

Planning and Consultation Committee Meeting

to be held virtually on Tuesday 16 April 2024 commencing at 7:00pm.

Agenda

Carl Cowie
Chief Executive Officer

Thursday 11 April 2024

Distribution: Public

Civic Drive, Greensborough
PO Box 476, Greensborough 3088
Telephone 9433 3111
Facsimile 9433 3777
Website www.nillumbik.vic.gov.au
Email nillumbik@nillumbik.vic.gov.au

Council Chamber Planning and Consultation Committee Meeting seating plan

Cr Peter Perkins
(Chairperson Planning Matters)
Ellis Ward

Cr Karen Egan
Bunjil Ward
(Deputy Mayor)

Cr Richard Stockman
Blue Lake Ward

Cr Ben Ramcharan
(Mayor)
Sugarloaf Ward

Cr Frances Eyre
Swipers Gully Ward

Cr Geoff Paine
Wingrove Ward

Katia Croce
Manager
Governance and Property

Blaga Naumoski
Director
Governance,
Communications
and Community
Safety

Cr Natalie Duffy
(Chairperson Consultation Matters)
Edendale Ward

Carl Cowie
Chief Executive
Officer

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Nillumbik Shire Council

**Agenda of the Planning and Consultation Committee Meeting to be held
Tuesday 16 April 2024 commencing at 7:00pm.**

1. Welcome by the Chair

Members of the public are advised this meeting will be held virtually and recorded and the live stream recording will be made publicly available on YouTube and Council's website.

This meeting is being held online and Councillors are attending virtually in accordance with Part 5 of the Governance Rule – Meeting Procedures.

Council adopted its new Governance Rule – Meeting Procedures on 25 July 2023 which allows for virtual meetings to occur.

2. Acknowledgement of Country

The Acknowledgement of Country to be read by the Chairperson

Nillumbik Shire Council respectfully acknowledges the Wurundjeri Woi-wurrung people as the Traditional Owners of the Country on which Nillumbik is located, and we value the significance of the Wurundjeri people's history as essential to the unique character of the shire. We pay tribute to all First Nations People living in Nillumbik, give respect to Elders past, present and future, and extend that respect to all First Nations People.

We respect the enduring strength of the Wurundjeri Woi-wurrung and acknowledge the ongoing impacts of past trauma and injustices from European invasion, massacres and genocide committed against First Nations People. We acknowledge that sovereignty was never ceded.

Wurundjeri Woi-wurrung people hold a deep and ongoing connection to this place. We value the distinctive place of our First Nations People in both Nillumbik and Australia's identity; from their cultural heritage and care of the land and waterways, to their ongoing contributions in many fields including academia, agriculture, art, economics, law, sport and politics.

3. Apologies/Leave of Absence

Committee to note any apologies by Councillors not in attendance and or considers requests for any leave of absence submitted.

4. Declarations of conflict of interest

Committee members and Officers should note that any conflicts of interest should also be disclosed immediately before the relevant item.

5. Confirmation of Minutes


Summary

Confirmation of the Minutes of the Planning and Consultation Committee Meeting held on Tuesday 12 March 2024.

Recommendation

That the Committee (acting under delegation from Council) confirms the Minutes of the Planning and Consultation Committee Meeting held on Tuesday 12 March 2024 (**Attachment 1**).

Attachments

- 1 Confirmation of Minutes Planning and Consultation Committee Meeting held on  Tuesday 12 March 2024

6. Officers' reports

PCC.003/24 Draft Housing Strategy Consideration of Endorsement for Community Engagement

Item: Consultation Matter

Distribution: Public

Manager: Renae Ahern, Acting Director Planning, Environment and Strategy

Author: Leigh Northwood, Manager Strategic Planning and Environment

Summary

This report provides a draft of the Nillumbik Housing Strategy (**Attachment 1**) and recommends Council endorse the draft Housing Strategy for community engagement to run for four weeks from late April to late May.

The development of both a new Housing Strategy (HS) and a new Neighbourhood Character Strategy (NCS) are priority actions in the current Council Plan.

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

The draft Strategy has been prepared by officers in-house. The draft has been prepared with input from a Community Reference Group, particularly in informing the vision and themes present in the draft Strategy.

The draft Strategy accounts for 15 years (to 2041). Nillumbik Shire's residential areas are forecast to increase from 60,118 persons in 2021 to 66,257 persons by 2041, an increase of 6,139 persons (10.2%) and modest in the context of Metropolitan Melbourne. Our forecasts suggest that we will need an additional 3,233 new dwellings by 2041 to accommodate our forecast growth.

The Housing Strategy must respond to evidenced data and demographic forecasts; be consistent with State planning policy settings (requirements that Council must align to in accordance with the Victorian Planning Provisions); and set objectives and actions within the context or broader 'macro' settings that Council has no control over (e.g. Federal/State level policy settings around taxation and immigration; construction/material and supply chain issues; State/Federal level infrastructure plans/spending).

Nillumbik's Housing Strategy is being drafted at a time of unprecedented planning policy change specific to housing, not only in Victoria but Australia-wide, predominantly driven by the decline of supply and housing affordability. Officers however are relatively confident that any future initiatives by the State government (e.g. Plan Victoria) can be effectively accommodated in our planning for housing, given our analysis shows we can accommodate not only our projected 2041 growth, but have a significant capacity over and above this.

It is particularly emphasised, drafting of the Housing Strategy is also timely in ensuring Nillumbik's unique neighbourhood character settings are retained during this time of unprecedented change in housing policy by the State government.

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On this, the draft Housing Strategy is embedding key recommendations of the adopted Neighbourhood Character Strategy 2023 (and uses the Neighbourhood Character Strategy as part of the methodology in applying change areas) which underwent three robust rounds of engagement. Further, the amendment process to implement the Neighbourhood Character Strategy and the Housing Strategy into the planning scheme will have its own extensive round of consultation and right of review, in accordance with the statutory process set down by the *Planning and Environment Act 1987*.



As per the project program, a report is scheduled to be presented to Council’s Planning and Consultation Committee in July where submitters to the draft Housing Strategy will be invited to speak to their submissions.

Recommendation

That the Committee (acting under delegation from Council):

1. Notes the draft Nillumbik Housing Strategy, which is provided as **Attachment 1**;
2. Notes the ‘What We’ve Heard About Housing’ Summary Paper at **Attachment 2**;
3. Endorses the draft Nillumbik Housing Strategy and for public engagement to occur from late April to late May (for 4 weeks);
4. Endorses the ‘What We’ve Heard About Housing’ Summary Paper and requests officers make the paper available on the Participate Nillumbik page in support of community engagement on the draft Nillumbik Housing Strategy; and
5. Notes that a report is scheduled to be presented to Council’s Planning and Consultation Committee in July where submitters to the draft Nillumbik Housing Strategy will be invited to speak to their submissions.

Attachments

1.  Draft Nillumbik Housing Strategy 2024
2.  ‘What We’ve Heard About Housing’ Summary Paper

Discussion

1. The development of both a new Housing Strategy and a new Neighbourhood Character Strategy are priority actions in the current Council Plan.
2. To note, the last sitting Council in the 2020 election year resolved on 23 June to abandon the current draft Nillumbik Housing Strategy which was in its final phase of engagement; prioritise a new Nillumbik Neighbourhood Character Strategy (now complete and adopted November 2023) and form a Community Reference Group to inform any future Nillumbik Housing Strategy.

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3. The planning scheme amendment to implement the final Neighbourhood Character Strategy into the planning scheme is contingent on completion of the Housing Strategy, noting each of these documents, consistent with the relevant Victorian State Planning Practice Notes, are inherent to each other in forming an over-arching housing framework for the Shire. While a Housing Strategy identifies the extent and nature of future housing, a Neighbourhood Character Strategy assists in identifying valued characteristics of areas that need to be considered when identifying the preferred future character for residential areas. So importantly, the Housing Strategy and Neighbourhood Character Strategy do different things, but work collaboratively to inform the future residential development framework.
4. The amendment process to implement the Neighbourhood Character Strategy and Housing Strategy into the planning scheme will have its own extensive round of consultation and right of review, in accordance with the statutory process set down by the *Planning and Environment Act 1987*.
5. To note, the draft Housing Strategy at **Attachment 1** has been prepared by officers in-house and has not as yet been graphically designed - that is programmed subject to considering changes through community engagement and prudent in regard to budget constraints in delivering the Housing Strategy. It also makes it clear the Strategy is a true draft.
6. Given the timeframe that was allocated to prepare the Neighbourhood Character Strategy (two financial years), to deliver a Housing Strategy in one financial year requires an incredibly tight program of delivery, particularly given the Council resolution of the previous sitting Council required the preparation of such in association with a Community Reference Group. The Community Reference Group is explored further under community engagement below. It is noted that aligning the Expression of Interest, convening and incorporating feedback loops to allow Community Reference Group input has been very challenging in drafting the Strategy, however we commend the Community Reference Group members for taking the time to be involved, share their views and particularly help to articulate the issues the community wants to see addressed in regard to housing.

Housing is complex

7. Housing is influenced by a range of demographic, environmental, physical, social and economic influences. These include population growth and changing household formation patterns, the natural and built environments, land use patterns, location and accessibility to infrastructure and services, social and cultural values, the cost of housing, employment opportunities, tax policy and government incentives/investment, and individual preferences and lifestyle choices.
8. Many of the changes occurring to the Victorian housing market are due to population changes driven by Federal mandated immigration intakes. Natural population growth is not a key driver of population increase. Melbourne is projected to become Australia's largest city. The demographic changes in Nillumbik (like Victoria) identify broadly a population which is ageing, having fewer children, forming smaller households and preferring different lifestyles. These changes have impacted on the demand, type and location of housing.

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9. Albeit a low growth municipality comparatively to Greater Melbourne, and this is due to many constraints including high cost of housing in the Shire exacerbated by a constrained Urban Growth Boundary (UGB), when planning to accommodate projected population and housing change, local governments are required by State planning policy to effectively plan for this change by considering relevant environmental, social and economic factors, and where conflict arises (and it always does), balance competing objectives in favour of net community benefit and sustainable development.

Rules and community assumptions

10. The Housing Strategy must:
- a) respond to evidenced data and demographic forecasts;
 - b) be consistent with State planning policy settings (requirements that Council must align to in accordance with the Victorian Planning Provisions); and
 - c) set objectives and actions within the context or broader 'macro' settings that Council has no control over (e.g. Federal/State level policy settings around taxation and immigration; construction/material and supply chain issues; and State/Federal level infrastructure plans/spending).
11. A housing strategy is prepared to provide the evidenced strategic justification which should be accompanied by a Neighbourhood Character Strategy and is required to:
- a) ensure a range of housing opportunities are available across the municipality to meet the needs of the projected population;
 - b) outline the strategies and implementation mechanisms to accommodate projected population and household needs;
 - c) identify where and how the housing needs of the future population will be met across the municipality; and
 - d) identify suitable locations for housing growth including those areas close to services, jobs, public transport and activity centres, and strategic development areas.
12. The strategy is relatively lengthy in exploring the context and constraints (that are complex) that impact housing, noting the length of the draft Strategy is commensurate with other Housing Strategies benchmarked as part of the drafting. This is important however to provide context to our community in regard to what is a complex issue - housing. There is inherent to the Housing Strategy a level of complexity in balancing aspiration and need.

Changing policy context

13. Nillumbik's Housing Strategy is being drafted at a time of unprecedented planning policy change specific to housing, not only in Victoria but Australia-wide, predominantly driven by the decline of supply and housing affordability.
14. Announced in October 2022, the National Housing Accord was a landmark agreement designed by the Federal government and signed by all State governments to tackle housing supply and affordability right across Australia.

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15. As an outcome of further analysis specific to Victoria by Infrastructure Victoria in 'Our home choices' published in 2023, the State government released Victoria's Housing Statement in September 2023. The Statement identifies objectives to build 800,000 homes from 2024-2034 facilitated by many policy reforms aimed at tackling housing supply and affordability issues. Many reforms have already been announced and where targeted, incorporated into all Victorian planning schemes e.g. Ministerial significant projects, Future Homes and Small Second Dwellings.
16. Interestingly for Nillumbik, the Shire has 6,945 developed residentially zoned lots that may provide potential for Small Second Dwellings (unless there is an existing small second dwelling on the lot). To note, an overlay will mean there will need to be an application made for a planning permit for the Small Second Dwelling, albeit fast-tracked options have also been introduced. A Small Second Dwelling is not contingent on a dependent living there, anyone can live there and it can be rented out, however it cannot be subdivided off. We are yet to see what the take-up of small second dwellings will be in Nillumbik and any commensurate impacts on affordability or amenity impacts (e.g. carparking on streets).
17. A new plan that replaces *Plan Melbourne 2017-2050* has also been announced as part of the Statement and focuses on delivering more homes near transport, job opportunities and essential services. This plan will be expanded to cover the whole State. [Plan Victoria](#) will be drafted with a key policy focus to facilitate 70 per cent of new homes to be built in established areas, while making sure growth areas deliver 30 per cent of new homes only. This is the key driving factor behind the suite of policy announcements. The government's mandate also includes a review and re-write of the *Planning and Environment Act 1987*.

The Housing Framework and 'Change Areas'

18. One of the key actions associated with developing a Housing Strategy is the identification of housing change areas.
19. Change is relative to its context. The existing built form of an area will always be the starting point when planning for change. A Housing Strategy will typically identify the delineation of minimal, incremental and substantial change areas. Identifying housing change areas provides a means for prioritising competing housing and neighbourhood character objectives arising out of local strategic work. It also provides the basis for the application of requirements through zones and overlays to give effect to desired planning outcomes.
20. The draft Housing Strategy has a methodology that has been adopted to 'evidence' change areas. This methodology is aligned (as required) to State government policy and based on:
 - a) What are 'walkable catchments' (within 800m of the edge on an activity centre; within 800m of a train station and within 400m of a bus stop);
 - b) Neighbourhood character typologies (e.g. Bush Residential 1 and 2);
 - c) Other environmental overlays e.g. Environmental Significance Overlay.

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21. As noted the Housing Strategy once adopted will need be implemented through a planning scheme amendment process. A robust and supported methodology is required to provide justification to the State government and a future Planning Panel for where Council has identified growth will be accommodated, particularly where Council has an adopted position for minimal change or is seeking to expand neighbourhood character controls (as justified in the adopted Neighbourhood Character Strategy) which inherently makes it more difficult to accommodate more density.
22. For this reason the change area mapping clearly identifies the ‘true’ walkability around Nillumbik’s centres and public transport catchments, as opposed to the ‘as the crow flies’ concentric mapping that the Department identifies in its planning as ‘walkable’ (which is how they have applied mapping for their three-storey Future Homes provision with four and five-storey designs currently under development). Our planning is more fine-grained than the State’s and therefore this allows for identification of areas that are not considered suitable for incremental change. Note however that an area is not deemed by the Department as ‘less walkable’ if it is not flat which officers appreciate is a considerable characteristic of the Shire’s townships and even the Major Activity Centres.
23. Analysis shows the Shire can accommodate not only our projected 2041 growth of an additional 3,233 dwellings (an increase of 15.3%) or 6,139 people (an increase of 10.2%), but has a significant capacity over and above. This analysis accounts for the recommended expansion of neighbourhood character controls as recommended through the adopted Neighbourhood Character Strategy.
24. Data has identified that once fully developed, the two Major Activity Centres combined have the potential to house an additional 2,709 people, which is around 44.1 per cent of our forecast population growth by 2041. In terms of dwellings, this is a capacity of 1,011 new dwellings in the Major Activity Centres, which would account for 31.3 per cent of our forecast 3,233 new dwellings required by 2041.
25. In terms of our ‘gross overall capacity’, based on the proposed change area methodology we have an approximate capacity for 7,400 dwellings across the urban areas of the Shire (noting forecasts identify a need for 3,233 dwellings by 2041). This gross overall capacity is not an indication of what will be developed, rather a theoretical figure that helps justify other planning controls Council may seek to put into the planning scheme (e.g. expanded neighbourhood character controls as a result of the recommendations of the adopted Neighbourhood Character Strategy).

Key Recommendations (Actions) of the draft Housing Strategy

26. As with all strategies, there are number of key goals, objectives and actions identified in the draft Housing Strategy (at Part 6 of the document) which will require Council endorsement and resourcing/funding commitment. These include:

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PCC.003/24 Draft Housing Strategy Consideration of Endorsement for Community Engagement

- a) Review and update of the Hurstbridge Township Plan (currently very dated) and subsequent planning scheme amendment. Deemed appropriate given the role of Hurstbridge as a Neighbourhood Activity Centre with a walkable catchment around a railway station. Clarification is required around land use, particularly in the commercial 'heart' to incorporate residential development, but also re-affirmation of the character (including heritage elements) and how medium density development will need to respond to increased demand for such housing typology whilst maintain the 'rural village feel' that Hurstbridge is highly valued for.
- b) A planning scheme amendment to implement the Housing Strategy and the Neighbourhood Character Strategy into the planning scheme (already costed and put forward in the 2024/25 financial year budget).
- c) Gap analysis and potential drafting of an Ecologically Sustainable Development (ESD) Planning Policy and commensurate updates to any planning scheme controls via planning scheme amendment, subject to State government strategic work. Note, this would require some external consultant inputs to peer review any proposed policy/provisions as well as commensurate planning scheme amendment.
- d) Preparation of Medium Density Housing Design Guidelines showcasing exemplary design for higher densities, such as two or three dwellings on a single lot, while remaining sensitive to Nillumbik's distinctive neighbourhood character and priorities for Ecologically Sustainable Development (ESD). This work may be supportive or embedded into the planning scheme, however the intention is to provide more guidance as an extension to the Neighbourhood Character Strategy on expected outcomes for exclusively medium density dwellings, which is one of the most difficult typologies for meeting neighbourhood character objectives.

Related Council decisions

27. The related Council decisions are summarised as follows:

- a) *23 June 2020 – Council’s resolution to abandon the current draft Nillumbik Housing Strategy which was in its final phase of engagement; prioritise a new Nillumbik Neighbourhood Character Strategy and Community Reference Group to inform any future Nillumbik Housing Strategy.*
- b) *26 October 2021 - Council’s resolution to adopt the Council Plan 2021-2025, which includes as priority actions to develop a Neighbourhood Character Strategy and Housing Strategy.*
- c) *12 December 2023 – Council’s resolution to adopt the Neighbourhood Character Strategy 2023.*

Options

28. The officer recommendation proposes that Council endorse the draft Housing Strategy for a round of public engagement. The rationale for this recommendation is that public engagement on the draft is the next scheduled step in the project and it is important and timely to now test key aspects of the draft with the community.

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- 29. It is particularly emphasised, as discussed above, drafting of the Housing Strategy is timely in ensuring Nillumbik’s unique neighbourhood character settings are retained during a time of unprecedented change in housing policy by the State government.
- 30. On this, the draft Housing Strategy is embedding key recommendations of the adopted Neighbourhood Character Strategy 2023 (and uses the Neighbourhood Character Strategy as part of the methodology in applying change areas), which underwent three robust rounds of engagement. Further, the amendment process to implement the Neighbourhood Character Strategy and Housing Strategy into the planning scheme will have its own extensive round of consultation and right of review, in accordance with the statutory process set down by the *Planning and Environment Act 1987*.

Council plans and policies

- 31. This report directly supports the achievement of the Council Plan 2021-2025 strategy:
 - a. *We respect and enhance the unique neighbourhood character in our communities to ensure a considered approach to planning and development.*
 - b. *The priority actions to develop a new Housing Strategy and Neighbourhood Character Strategy for the Shire.*

Access, Equity and Inclusion

- 32. Housing is fundamental and something that impacts all people. It is particularly a matter of considerable concern for at risk and marginalised groups of the community who experience many barriers to accessing safe, secure and long-term housing. This is particularly heightened in Australia, Melbourne and Nillumbik Shire given affordability issues.
- 33. A Gender Impact Assessment (GIA) has been prepared for the Housing Strategy in collaboration with Council’s Gender Equity Officer. Key areas that the Housing Strategy needs to have regard to as a result of the GIA include:
 - a) The need to ensure the Community Reference Group as a representative group of the Nillumbik community includes diversity of views and includes people who would be experiencing housing vulnerability for various reasons (as much as is practicable given the subject matter), e.g. people with disabilities, older women, younger people, renters; and
 - b) The need for the demographic data that supports the preparation of the Housing Strategy to include data on vulnerable groups, some of which will not be sourced through the normal ABS data representation e.g. homelessness rates, people ‘sleeping rough’ and Council rates hardship applications.

Sustainability implications

- 34. Protecting a preferred neighbourhood character and providing for sustainable housing can provide direct benefits in regards to sustainability across social, environmental and economic outcomes.

Community engagement

Community Reference Group

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35. The Community Reference Group convened in September 2023, with its first meeting in October, to inform aspects of the draft Strategy. A clear terms of reference was established for the Community Reference Group to enable influence on certain elements of the preparation of the draft Housing Strategy (mainly vision and themes). Refer to Appendix B of the draft Housing Strategy at **Attachment 1** which outlines matters relating to the Community Reference Group, including methodology of selection.
36. We have heard a lot about housing over the numerous consultations Council has undertaken in recent years. In an early Community Reference Group meeting, the Community Reference Group were presented with a summary report 'What we've heard about housing' (refer **Attachment 2**), which provided a summary of community feedback on housing in Nillumbik Shire from a review of public consultation undertaken on a wide range of Council plans and strategies dating back to 2016. This provided a lens to net community views that the Community Reference Group was asked to have regard to in their approach to shaping the vision and themes in the draft Housing Strategy.
37. Council endorsement of this summary is also requested to allow officers to make it available on the Participate Nillumbik page for the wider community as part of engagement activities.

Community Engagement Approach

38. Consultation was successful on the Neighbourhood Character Strategy in terms of the quantity and quality of feedback provided and also in terms of value for money for Council. It is therefore proposed to retain many of the key elements of this engagement, such as to use Participate Nillumbik as the consultation platform and the range of methods used to promote the consultation for the draft Housing Strategy.
39. Community engagement approach for the Housing Strategy is summarised as:
 - a) Consultation on the draft Housing Strategy is asking the community to engage with a lengthy document and most residents will likely only want to provide feedback on one small item within the document, which is likely to be the change areas i.e. how does the draft treat their particular property and neighbourhood? It is therefore proposed to provide numerous and varied opportunities for community members to easily answer and respond to this question, particularly by use of the online mapping tool on Participate Nillumbik. Further methods of engagement include:
 - i) Participate Nillumbik will continue to be used as the public project page and consultation platform including FAQ's, resources (including 'What we've heard about housing' summary paper, and link to the Neighbourhood Character Strategy Participate Nillumbik page where people can still look up the attributable neighbourhood character that applies to their properties and the access the adopted Neighbourhood Character Strategy.
 - ii) Written responses will be sought through a survey (on-line or hard copy), with open ended general submission option.

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- iii) A mapping tool will be available on Participate Nillumbik that will allow the public to easily view how the draft Housing Strategy proposes to treat a particular property or neighbourhood and which then allows the public to easily and directly provide feedback through the on-line survey.
- iv) Five Advisory Committee meetings (Positive Aging, Youth Council, Inclusion and Access, Wurundjeri Cultural Committee, Economic Development) with initial ‘about housing’ presentations already held with Positive Aging and Inclusion and Access committees).
- v) Two Focus group meetings (one online and one in person)
- vi) Hurstbridge Community Hub Q & A (2-3 hours).
- vii) Diamond Creek Q & A (2-3 hours).
- viii) Eltham Q & A - Eltham library (2-3 hours).
- ix) Social media promotion.
- x) Nillumbik News – 4 March.
- xi) Media release.
- xii) Limited collateral (posters).
- xiii) Network Newsletters.
- xiv) Email notification to all submitters to the Neighbourhood Character Strategy and those who have registered on the Housing Strategy Participate Nillumbik Page.

Innovation and continuous improvement

40. The project is important for updating Council’s planning policy regarding housing in residential areas, particularly in regards to identify the Shire’s capacity for sustainable growth without compromising the unique and valued neighbourhood character of the Shire.

Collaboration

41. The project is being managed in consultation with an internal Project Working Group comprising members from relevant units within Council, noting there has been a particular interest and representation from the Communities directorate, particularly given the Housing Strategy needs to consider (among other matters) affordable and social housing, homelessness and at risk groups with regard to housing and our aging community. A series of Project Working Group meetings were programmed through the project timeline noting the first meeting (inception) occurred on 19th July 2023.

Budget implications

42. The project is funded and accounted for across Council’s 2023-24 financial year noting the draft Strategy is being prepared in house. Officers are not engaging consultants to undertake the preparation of the Housing Strategy or broader community engagement activities and follow up summaries.

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- 43. It is noted consultant services have been engaged for specific inputs only in the preparation of the draft Housing Strategy that Council cannot resource internally, including community engagement consultation services for facilitation and reporting on the Community Reference Group; demographic and housing data to underpin the Housing Strategy; and the Participate Nillumbik mapping 'plug-in' - setting up the specific profiles (i.e. what you want the mapping plug in to produce), noting this has proved an extremely valuable tool in consultation on the Neighbourhood Character Strategy, as it has avoided confusion and uncertainty by people trying to read paper based maps that are produced to a much larger scale and are not able to be as accurate as online mapping.
- 44. Given the document is being prepared in house, the Communications Team will allocate time to provide graphic design services to finalise the document to Council's branding standards once drafting of the final strategy occurs.
- 45. To note, budget implications (in future years) are inherent to endorsement of the Strategy as outlined in regards to recommended actions.

Relevant law

- 46. The project responds to relevant provisions within the Nillumbik Planning Scheme and relevant to that from a legal perspective, *The Planning and Environment Act 1987* is the State legislation that regulates all Victorian planning schemes.

Regional, state and national plans and policies

- 47. As outlined earlier, a Housing Strategy is required to align to State Planning Policy with regard to the planning and provision of housing on a local government level.

Conflicts of interest

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

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6. Officers' reports

PCC.004/24 Draft Budget 2024-2025 Submissions

Item: Consultation Matter

Distribution: Public

Manager: Vince Lombardi, Chief Operating Officer

Author: Melika Sukunda, Manager Finance, Assets and Procurement

Summary

This report considers submissions received from the public regarding the Draft Budget 2024-2025 (**Attachment 1**).

Council adopted the Draft Budget 2024-2025 at the Council Meeting on 27 February 2024 for the purpose of community consultation. The Draft Budget was exhibited for 28 days with 7 submissions being received. These submissions are attached to this report (**Attachment 1**).


It is proposed that the Committee considers the submissions on the Draft Budget 2024-2025 and that the matter then be considered by Council on 28 May 2024.

Recommendation

That the Committee (acting under delegation from Council):

1. Receives and notes the submissions received in respect of the Draft Budget 2024-2025, (**Attachments 1 and 2**) in accordance with the section 96 of the *Local Government Act 2020*.
2. Considers the matters contained in the submissions and the Committee's report during finalisation of the Budget.
3. Acknowledges presentations made to the Committee.
4. Resolves that the confidential un-redacted submissions contained in (**Attachment 2**) remain confidential on the grounds specified in the definition of confidential information in Section 3(1)(f) of the *Local Government Act 2020*.
5. Recommends the adoption of the 2024-2025 Budget at the 28 May 2024 Council Meeting.

Attachments

1.  2024-2025 Budget Submissions - Redacted
2. 2024-2025 Budget Submissions - *CONFIDENTIAL*

6. Consultation Matters

PCC.004/24 Draft Budget 2024-2025 Submissions

Discussion

1. The *Local Government Act* provides that a council must:
 - *Prepare a budget for each financial year – section 94(1) of the Local Government Act 2020*
 - *Ensure that the budget contains financial statements, description of services and major initiatives and a statement as to how these will contribute to achieving the strategic objectives specified in the Council Plan, indicators of service performance that are required to be reported against in the performance statement and any other details required by the regulations– section 94(2).*
 - *Undertake public consultation in line with Council’s community engagement policy.*
 - *Adopt the budget and submit a copy to the Minister.*
2. Council adopted the Draft Budget 2024-2025 at the 27 February 2024 Council Meeting for the purpose of community consultation.

Submissions

3. In response to the public exhibition of the Draft Budget 2024-2025, Seven (7) submissions were received from the community.
4. Submissions and Attachments to the Draft Budget 2024-2025 are contained in (**Attachment 1**).
5. A copy of the un-redacted Submissions and Attachments to the Draft Budget 2024-2025 are contained in (**Attachment 2**). It is recommended that these Submissions and Attachments remain confidential on the grounds specified in the definition of confidential information in Section 3(1)(f) of the *Local Government Act 2020*.
6. Submitters have been invited to attend this meeting of the Planning and Consultation Committee to speak to their submissions.
7. Once the Committee has considered the submissions, the Committee must present a report to the next Council meeting. Council is required to consider the Committee’s report on submissions prior to finalising the Budget.

Related Council decisions

8. The Draft Budget 2024-2025 was endorsed for the purposes of community consultation on 27 February 2024.
9. The 2024-2025 Budget will be presented for adoption at the 28 May 2024 Council Meeting commencing 7:00pm.

Council plans and policies

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

6. Consultation Matters

PCC.004/24 Draft Budget 2024-2025 Submissions

Access, Equity and Inclusion

11. A Gender Impact Assessment has been conducted and Gender Responsive Budgeting included within the guidelines as a priority consideration throughout the budget development process.

Sustainability implications

12. Council's financial sustainability is informed by the indicators set by the Victorian Auditor General's Office (VAGO).
13. These indicators comprise of both short term and longer term measures. The indicators are calculated and considered as part of the budget process.

Community engagement

14. Following on from Council's adoption of the Draft Budget 2024-2025, public notice was provided, inviting the community to lodge submissions. Public exhibition was for 28 days. The Draft Budget was available for inspection at the Civic Centre and on Council's website.
15. Following the consideration of any submissions, the Budget will be presented for adoption at the Council Meeting on 28 May 2024, whereby Council is then required to formally adopt the final Budget for 2024-2025.

Innovation and continuous improvement

16. Continuous improvement and innovation opportunities identified have been considered.

Collaboration

17. The Drafting of budget is conducted in consultation with managers and EMT.

Budget implications

18. The costs of preparing and exhibiting the Budget are funded from operating budget allocations.

Relevant law

19. *Local Government Act 2020*, sections 94 and 96.
20. The approach to the budget and the composition of the financial statements are prepared reflective of the overall compliance with the Australian Accounting Standards.

Regional, state and national plans and policies

21. Not applicable.

Conflicts of interest

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

6. Consultation Matters

PCC.004/24 Draft Budget 2024-2025 Submissions

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6. Officers' reports

PCC.005/24 Australian Local Government Association National General Assembly 2024 - Nillumbik Shire Council Motions

Item: Consultation Matter

Distribution: Public

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

Author: Tracey Varley, Manager Communications and Engagement

Summary

The Australian Local Government Association (ALGA) National General Assembly (NGA) provides the opportunity for Councils throughout Australia to contribute to the development of national local government policy and receive updates on the major policy issues facing the local government sector.

The 30th NGA will be held in Canberra from 2 - 4 July 2024, featuring the theme 'Building Community Trust'. The Assembly is a major event and typically attracts more than 600 Mayors, Councillors and senior officers from Councils across Australia.

The NGA is an opportunity for individual Councils to identify matters of national relevance to the sector, influence the future direction of our Council and our community, and submit notices of motion to seek support for these matters to be considered by NGA as national policy.

Motions must be submitted no later than 11.59pm on Tuesday, 30 April 2024. Motions that are carried by the NGA become resolutions, which are then considered by the ALGA Board when setting national local government policy, while also feeding into the Australian Council of Local Government processes.

This report seeks endorsement of the Nillumbik Motions (Attachment 2) to be put forward to the ALGA NGA in July 2024. Motions submitted will be reviewed by a committee of the ALGA Board as well as by State and Territory Local Government Associations to determine their eligibility for inclusion in the NGA Business Papers. When reviewing motions, the committee considers the importance and relevance of the issue to Local Government.

Recommendation



That the Committee (acting under delegation from Council):

1. Adopts and lodges the following motions to the Australian Local Government Association National General Assembly, to be held in Canberra from 2 - 4 July 2024:
 - i. The Australian Local Government Association calls on the Australian Government to provide targeted investment in the development of Australia's electrical grid network infrastructure to equitably distribute large-scale renewable energy generation.
 - ii. The Australian Local Government Association calls on the Australian Government to establish a funding stream that supports local councils in managing asset renewal responsibilities.

6. Consultation Matters

PCC.005/24 Australian Local Government Association National General Assembly 2024 - Nillumbik Shire Council Motions

Attachments

- 1  2024 NGA Motions Discussion Paper
- 2  ALGA NGA Motions - Nillumbik Shire Council

Discussion

1. The Australian Local Government Association (ALGA) is the peak body for local governments in Australia, and plays a key role in advocating to the Federal Government on a variety of issues of concern to Australia's local government sector.
2. Submitting motions to the ALGA National General Assembly (NGA) is consistent with Council's practice of advocating on behalf of the community.
3. The theme for this year's NGA will be 'Building Community Trust', which aims to explore the critical importance of trust in governments – between governments, its institutions, and its citizens.

The 2024 NGA will focus on the role of local government and how all levels of government can work together to build, maintain and strengthen government-community relationships.

4. It is important to note that the NGA will focus debate on motions that address how councils can work in partnership with the Australian Government, in particular to meet the current and future needs of local communities.
5. The ALGA Secretariat has prepared a short discussion paper (**Attachment 1**) to assist Councils in identifying motions that address the theme of the 2024 NGA – Building Community Trust – and to provide guidance to ensure notices of motion address this theme.
6. The discussion paper explores data which identifies critical areas local government needs to consider now and into the future.
7. To be eligible for inclusion in the NGA Business Papers, and subsequent debate on the floor of the NGA, motions must meet the following criteria:
 - Be relevant to the work of local government nationally.
 - Not be focussed on a specific jurisdiction, location or region – unless the project or issue has national implications.
 - Be consistent with the themes of the NGA.
 - Complement or build on the policy objectives of ALGA and state or territory local government associations.
 - Be submitted by a council which is a financial member of their state or territory local government association.
 - Propose a clear action and outcome, ie. call on the Australian Government to act on something.

6. Consultation Matters

PCC.005/24 Australian Local Government Association National General Assembly 2024 - Nillumbik Shire Council Motions

- Not be advanced on behalf of external third parties that may seek to use the NGA to apply pressure to Board members, or to gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of, local government.
- Address issues that will directly improve the capacity of local government to deliver services and infrastructure for the benefit of all Australian communities.
- Not seek to advance an outcome that would result in a benefit to one group of councils to the detriment of another.
- Be supported by sufficient evidence to support the outcome being sought and demonstrate the relevance and significance of the matter to local government nationally.

Related Council decisions

8. Not applicable.

Options

9. The ALGA Board is calling for motions, presenting an opportunity to gain peak local government body support for advocacy to the Federal Government.
10. Following consultation with Councillors, officers propose that two (2) motions be submitted to the ALGA Board for consideration as per **Attachment 2**.
11. Motion 1 recognises that as Australia becomes more electrified, our ageing national energy grid will require upgrades and investments in ongoing technical improvements.
12. To enable councils across Australia to achieve net zero emissions targets, action is required from the Federal Government to ensure the national electricity grid is able to absorb and distribute additional renewable energy inputs and supply to meet an increase in electricity demand.
13. Motion 2 is calling for the establishment of a funding stream that supports local councils in managing their asset renewal responsibilities, to assist in addressing asset renewal gaps as a result of escalating costs and restricted revenue.
14. Timely asset maintenance and renewal spending saves money in the long term, ensuring assets are made to last and perform at their best, and continue to meet the needs and expectations of the community.
15. External funding sources aimed at renewal responsibilities would provide a significant benefit to local councils, particularly where priorities have become less about building new facilities and more about looking after the ones they've got.
16. If endorsed by Council, the proposed motions will be submitted and reviewed by a committee of the ALGA Board, as well as by State and Territory Local Government Associations, to determine their eligibility for inclusion in the NGA Business papers. When reviewing motions, the Committee considers the importance and relevance of the issue to local government.

6. Consultation Matters

PCC.005/24 Australian Local Government Association National General Assembly 2024 - Nillumbik Shire Council Motions

17. Motions that are carried at the National General Assembly become resolutions. These resolutions are then considered by the ALGA Board when setting national local government policy, and will also feed into the Australian Council of Local Government processes.

18. All motions must be submitted to ALGA no later than 11:59pm on 30 April 2024.

Council plans and policies

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

- We partner with state and federal governments to advocate in our community's best interests.

Access, Equity and Inclusion

20. Not applicable.

Sustainability implications

21. The motions to be considered at ALGA will cover a range of matters including climate change and environment, as well as social and economic issues relating to local government.

22. The motions being submitted by Nillumbik Council have the potential to achieve worthwhile results for the Nillumbik community and the broader Australian community in terms of both environmental and financial sustainability.

Community engagement

23. Not applicable.

Innovation and continuous improvement

24. Not applicable.

Collaboration

25. The proposed motions have been prepared following advice from Councillors on the items they wish to raise. The content has been prepared through collaboration with teams across the organisation.

26. The ALGA National General Assembly provides an opportunity for the Federal Government and local councils to collaborate in an effort to discuss and address issues of significance to local communities.

Budget implications

27. Funds are available within the relevant operating budget to enable Councillors to attend conferences and meet costs associated with attendance at the National General Assembly of Local Government annually.

28. Travel is to be undertaken in accordance with the Councillors Expense Policy.

Relevant law

29. Not applicable.

6. Consultation Matters

**PCC.005/24 Australian Local Government Association National General Assembly
2024 - Nillumbik Shire Council Motions**

Regional, state and national plans and policies

30. The National General Assembly of Local Government is an important opportunity for Council to influence the national policy agenda.

Conflicts of interest

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

6. Consultation Matters

**PCC.005/24 Australian Local Government Association National General Assembly
2024 - Nillumbik Shire Council Motions**

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6. Officers' reports

PCC.006/24 Review of the Governance Rule - Election Period Policy - Hearing of Submissions

Item: **Consultation Matter**

Distribution: **Public**

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

Author: **Katia Croce, Manager Governance and Property**

Summary

This report provides Council with the feedback of the community engagement undertaken in relation to the draft Governance Rule – Election Period Policy (Election Period Policy) (**Attachment 1**).

Following endorsement for public consultation at the 27 February 2024 Council Meeting, the draft Election Period Policy was open for community consultation for the period 1 March 2024 to 24 March 2024. This report provides a summary of the feedback received from the community during the public exhibition period.

One submission was received and is contained in **Attachments 2 and 3**.

Officers will review the draft Election Period Policy taking into account the written submission and any verbal submissions before presenting the Governance Rule - Election Period Policy for endorsement at the Council Meeting on 28 May 2024.

Recommendation

That the Committee (acting under delegation from Council):

1. Acknowledges and notes the one submission from the community who provided feedback on the draft Governance Rule – Election Period Policy.
2. Considers the feedback contained in the submission and any presentations made to the Committee during the finalisation of the Governance Rule – Election Period Policy.
3. Receives a report at the 28 May 2024 Council Meeting to consider endorsing the Governance Rule – Election Period Policy.
4. Resolves the confidential un-redacted copy of the written submissions to the Draft General Local Law (**Attachment 3**) remain confidential on the grounds specified in the definition of confidential information in section 3(1)(f) of the *Local Government Act 2020*.

Attachments

1  Draft - Governance Rule - Election Period Policy

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2  Submission - Review of Governance Rule - Election Period Policy

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6. Consultation Matters

PCC.006/24 Review of the Governance Rule - Election Period Policy - Hearing of Submissions

3. Submission - Review of Governance Rule - Election Period Policy - *CONFIDENTIAL*

Discussion

1. On 25 August 2020, Council adopted its Governance Rule – Election Period Policy as required under the then new *Local Government Act 2020*.
2. The Election Period Policy outlines the requirements of Councillors, candidates and Council Officers to ensure integrity and compliance before and during the election period, as well as in the immediate period following the election.
3. This review considers minor administrative changes to the existing policy including dates and officer positions to make the references relevant to the 2024 election and the current organisational structure.
4. Other notable changes include:
 - Defining significant and delegated decisions and making clear prohibitions on any consultations during the election period, except when exemptions apply under the *Planning and Environment Act 1987* and section 223 of the *Local Government Act 1989*.
 - The section on social media has been expanded to further clarify how Council will manage the organisations social media accounts. In addition, further information is provided in relation to media and publicity and media releases.
 - The Policy has been updated to incorporate provisions pertaining to Council staff members who nominate as a candidate for election, strengthening the requirements related to election nominations.
 - Key provisions relating to Councillor conduct have been included in the draft Policy to reflect Local Government best practice. This section is taken directly from the Act and does not apply any further expectation or requirement on Councillors than what is legislatively required under the Act.
 - Clear language and definitions.

Related Council decisions

5. In August 2020, Council adopted the suite of Governance Rules as required under the stage two implementation of the Act, including the existing Governance Rule – Election Period Policy.
6. **That Council:**
 1. *Endorses the draft Governance Rule – Election Period Policy shown at **Attachment 1** for public consultation from 1 March 2024 to 24 March 2024 inclusive;*
 2. *Invites written submissions regarding the draft Governance Rule – Election Period Policy by 24 March 2024;*
 3. *Considers public submissions at the Planning and Consultation Committee meeting to be held on 16 April 2024; and*

6. Consultation Matters

PCC.006/24 Review of the Governance Rule - Election Period Policy - Hearing of Submissions

6. Consultation Matters

PCC.006/24 Review of the Governance Rule - Election Period Policy - Hearing of Submissions

4. *Notes that any person who makes a written submission in relation to the draft Governance Rule – Meeting Procedures and requests to be heard in support of the written submission, be heard at the April 2024 Planning and Consultation Committee meeting.*

Options

7. The Planning and Consultation Committee notes the written submission and any verbal submissions.
8. Officers will review the draft Election Period Policy taking into account the written submission and any verbal submissions before presenting the Governance Rule - Election Period Policy for endorsement at the Council Meeting on 28 May 2024.

Council plans and policies

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

Access, Equity and Inclusion

10. Minor amendments were made to the draft policy to remove gender references such as his or her, with references amended to 'their'.
11. The draft Election Period Policy was provided to Council's Gender Equity Lead for consideration. It has been deemed that given the content relates to behaviours of Councillors, Candidates and Council Officers equally, that a Gender Impact Assessment is not required in this instance.
12. This report does not impact negatively on any rights identified in *the Charter of Human Rights and Responsibilities Act 2006 (VIC)*.

Sustainability implications

13. There are no sustainability implications arising from the recommendation contained in this report.

Community engagement

14. Council followed a process of community engagement in order to socialise it with the municipal community and obtain any feedback.
15. Community engagement was targeted to increase the diversity of community members and perspectives included in the engagement. This included Participate Nillumbik page, media release, promotional communications including email, e-news, and social media.
16. Community engagement occurred between 1 March 2024 and 24 March 2024 with one response received.
17. The submission to community engagement was positive with the submitter noting that they understood the purpose of the Election period Policy and the policy 'seems good'.

6. Consultation Matters

PCC.006/24 Review of the Governance Rule - Election Period Policy - Hearing of Submissions

18. Whilst amending a Governance Rule has a mandatory requirement to engage with the community, we are mindful of the limited changes that can be made to this Policy due to the legislative nature of the content.

Innovation and continuous improvement

19. Not applicable

Collaboration

20. Not applicable

Budget implications

21. Preparation of the draft Election Period Policy, subsequent community engagement and final endorsement is an administrative function, the cost of which is included within Council's operational budget.

Relevant law

22. Section 60 of the *Local Government Act 2020*.
23. Section 69 of the *Local Government Act 2020*.
24. Council's Community Engagement Policy and guidelines have been referenced and will be followed in the preparation of this review.
25. In developing this report to Council, the subject matter has been considered in accordance with the requirements of the *Charter of Human Rights and Responsibilities Act 2006*.
26. It is considered that the subject matter does not raise any human rights issues.

Regional, state and national plans and policies

27. Not applicable.

Conflicts of interest

28. The *Local Government Act 2020* requires members of Council staff and persons engaged under contract who provide advice to Council, to disclose any direct or indirect interest in a matter to which the advice relates.
29. The officers involved in the preparation of this report declare that they do not have a conflict of interest in the subject matter of this report.

- 7. Supplementary and urgent business**
- 8. Confidential reports**
- 9. Close of Meeting**