for applying the PPRZ to the proposed pocket parks.

(ii) Individual submitters or groups of submitters

The key issues raised by submitters were:

- Status of the subject land, including the relationship between the Amendment and the road discontinuance process
- Impacts on landscaping and vehicle access
- Potential extension of the PPRZ at Bridge Street.

The submissions remain outstanding.

1.5 The Panel's approach

The Panel has assessed the Amendment against the principles of net community benefit and sustainable development, as set out in Clause 71.02-3 (Integrated decision making) of the Planning Scheme.

The Panel considered all written submissions made in response to the exhibition of the Amendment, observations from site visits, and submissions, evidence and other material presented to it during the Hearing. It has reviewed a large volume of material, and has had to be selective in referring to the more relevant or determinative material in the Report. All submissions and materials have been considered by the Panel in reaching its conclusions, regardless of whether they are specifically mentioned in the Report.

This Report deals with the issues under the following headings:

- Planning context
- Public land status
- Landscaping and access
- Extension of the rezoning proposal in Bridge Street

1.6 Limitations

The road discontinuance process under the LG Act, possible adverse possession claims and a determination on the legal status of the subject land are outside the remit of the Panel.

The Panel notes submissions on these matters for context only. It does not have authority to make any formal determination on these matters; these matters can only be resolved through separate legal processes.

2 Planning context

2.1 Planning policy framework

Council submitted that the Amendment is supported by various clauses in the Planning Policy Framework, which the Panel has summarised below.

Clause 12.05 (Significant Environmental and Landscapes)

The Amendment supports Clause 12.05-2S (Landscapes) by:

- Protecting open spaces that contribute to the character, identity and sustainability of urban environments
- Improving open space linkages.

Clause 19.02 (Open space)

The Amendment supports Clause 19.02-6S by:

- Ensuring that open spaces are linked through the provision of walking and cycling trails
- Ensuring land identified as critical for open space links is transferred to open space purposes.

Clause 21.05 (the Municipal Strategic Statement)

The Amendment supports the MSS by:

- Environment, Conservation & Landscape (21.01) (Objective 6) by protecting and enhancing opportunities to create and link areas of open space in accordance with the Open Space Strategy.

Council's Open Space Strategy (2005) (referenced at Clause 21.08 of the Planning Scheme) identifies Eltham as part of an open space system. The strategy recognised that a broader range of open space and recreational facilities needs to be provided in Eltham.

2.2 Other relevant planning strategies and policies

(i) Plan Melbourne

Plan Melbourne 2017-2050 sets out strategic directions to guide Melbourne's development to 2050, to ensure it becomes more sustainable, productive and liveable as its population approaches 8 million.

Relevant policies in Plan Melbourne include:

- Direction 5.4 (Policy 5.4.1) aims to develop a network of accessible, high-quality, local open spaces.
- Direction 6.4 (Policy 6.4.1) supports a cooler Melbourne by greening urban areas.
- Direction 6.4 (Policy 6.4.2) seeks to ensure Melbourne's growing population is provided with and has access to quality open space.

(ii) Eltham Major Activity Centre Structure Plan

The Eltham Major Activity Centre Structure Plan provides guidance for the development of the Eltham Major Activity Centre (MAC). The subject land is located approximately 900 metres from the Eltham MAC.

Council submitted that, while the subject land is outside of the MAC, the Amendment is consistent with Vision at 4.4⁵ in the structure plan which seeks:

... to provide continuously accessible pathways within the Activity Centre and connecting to surrounding suburbs.

2.3 Ministerial Directions and Practice Notes

Ministerial Directions

The Ministerial Direction *The Form and Content of Planning Schemes* (Ministerial Direction on Form and Content) specifies that a planning scheme may only include land in a public land zone if the land is Crown land, vested in or controlled by a Minister, government department, public authority or a municipal Council.

The *Practitioner's Guide to the Victorian Planning Schemes* (Version 1.4)⁶ (Practitioner's Guide) explains that public land zones are not intended to identify the legal status of land. Section 5.1.1 of the Practitioner's Guide states that public land manager should be able to use and develop public land for any purpose under the relevant land management legislation without the need for a permit.

2.4 Discussion and conclusion

The purpose of the Amendment is to include the subject land in a zone which reflects its role as a pocket park. The submitters opposed to the Amendment did not dispute the strategic justification during the Hearing. Instead, the key issue in dispute was whether the subject land was 'public land' and therefore capable of being zoned for a public purpose.

The Panel considers that, subject to confirming the status of the subject land, there is a strategic basis for rezoning the land. If the subject land is controlled by Council, the PPRZ would enable Council to manage the land for open space purposes without the need for a planning permit for a range of activities. It is considered that the rezoning would facilitate the creation and maintenance of an open space network which is consistent with Clause 12.05-2S (Landscapes) of the Planning Scheme, Clause 19.02-6S of the Planning Scheme, Plan Melbourne and Council's *Eltham Major Activity Centre Structure Plan*.

For the reasons set out in the following chapters, the Panel concludes that the Amendment is strategically justified in principle,⁷ and implements, the relevant sections of the PPF. If the subject land is deemed public land, the Amendment would be consistent with the relevant Ministerial Directions and Practice Notes. The Amendment is well founded and strategically justified, and the Amendment should proceed subject to addressing the more specific issues raised in submissions as discussed in the following chapters.

⁵ At page 28 of the Structure Plan.

⁶ That replaced the content in Planning Practice Note 2 (Public Land Zones).

⁷ Subject to the subject land being vested or controlled by Council (or another public authority).

3 Public land status

3.1 The issues

The issues are:

- whether the subject land needs to be public land before it can be included in a public zone
- whether the subject land is vested in or controlled by Council.

3.2 Direction and guidance

3.2.1 Ministerial Directions

As outlined in Chapter 2, the Ministerial Direction on Form and Content specifies that a planning scheme may only include land in a public land zone if the land is Crown land, vested in or controlled by a Minister, government department, public authority or a municipal Council.

3.2.2 Practitioner's Guide

The Practitioner's Guide replaces Planning Practice Note 02 (Public Land Zones). The Practitioner's Guide (Section 5.1.1) includes the following guidance in relation to the application of public land zones:

- Public land zones are not intended to identify the legal status of the land or indicate the existing land use. They are intended to set out appropriate statutory requirements that apply to the use and development of the land in addition to the relevant land management legislation.
- Land should not be automatically included in a public land zone just because it is public land. There will be situations where a public land zone is not the most appropriate zone, such as a road or remnant parcel of public land in a rural area.
- A useful test in considering if a public land zone is appropriate is to determine if a public land manager needs some level of flexibility, protection or exemption that is different from the surrounding zone provisions because of the special nature of the public land or asset and its control (in a land use or management sense) under another Act. For this reason, public land zones should be applied in consultation with the relevant public land manager.

3.3 Background and context

3.3.1 Road discontinuance process

In February 2020 Council resolved to commence the procedure to remove the road reserve status from the subject land and to rezone the land to PPRZ. Since that time, the Amendment and the road discontinuance process under the *Local Government Act 1989* (LG Act) have run in parallel.

The road discontinuance is outside the remit of the Panel. However, the discontinuance process is relevant to the extent that it affects the status of the subject land.

Council submitted that the road discontinuance process is all but complete. It provided the Panel with copies of the documentation regarding that process, including Council's resolution from its meeting on 23 March 2021 that:

Acting under section 206 and clause 3 of Schedule 10 of the Local Government Act 1989 (Act), and having complied with sections 207A and 223 of the Act, and being of the opinion that the sections of the road reserve shown hatched on the plan are not reasonably required for public use (road), discontinue the road and take ownership of the resultant land.

The road discontinuance notice was posted in the Victorian Government Gazette on 8 April 2021.

Council advised that the final step in the process is for Council to lodge plans with the Titles Office. Council submitted that once the plans are registered at the Titles Officer, the land will be transferred to Council and this will complete the discontinuance process.

3.3.2 Potential adverse possession claim

Mr Mihaly, on behalf of Sue and Colin Cook submitted that there was a pending adverse possession claim over part of the subject land, being the part immediately to the north of 86 John Street.

The adverse possession claim is outside the remit of the Panel. The Panel notes Council's submission that it was not aware of the pending adverse possession claim until it was raised at the Hearing.

3.3.3 Public land manager status

The existence of a public land manager is relevant when considering the implications of applying the PPRZ on privately owned land. The PPRZ is structured in such a way that many uses are prohibited unless they are 'conducted by or on behalf of the public land manager'.

At the Hearing Council indicated that it was already acting as the public land manager of the subject land. The Panel asked Council to confirm whether it was the public land manager in further directions issued on 26 May 2021.

In its response to further directions dated 1 June 2021, Council submitted that:

The road reserve status has been removed pursuant to a road discontinuance process undertaken by Council, resulting in the land now being unencumbered. Relevantly, the land will be shortly owned by Council as a lodgement is in progress to the Titles Office which is a formality of the process. Accordingly, Council's status as a land manager is irrelevant as noted above, pursuant to the Gazetteal, the road reserve status has changed.

In accordance with the further directions, Mr Mihaly submitted⁸ that Council did not answer the question of whether it was the public land manager. He submitted that:

The Shire's submission does not answer this question, remarkably submitting that the Panel's question is irrelevant.

That irreverent attitude is predicated on the submission that the Relevant Land [being the land subject to a possible adverse possession claim] has vested in the Shire and the Shire will shortly be registered as its proprietor. The correctness of that submission is fundamentally in dispute and has been the subject of extensive submission during the hearing. The panel ought not accept the Shire's submission as to the Public Land Manager Question when it is based on a disputed fact outside the jurisdiction of the hearing.

⁸ In letter dated 7 June 2021 (Document 11)

For that reason, the identity of the public land manager is relevant. It is relevant to determining what prejudice may flow, if the Relevant Land is rezoned as part of the Amendment only for it to be eventually determined that the Cooks are its true owners (and not the Shire).

Mr Mihaly went on to submit that in the circumstances the Panel should proceed on the basis that Council is the relevant public land manager.

3.4 Submissions

3.4.1 Council

Council submitted that the subject land is now unencumbered, following the completion of the road discontinuance process. It submitted that the former 'road reserve' status of the subject land ended on 8 April 2021.

Council submitted that the road discontinuance process, which it acknowledges as a separate process, has been properly completed. It submitted, subject to the completion of the registration process at the Titles Office that the subject land:

... will be shortly owned by Council as a lodgement is in progress to the Titles Office which is a formality of the process.

3.4.2 Submitters

Mr Mihaly, on behalf of Sue and Colin Cook submitted that the legal status of the subject land was still unknown. He submitted that this was a key issue, given the PPRZ could only be applied to public land.

Mr Mihaly submitted that the 'owner' of the majority of the subject land was the Crows (that is, the original developer who subdivided the estate).

Mr Mihaly disputed Council's submission that ownership would transfer to Council shortly. Mr Mihaly submitted that it was not a foregone conclusion that the whole of the subject land would 'vest' in Council on the titles register. He submitted that the Cooks would have a right to intercede in that process if it was decided, by a Court, that they were the true owners of part of the land (that is, the part immediately to the north of 86 John Street).

In addition, Mr Mihaly submitted that it would not be appropriate to rezone privately owned land to PPRZ. He submitted that if the Cooks were the true owner of part of the subject land, the PPRZ would restrict the ability of the Cooks to use and develop their land. This is because the PPRZ restricts or prohibits many uses if they are not done by the 'public land manager'.

Mr Weaver, on behalf of Mr Lordan submitted that the road discontinuance process had not been properly completed and therefore the status of the subject land was uncertain. He submitted that the subject land could still be a 'road reserve'. He submitted that the road discontinuance process must be resolved before the Amendment could proceed.

In conclusion Mr Weaver submitted that:

- If the subject land remained a 'road reserve' that it cannot be rezoned to PPRZ.
- If the subject land is no longer a 'road reserve' then Mr Lordan had no concerns with the proposed rezoning. He submitted that the rezoning would make it easier for Council to undertake landscaping and maintenance works.

Mr Schurmann's submissions did not focus on the legal status of the road. However, Mr Schurmann submitted that it would be necessary for any land to be 'owned' by Council before it could be rezoned to PPRZ.

3.5 Discussion

There is dispute between the parties regarding the status of the subject land. The resolution of the legal status of the subject land is outside the scope of the Panel's remit.

Relevantly for this Amendment, the Ministerial Direction on Form and Content and Practitioner's Guide make it clear that:

- The Planning Scheme may only include land in a public land zone if the land is Crown land, vested in or controlled by a Minister, government department, public authority or a municipal Council.
- Public land zones are not intended to identify the legal status of the land.

The Panel considers that the subject land must be 'public land' before it can be rezoned to PPRZ. At the time of the Hearing, Council advised that the subject land was not vested in or controlled by Council.

The Panel accepts the submissions of Mr Mihaly that it would not be appropriate to apply the PPRZ over privately owned land. This is because several land uses are prohibited under the PPRZ unless they are done by or on behalf of the public land manager. The Panel is unclear as to whether a public land manager has been appointed, however, for the purpose of the rezoning the key issue is whether the subject land is vested or controlled by Council.

While it is not for the Panel to decide the legal status of the subject land, it is for the Panel to consider whether Amendment is consistent with Ministerial Directions. According to Ministerial Directions, the land must have vested in or be controlled by Council before the rezoning can proceed. The Panel considers that it would be premature to rezone the subject land to PPRZ before the land has vested in or is under the control of Council (or another public body).

3.6 Conclusions and recommendations

The Panel concludes:

- The subject land must be Crown land or be vested in, or controlled by, Council (or another public body) before it is rezoned to PPRZ.
- It is not a matter for the Panel to determine the legal status of the subject land. The status of the land can only be resolved through separate processes outside the remit of this Panel.

The Panel recommends:

2. **The subject land is not rezoned to Public Park and Recreation Zone until it is Crown land or is vested in or controlled by a Minister, government department, public authority or a municipal Council.**

4 Landscaping and access

4.1 The issues

The issues are whether the rezoning:

- will adversely impact on access to existing properties
- is necessary to enable Council to undertake landscaping and other works on the subject land.

4.2 Relevant policy and guidance

The relevant planning policy in relation to open space is outlined in Chapter 2 of this report. The Planning Scheme supports the development of open space networks and pedestrian linkages in Eltham.

Section 5.1.1 of the Practitioner's Guide states that a public land manager should be able to use and develop public land for any purpose under the relevant land management legislation without the need for a permit.

4.3 Submissions

Mr Lordan raised concerns in his written submission about the ability to access land at 91 John Street, in particular his proposal to create an additional vehicle crossover. In response Council submitted that the Amendment would not impact on the existing crossover to the property. It submitted that the application to create an additional crossover had been considered through a separate process and was not supported.

In written submissions Mr Weaver, on behalf of Mr Lordan questioned the necessity of the rezoning. He submitted that if Council controlled the subject land, it could undertake the required landscaping and works under the current zoning. In response Council submitted that the Amendment would ensure the zoning properly reflected the open space purpose of the land.

4.4 Discussion

The Panel considers that the rezoning is strategically justified if the subject land is deemed public land. The rezoning would enable Council to establish and manage the pocket parks without the need for planning permits.

The rezoning is considered to be consistent with Clause 12.05-2S (Landscapes) of the Planning Scheme, Clause 19.02-6S of the Planning Scheme, Plan Melbourne and Council's *Eltham Major Activity Centre Structure Plan*.

The Panel notes submissions in relation to the vehicle crossover. The Panel concludes that the Amendment will not impede existing vehicle access to adjoining properties.

4.5 Conclusions and recommendations

The Panel concludes:

- The Amendment will not result in any adverse impacts on existing vehicle access.

- The rezoning will enable Council to establish and maintain the proposed pocket parks as part of a broader open space network.

5 Extension of the rezoning proposal in Bridge Street

5.1 The issue

The issue is whether the non-trafficable land at the eastern end of Bridge Street should also be rezoned to PPRZ.

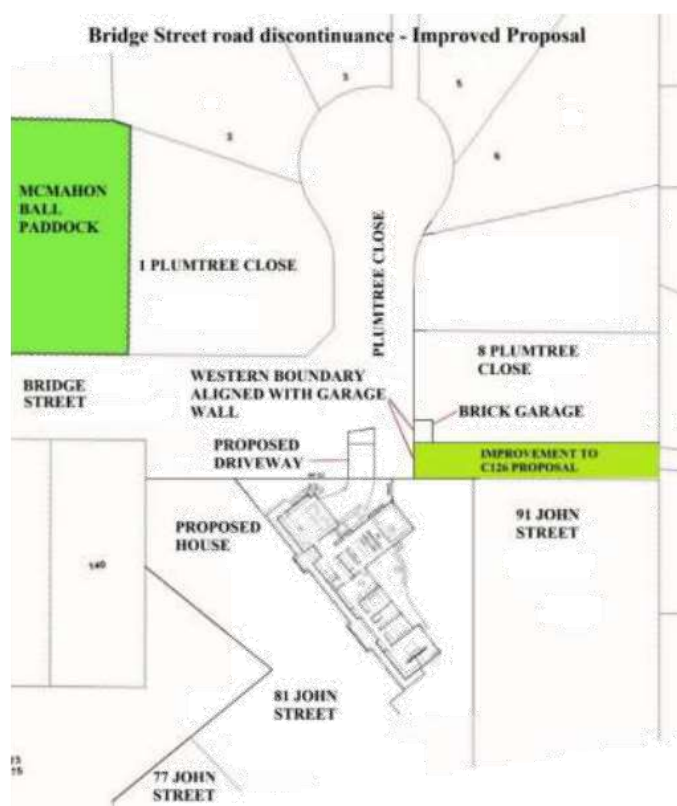
5.2 Relevant policies

The relevant planning policy in relation to open space is outlined in Chapter 2 of this report. The Planning Scheme supports the development of opens space networks and pedestrian linkages in residential areas, such as Eltham.

5.3 Submissions

Mr Schurmann supported the Amendment in principle but requested a change to the Amendment. He submitted that the non-trafficable section at the eastern end of Bridge Street should also be rezoned to PPRZ (see Figure 2). Mr Schurmann submitted that the only reason the extra land was not rezoned was because the road discontinuance process did not apply to that extra land (that is, that the land was not yet public).

Figure 2 – Suggested extension to rezoning



Mr Schurmann submitted that the inclusion of the additional land in the PPRZ would be consistent with Council's desire to create an open space network with suitable pedestrian access to Eltham MAC.

Council submitted that it supported the change in principle but noted that the land in question was not controlled by Council. At its meeting on 23 March 2021 Council resolved to commence a road discontinuance process over that land to rectify the ownership issues:

Requests Officers commence a separate process to discontinue the road, at the Bridge Street end, between the north-western corner of 91 John Street and the south-western corner of 8 Plumtree Close, being an area of approximately 58 square metres.

5.4 Discussion

The Panel considers that the extension of the PPRZ to the edge of Plumtree Close is logical. However, as outlined in section 3 of this report the land cannot be included in a public land zone until it is vested or controlled by Council. Subject to the completion of the relevant statutory processes, the Panel supports the requested change to the Amendment.

5.5 Conclusion

The Panel concludes:

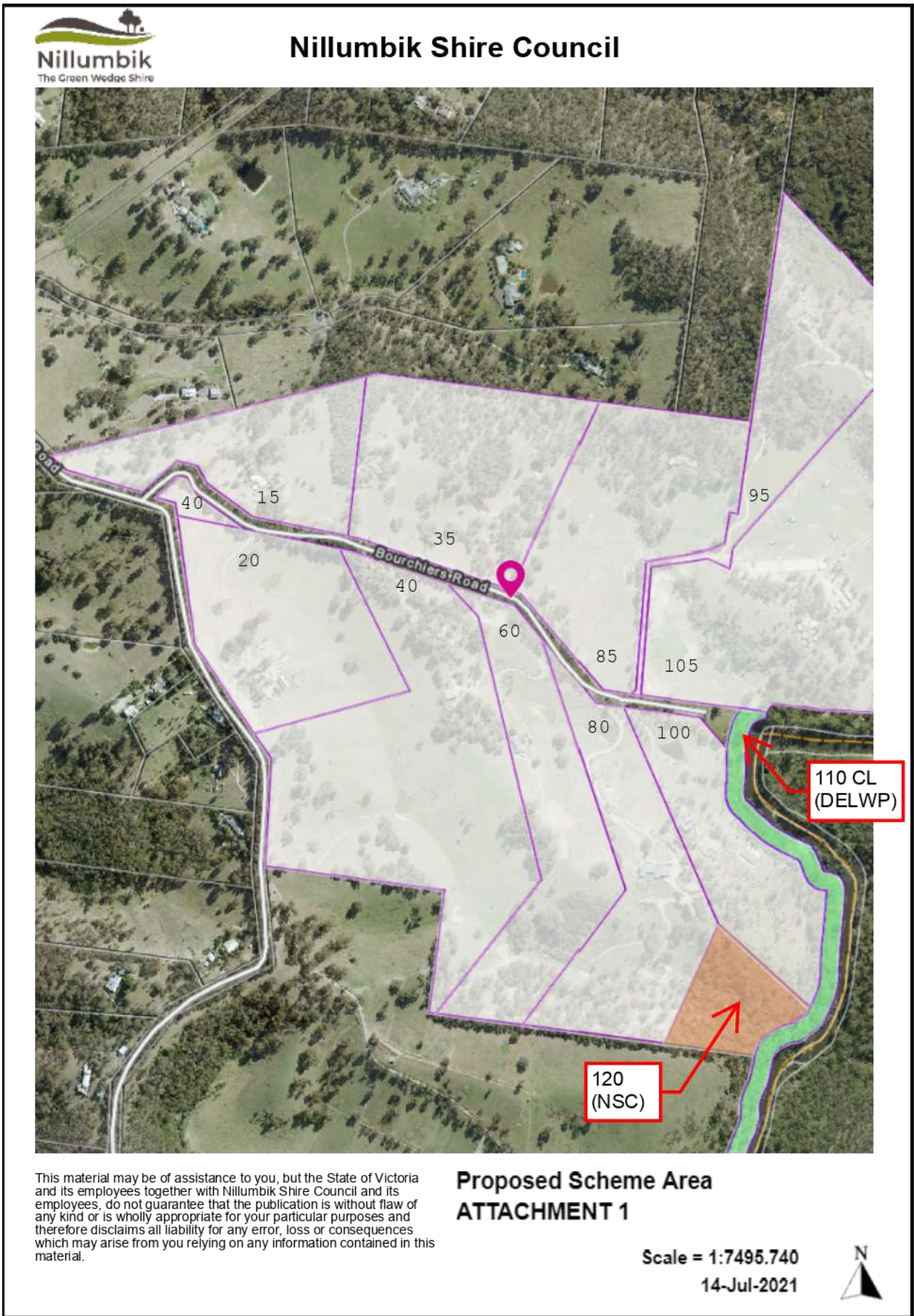
- That the extension of the PPRZ to the edge of Plumtree Close (at eastern end of Bridge Street) is a logical change to the Amendment, but such a rezoning proposal cannot proceed until the land is vested in or controlled by a Minister, government department, public authority or a municipal Council.

The Panel recommends:

3. **An additional section of land (as shown in Figure 2) at the eastern end Bridge Street, Eltham (to the edge of Plumtree Close) be rezoned from Neighbourhood Residential Zone Schedule 1 to Public Park and Recreation Zone, once that land is vested in or controlled by a Minister, government department, public authority or a municipal Council.**

Appendix A Document list

No.	Date	Description	Provided by
1	17/5/21	Preliminary submissions on behalf of Mr Lordan	Mr Weaver on behalf of Mr Lordan
2	17/5/21	Email from Mr Schurmann clarifying Panel's remit	Mr Schurmann
3	18/5/21	Email from Panel to parties confirming its remit	Panel Chair
4	18/5/21	Council's Part A submission and attachments	Ms Guevara on behalf of Nillumbik Shire Council
5	19/5/21	Email from Mr Lordan regarding Panel's remit	Mr Lordan
6	24/5/21	Final submissions on behalf of Mr Lordan	Mr Weaver on behalf of Mr Lordan
7	24/5/21	Final submissions on behalf of Colin and Sue Cook	Ms Megan Copas on behalf of Colin and Sue Cook
8	24/5/21	Council's Part B submission and attachments	Ms Guevara on behalf of Nillumbik Shire Council
9	24/5/21	Supplementary material for the Hearing	Mr Schurmann
10	1/6/21	Council's response to further directions and attachments	Ms Guevara on behalf of Nillumbik Shire Council
11	7/6/21	Cook's response to Council's response to further directions	Ms Megan Copas on behalf of Colin and Sue Cook



CM.123/21 **Bourchiers Road Special Charge Scheme, Kangaroo Ground - formal questionnaire results**
Attachment 1. **Bourchiers Road Special Charge Scheme area**

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Attachment 2: Summary of questionnaire comments Bouchiers Road Special Charge Scheme

Supportive:

- Traffic volume of public accessing the river reserve should be considered
- Blinding dust
- Very busy road
- Safety issues
- Maintaining a wholesome place for families
- Help to protect the river environment

Not supportive:

- Increased traffic volume and vehicle speeds
- Speeding vehicles accessing the river is already a problem
- Reduced safety to road users
- Public access to a main tourist attraction/river, located at the end of the road
- More than half of the traffic using the road are external public accessing the river reserve
- No information about contributions by Nillumbik Council or by the State Government
- The current financial model is not fair or equitable, based only on property owners
- Council should present a more responsible package/proposal to the residents
- The cost directed to property owners is exorbitant
- Other road users have not been taken into account for cost contributions
- Cost of the road should not be borne by residents alone
- We should have the right to lock off access from public, which we do not have
- Council should contribute more than half of the cost
- Council should entirely fund road construction
- The existing surface is adequate for access to properties
- Maintaining the character of the area with its wildlife and green wedge ambiance

Notes:

1. Although supportive of the scheme, some property owners were concerned about the payment options available, where effectively their rates would be doubling over the next 10 years.
2. Some property owners that did not support this scheme suggested that they may support another financial model in the future where there was more financial contribution provided by Council or the State Government.
3. Comments suggested that this road is used to access the river for a filling point for the local fire brigade service, recreation, picnics, kayaking, canoeing, fishing or bushwalking by a wider community from surrounding schools or from neighbouring municipalities like Yarra Ranges, Manningham, City of Melbourne and other Metropolitan Areas.
4. Comments mentioned a State Government program for enhanced access to the Upper Reaches of the Yarra River (Birrarung) and wider community cultural events in the area, suggesting there may be other avenues to secure funding from Council and State Government for sealing Bouchiers Road, Kangaroo Ground in the future.

CM.123/21 **Bourchiers Road Special Charge Scheme, Kangaroo Ground - formal questionnaire results**
Attachment 2. **Summary of questionnaire comments**

**THE BANYULE/NILLUMBIK
LOCAL LEARNING AND EMPLOYMENT NETWORK INC.**



ORGANISATIONAL MEMBERSHIP

(please complete all details below if you are applying as an **organisation**, not as an individual member)

Organisation:

Address:
(street) (suburb) (postcode)
.....
(postal) (suburb) (postcode)

desires to become a Member of **The Banyule/Nillumbik Local Learning and Employment Network Inc.**

Membership Category (please tick **one** category that best describes the organisation):

- | | |
|--|---|
| <input type="checkbox"/> Schools | <input type="checkbox"/> Employers, peak employer organisations, regional employer organisations and employment agencies |
| <input type="checkbox"/> TAFE Institutes or universities with TAFE sectors | <input type="checkbox"/> Local Governments |
| <input type="checkbox"/> Adult Community Education organisations | <input type="checkbox"/> Other community agencies and organisations, Commonwealth and State Government departments, adult, community and further education regional councils, regional youth councils, area consultative committees etc |
| <input type="checkbox"/> Other education and training organisations including private registered training organisations, universities and group training companies | <input type="checkbox"/> Koorie organisations, peak or regional Koorie agencies |
| <input type="checkbox"/> Trade Unions | <input type="checkbox"/> Community Member |

The organisation nominates the following person to act as its authorised representative:

Name:
(title) (first name) (surname)

Email:

Phone: **Fax:**

Mobile:

If admitted as a member, the organisation and its authorised representative agree:

- to be bound by the Rules of Association of The Banyule/Nillumbik Local Learning and Employment Network Inc. for the time being in force
- to their contact details being circulated to other members of The Banyule/Nillumbik Local Learning and Employment Network Inc. and related groups.

Signed for and on behalf of the organisation by:

Authorised Officer: Date:
(signature)

Position Held:

Representative: Date:
(signature)

Position Held:

Please return the completed form either by email or post:

Email: bnllen@bnllen.org.au or **Post:** Banyule/Nillumbik LLEN
PO Box 259
GREENSBOROUGH VIC 3088

**THE BANYULE/NILLUMBIK
LOCAL LEARNING AND EMPLOYMENT NETWORK INC.**



CHANGE OF ORGANISATIONAL REPRESENTATIVE

(please complete all details below)

Organisation:

as a Member of **The Banyule/Nilumbik Local Learning and Employment Network Inc.** wishes to change its authorised representative.

Current Representative:

Name:
(title) (first name) (surname)

The organisation nominates the following person to act as its authorised representative:

New Representative:

Name:
(title) (first name) (surname)

Email:

Phone: Fax:

Mobile:

The organisation and its newly-appointed authorised representative agree:

- to be bound by the Rules of Association of The Banyule/Nilumbik Local Learning and Employment Network Inc. for the time being in force.
- to their contact details being circulated to other members of The Banyule/Nilumbik Local Learning and Employment Network Inc. and related groups.

Signed for and on behalf of the organisation by:

Authorised Officer: Date:

Position Held:

New Representative: Date:

Position Held:

Please return the completed form either by email or post:

Email: bnllen@bnllen.org.au or **Post:** Banyule/Nilumbik LLEN
PO Box 259
GREENSBOROUGH VIC 3088

Informal Meeting of Councillors Record

The Meeting commenced at 3:17pm

MEETING DETAILS:	Title:	Councillor Briefing
	Date:	Tuesday 15 June 2021
	Location:	Council Chamber, Civic Centre
PRESENT:	Councillors:	Cr Peter Perkins, Cr Karen Egan, Cr Ben Ramcharan, Cr Geoff Paine, Cr Frances Eyre, Cr Richard Stockman, Cr Natalie Duffy (via zoom)
	Council Staff:	Carl Cowie, Blaga Naumoski, Vince Lombardi, Hjalmar Philip, Rosa Zouzoulas, Jeremy Livingston, Andrew Feeney, Leigh Northwood, Heath Gillett
	Other:	VHBA representatives
APOLOGIES:		

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Community Hospital Update	No disclosures were made
2	Kangaroo Ground War Memorial Park - Draft 01 Management Plan	No disclosures were made
3	Kangaroo Ground War Memorial Park Potential PAO and Access Options	No disclosures were made
4	Future use of the Old CFA Plenty Fire Station	No disclosures were made
5	Bushfire Mitigation Strategy Progress Report	No disclosures were made
6	Committee of Management for Crown Land at 728 Main Road Eltham	No disclosures were made
7	COVID-19 Safety Update	No disclosures were made

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
8	Rental Review - 35 Kangaroo Ground-St Andrews Road, Kangaroo Ground	No disclosures were made
9	Montsalvat Agreement 2021 - 2024 - Confidential	No disclosures were made
10	Recreation and Leisure Quarterly Update	No disclosures were made
11	CEO Update	No disclosures were made

The Meeting concluded at 10.20pm

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 7.45pm

MEETING DETAILS:	Title:	Councillor Briefing
	Date:	Tuesday 13 July 2021
	Location:	Council Chamber
PRESENT:	Councillors:	Cr Peter Perkins, Cr Frances Eyre, Cr Karen Egan, Cr Geoff Paine, Cr Ben Ramcharan and Cr Richard Stockman, Cr Natalie Duffy (virtually)
	Council Staff:	Carl Cowie, Hjalmar Phillip, Corrienne Nichols, Jeremy Livingston, Rosa Zouzoulas, Blaga Naumoski, Licardo Prince , Natalie Town
	Other:	
APOLOGIES:		

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Council Plan and Community Vision workshop	No disclosures were made

The Meeting concluded at 9.19pm

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 5.02pm

MEETING DETAILS:	Title:	Councillor Briefing
	Date:	Tuesday 13 July 2021
	Location:	Held virtually
PRESENT:	Councillors:	Cr Peter Perkins, Cr Frances Eyre, Cr Karen Egan, Cr Geoff Paine, Cr Ben Ramcharan, Cr Richard Stockman, Cr Natalie Duffy
	Council Staff:	Carl Cowie, Hjalmar Phillip, Vince Lombardi, Corrienne Nichols, Jeremy Livingston, Rosa Zouzoulas, Blaga Naumoski Nichole Johnson, Andrew Feeney, Anne Tuke, Annie Maio, Nichole Johnson, Heath Gillett, Leigh Northwood, Katie Camilleri, Narelle Hart, Paul Usatov, Steve Blight, Rebecca Burton, Andrea Jackson
	Other:	Allan Bawden – Chairperson CEO Employment Matters Advisory Committee
APOLOGIES:		

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Confidential - CEO Employment Matters Committee	Concluded at 7.09pm No officers were present except for the CEO Carl Cowie and Executive Manager Governance Communications and Engagement No disclosures were made
2	Confidential – Wadumbuk St Andrews Community Centre Financial Sustainability	No disclosures were made
3	Diamond Creek Community Facilities Master Plan Project Initiative	No disclosures were made
4	Capital Works – Projects for Planning Budget Allocation for Future Grant Opportunities	No disclosures were made
5	Community Hospital – update on meeting with VHBA Community Engagement team.	No disclosures were made
6	COVID-19 communications protocol discussion	No disclosures were made

The Meeting concluded at 10.14pm

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 5pm

MEETING DETAILS:	Title:	Councillor Briefing
	Date:	Tuesday 13 July 2021
	Location:	Council Chamber
PRESENT:	Councillors:	Cr Peter Perkins, Cr Frances Eyre, Cr Karen Egan, Cr Geoff Paine, Cr Ben Ramcharan and Cr Richard Stockman, Cr Natalie Duffy (virtually)
	Council Staff:	Carl Cowie, Hjalmar Phillip, Corrienne Nichols, Jeremy Livingston, Rosa Zouzoulas, Blaga Naumoski, Ayman Williams
	Other:	Robert Fiske CEO, Deanne Leaver Executive General Manager, Asset Strategy and Kate Fatovich from Victoria Health and Building Authority.
APOLOGIES:		

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Pre-Meet to Planning and Consultation Committee	No disclosures were made
2	Community Hospital - Confidential	No disclosures were made

The Meeting concluded at 6.17pm

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 7pm

MEETING DETAILS:	Title:	Living & Learning Nillumbik Advisory Committee
	Date:	Wednesday 28 July 2021
	Location:	Remote via MSTeams
PRESENT:	Councillors:	Cr Geoff Paine
	Council Staff:	Corrienne Nicholls, Natalie Bucknell
	Other:	Members of Living & Learning Nillumbik Advisory Committee <ul style="list-style-type: none"> - Robyn Meikle - Pam Miranda - Jacqui Ward - Deanna Finn - Anthony Herrett
APOLOGIES:		Cobie Vermeulen

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	L&LN Update: General	No disclosures were made
2	Neighbourhood House Update: Eltham	No disclosures were made
3	Neighbourhood House Update: Diamond Creek	No disclosures were made
4	Neighbourhood House Update: Panton Hill	No disclosures were made
5	Committee discussions: <ul style="list-style-type: none"> - Terms of Reference - Recruitment of Committee members - Community consultations 	No disclosures were made

The Meeting concluded at 8pm

RECORD COMPLETED BY:	Officer Name: Officer Title:	Natalie Bucknell Neighbourhood House Coordinator Diamond Creek
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Informal Meeting of Councillors Record

The Meeting commenced at 5.02pm

MEETING DETAILS:	Title:	Council Pre-meet
	Date:	Tuesday 27 July 2021
	Location:	Virtual
PRESENT:	Councillors:	Cr Peter Perkins, Cr Frances Eyre, Cr Karen Egan, Cr Geoff Paine, Cr Ben Ramcharan, Cr Richard Stockman and Cr Natalie Duffy
	Council Staff:	Carl Cowie, Vince Lombardi, Hjalmar Phillip, Corrienne Nichols, Jeremy Livingston, Rosa Zouzoulas, Blaga Naumoski, Heath Gillett, Enrique Gutierrez, Nichole Johnson, Lance Clark, Lauren Treby, Rebecca Burton, Steve Blight, Melika Sukunda, April Wilson, Katia Croce
	Other:	
APOLOGIES:		

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Pre-Meet to Council	No disclosures were made

The Meeting concluded at 5.58pm

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 5.10pm

MEETING DETAILS:	Title:	Councillor Briefing
	Date:	Tuesday 3 August 2021
	Location:	Held virtually
PRESENT:	Councillors:	Cr Peter Perkins, Cr Frances Eyre, Cr Karen Egan, Cr Geoff Paine, Cr Ben Ramcharan, Cr Richard Stockman, Cr Natalie Duffy
	Council Staff:	Hjalmar Phillip, Vince Lombardi, Corrienne Nichols, Jeremy Livingston, Rosa Zouzoulas, Blaga Naumoski, Jonathan McNally, Nichole Johnson, Lauren Treby, Rania Mullins, Jaimee Corcoran, Caroline Carrera
	Other:	Allan Bawden – Chairperson CEO Employment Matters Advisory Committee Scott Darlow
APOLOGIES:		Carl Cowie

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Confidential - CEO Employment Matters Committee	Concluded at 6.57pm No officers were present except for the Executive Manager Governance Communications and Engagement No disclosures were made
2	Draft Domestic Animal Management Plan	No disclosures were made
3	Reconciliation	No disclosures were made
4	Acknowledgement of Country	No disclosures were made
5	January 26 Activities	No disclosures were made
6	Response to public exhibition of Planning Scheme Amendment C133	No disclosures were made
7	Intention to Declare a Special Rate for the Diamond Creek Business Precinct (2022-2027)	No disclosures were made

The Meeting concluded at 9.18pm

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 12:00 pm

MEETING DETAILS:	Title:	Positive Ageing Advisory Committee
	Date:	2021
	Location:	Zoom
PRESENT:	Councillors:	Cr Eyre
	Council Staff:	Fiona Vuong, Iwona Trickett, Julie Alexander, Annie Lee
	Other:	Tianjian Shen, Philip Green, Ray Carroll, Anne Fitzpatrick, Gertraud MacDonald, Sandra Verdam, Jan Taylor, Janice Crosswhite. David Nicholls, Sabi Buehler, Sue Riley, Deanna Finn, Max Lee, Richard Kotteck, David Nicholl
APOLOGIES:		Cr Egan

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Communications subcommittee report back	No disclosures made
2		No disclosures made
3		No disclosures made
4	Seniors Festival update	No disclosures made

The Meeting concluded at 2:00pm

RECORD COMPLETED BY:	Officer Name:	Fiona Vuong
	Officer Title:	Positive Ageing Officer

Informal Meeting of Councillors Record

The Meeting commenced at 05:00pm

MEETING DETAILS:	Title:	Councillor Briefing Workshop – Local Laws Review.
	Date:	Monday 09 August 2021
	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, Hjalmar Philipp, Rosa Zouzoulas, Corrienne Nichols, Blaga Naumoski, Jeremy Livingston, Jonathan McNally, Joseph Emmanuel, Heather Holt, Lisa Pittle, Ayman Williams, Carol Correa, Bianca Lord, Jaimee Corcoran, Stefanie Daniliuk.
	Other:	
APOLOGIES:		Kim Halse, Megan Sparks

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Drones - Usage and Locations	No disclosures were made
2	Proposal of Barbed Wired - Education	No disclosures were made
3	Glyphosates - Educate	No disclosures were made
4	Trolleys - No change Smoking - Entrance & Exits Graffiti - Local Law Single use plastics - Support (include balloons) Political signage - Governed by Planning scheme Barking dogs - Local Law	No disclosures were made
5		No disclosures were made
6		No disclosures were made

The Meeting concluded at 09:05pm

RECORD COMPLETED BY:	Officer Name: Officer Title:	Carol Correa Coordinator Community Safety
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Informal Meeting of Councillors Record

The Meeting commenced at 5.04pm

MEETING DETAILS:	Title:	Councillor Briefing
	Date:	Tuesday 10 August 2021
	Location:	Held virtually
PRESENT:	Councillors:	Cr Peter Perkins, Cr Frances Eyre, Cr Karen Egan, Cr Geoff Paine, Cr Ben Ramcharan and Cr Richard Stockman, Cr Natalie Duffy
	Council Staff:	Carl Cowie, Hjalmar Phillip, Vince Lombardi, Corrienne Nichols, Jeremy Livingston, Rosa Zouzoulas, Blaga Naumoski, Katia Croce, Licardo Prince
	Other:	
APOLOGIES:		

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Pre-Meet to Planning and Consultation Committee	No disclosures were made
2	Confidential Community Hospital Discussion	No disclosures were made <i>Licardo Prince entered the meeting during discussion of this item at 5.21pm</i>

The Meeting concluded at 6.11pm

RECORD COMPLETED BY:	Officer Name: Officer Title:	Katia Croce Governance Lead
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Attachment A

Nillumbik Shire Council's Proposed Community Engagement Approach the Victorian Government's preferred location for a community hospital at Civic Drive, Greensborough.

Stage 1 - Community Engagement - Participate Nillumbik

- The community will be able to have their say to Council on the Victorian Government's preferred location for the proposed Eltham Area Community Hospital (support/not support) via a survey on Council's Participate Nillumbik site <https://participate.nillumbik.vic.gov.au>.
- The page will provide the community with an overview of the proposal and general information from the VHBA website.
- It is proposed for engagement to commence 25 August 2021 and conclude on 22 September 2021 (4 weeks).
- After the consultation period ends, officers will review all submissions and prepare a report based on the information received.

This phase of this engagement will be promoted through a detailed communications and engagement plan. It will include:

- using our online portal 'Participate', inviting community members to a conversation;
- media release, flyers, e-newsletters;
- series of posts on social media (Facebook, LinkedIn, Instagram);
- community newspapers;
- contacting key stakeholder groups; and
- the ability to obtain a hard copy of the survey upon request.

Stage 2 – Hearing of Submissions - 12 October 2021 - Planning and Consultation Committee Meeting

- The community will have a further opportunity to make a verbal submission at the Planning and Consultation Committee (PCC) meeting on 12 October 2021.
- Upon considering the written submissions and hearing the verbal submissions at the PCC meeting, a summary report will be provided to Council for consideration before a decision on whether to sell the land to the Victorian Government is made.

Attachment B

Victorian health Building Authority's Preferred Location for the Eltham Area Community Hospital. Taken from <https://www.vhba.vic.gov.au/news/building-a-community-hospital-for-the-eltham-area> on Friday 13th August 2021



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