

Council Meeting

to be held at the Council Chamber, 32 Civic Drive, Greensborough
on Tuesday 27 August 2024 commencing at 7:00pm.

Agenda

Carl Cowie
Chief Executive Officer

Thursday 22 August 2024

Distribution: Public

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Council Chamber Council Meeting seating plan

Cr Natalie Duffy
Edendale Ward

Cr Karen Egan
Bunjil Ward
(Deputy Mayor)

Cr Richard Stockman
Blue Lake Ward

Cr Peter Perkins
Ellis 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 Ben Ramcharan
(Mayor)
Sugarloaf Ward

Carl Cowie
Chief
Executive
Officer

Nillumbik Shire Council

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Nillumbik Shire Council

Agenda of the Meeting of Nillumbik Shire Council to be held Tuesday 27 August 2024 commencing at 7:00pm

1. Welcome

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

2. Acknowledgement of Country

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 colonial invasion, massacres and genocide committed against First Nations People. We acknowledge that sovereignty was never ceded.

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

3. Good Governance Pledge

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

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

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

4. Prayer

A prayer will be read.

5. Apologies/Leave of Absence

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

6. Declarations of conflict of interest

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

7. Presentations

Condolence - John Brennan

Presentation to the Mayor and Deputy Mayor

8. Confirmation of Minutes

COM.001/24 Confirmation of Minutes Council Meeting held Tuesday 30 July 2024

Summary

Confirmation of the Minutes of the Council Meeting held on Tuesday 30 July 2024.

Recommendation

That Council confirms the Minutes of the Council Meeting held on Tuesday 30 July 2024 (**Attachment 1**).

Attachments

- 1  Minutes of Council Meeting held Tuesday 30 July 2024

8. Confirmation of Minutes

COM.001/24 Confirmation of Minutes Council Meeting held Tuesday 30 July 2024

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9. Petitions

10. Questions from the gallery

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11. Reports of Advisory Committees

AC.007/24 Advisory Committee Report - 27 August 2024

Distribution: Public

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

Author: Juliana Dimovski, Senior 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. Recreation Trails Advisory Committee meeting held 20 March 2024;
2. Health and Wellbeing Advisory Committee meeting held 16 July 2024; and
3. Recreation Trails Advisory Committee meeting held 17 July 2024.

Attachments

1.  Advisory Committee meeting Minutes reported 27 August 2024

Recommendation

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

11. Reports of Advisory Committees

AC.007/24 Advisory Committee Report - 27 August 2024

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12. Officers' reports**CM.080/24 Reconciliation Action Plan**

Distribution: Public**Manager: Corrienne Nichols, Director Communities****Author: Nichole Johnson, Manager Community Partnerships****Summary**

The purpose of this report is to present the draft Reconciliation Action Plan (RAP) **(Attachment 1)** for conditional endorsement before submission to Reconciliation Australia for feedback and approval.

The RAP outlines the shared approach Council will take to progress reconciliation and work alongside First Nations people in all Council services.

The RAP has been updated taking into consideration feedback from Traditional Owners, the RAP Working Group and consultation findings.

Recommendation

That Council:

1. Endorses in principle the Draft Reconciliation Action Plan **(Attachment 1)**, acknowledging that feedback from the Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation is imminent.
2. Authorises the Director Communities to make minor changes to the Draft Reconciliation Action Plan and the Draft Statement of Commitment once feedback is received from the Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation.
3. Authorises the Director Communities to submit and seek feedback on the Reconciliation Action Plan from Reconciliation Australia.
4. Authorises the Director Communities to make changes that may be necessary and are inconsequential in nature to the Reconciliation Action Plan based on feedback from Reconciliation Australia.
5. Notes that the Reconciliation Action Plan will be presented to Council for endorsement if significant changes are required based on feedback from Reconciliation Australia.

Attachments

- 1  Draft Reconciliation Action Plan
- 2  Community Engagement Findings Report
- 3  Additional RAP Recommendations

12. Officers' reports

CM.080/24 Reconciliation Action Plan

Discussion

1. In line with the Council Plan 2021-2025, Nillumbik Shire Council is committed to developing a RAP. A RAP is a formal commitment to support First Nations peoples' rights, culture, heritage, needs and aspirations.
2. Following a Cultural Reflections Survey conducted in 2020, it was recommended that Nillumbik Shire Council develop a *Reflect* RAP. This type of RAP has a 12 month lifespan and outlines steps to prepare the organisation for reconciliation initiatives in future RAPs.
3. Council's *Reflect* RAP outlines the shared approach Council will take to progress reconciliation and work alongside First Nations people in all Council services.
4. The Draft RAP has been developed using the *Reflect* RAP template and guidelines from Reconciliation Australia. Uncle Joel Wright, Corporate Development Manager at Mob Jobs, has been engaged to lead this work.
5. To oversee the development of the RAP, a RAP Working Group (RWG) was established, consisting of sixteen members including Wurundjeri Traditional Owners, First Nations community members, and key stakeholders from across Council and Nillumbik.
6. The RWG met three times to inform the development of the RAP and focused on reviewing and refining the Draft RAP, developing the RAP Vision and planning Community Engagement activities.
7. Council undertook two rounds of extensive community consultation in early 2023 and in May 2024. Round one sought ideas on actions for inclusion in the RAP and the Community Engagement Findings Report (**Attachment 2**) outlines the outcomes from round two consultation which sought feedback on the draft actions and RAP Vision.
8. The revised RAP has been updated based on feedback received through both rounds of community consultation.
9. Wurundjeri Elder Aunty Gail Smith attended the RAP Working Group meeting held on 12 July 2024. Aunty Gail Smith advised that the Draft Statement of Commitment prepared in consultation with Council at a workshop held on 4 June 2024 must be endorsed by the Board of Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation before Council finalises the RAP. The Draft Statement of Commitment was scheduled to go to the Corporations July Board meeting and due to their large agenda was unable to be considered.
10. Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation are supportive of the RAP, however additional feedback on the RAP and endorsement of the Statement of Commitment had not been received at the time of writing this report and is expected in the coming weeks.. It is recommended that any changes required to the RAP and the Statement of Commitment that are inconsequential in nature be authorised by the Director Communities.

12. Officers' reports**CM.080/24 Reconciliation Action Plan**

11. The Contents of the draft RAP are outlined on page 2 (**Attachment 1**). The contents now includes: Council, CEO and Traditional Owner Statements; a Statement of Commitment; information about Nillumbik's community, reconciliation journey and commitment to leadership in reconciliation; deliverables and actions.

Related Council decisions

12. In line with the Council Plan 2021-2025, Nillumbik Shire Council is committed to developing a Reconciliation Action Plan (RAP).
13. On 30 April 2024 Council endorsed the Draft RAP actions and vision for the purpose of community consultation.
14. On 16 July 2024, the Planning and Consultation Committee considered all submissions to the Draft RAP and recommended that the updated draft RAP be presented at a Council Meeting for endorsement in August 2024.

Options

15. This report seeks in principle endorsement of the RAP (**Attachment 1**) prior to seeking feedback and endorsement from Reconciliation Australia.

Council plans and policies

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

Access, Equity and Inclusion

17. The RAP directly aligns with the Access, Equity and Inclusion Policy principals, commitment and priority groups. Implementing the RAP will improve access, equitability and inclusion for First Nations people.
18. Recommendations from the Gender Impact Assessment undertaken in February 2023 were considered prior to round 2 of community engagement.

Sustainability implications

19. Care of Country has been considered, discussed and incorporated into the RAP deliverables, this approach responds to aspects of sustainability.

Community engagement

20. Two rounds of community engagement were undertaken to inform the development of the Draft RAP throughout 2023 and 2024.
21. Round one Community Engagement involved establishing a RAP Working Group and undertaking public consultation throughout March and April 2023. The consultation sought community ideas on actions for inclusion in the RAP. The ideas were reviewed by the RWG, and incorporated into the Draft RAP.
22. Additional RAP Recommendations from engagement and RWG (**Attachment 3**) that were beyond the scope of a *Reflect* RAP, have now been removed from the Draft RAP and have been retained for the development of future RAPs.

12. Officers' reports

CM.080/24 Reconciliation Action Plan

23. Round two of community engagement (conducted in May 2024) sought community feedback on the Draft RAP actions and RAP Vision. Round two consultation activities and detailed findings from community engagement are outlined in the Community Engagement Findings report (**Attachment 2**).

Innovation and continuous improvement

24. The RAP provides opportunities for innovation and continuous improvement, particularly within the Human Resources, Procurement and Communications spaces.

Collaboration

25. Council Officers participate in the LG Pro Special Interest Group: Reconciliation. This provides an opportunity to collaborate and share with local Councils across Victoria.

Budget considerations

26. Costs associated with the development of the Nillumbik *Reflect* RAP have been accounted for within the operational budget.
27. A major initiative budget submission to confirm ongoing budget for the Aboriginal Partnerships Officer and delivery of the RAP will be included for consideration in the 2025-2026 budget process.

Relevant law

28. Not applicable.

Regional, state and national plans and policies

29. *Victorian Aboriginal and Local Government Strategy 2021-2026*.

Conflicts of interest

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

12. Officers' reports

CM.081/24 Communication Strategy 2022-25 Annual Action Plan Update

Distribution: Public

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

Author: Tracey Varley, Manager Communications and Engagement

Summary

The Communications Strategy 2022-2025 (**Attachment 1**) was adopted by Council on 26 July 2022 as a priority action of the Council Plan 2021-2025.

Its aim is to enhance the connection between Nillumbik's residents and the information they seek regarding Council programs, services and decisions.

The Strategy outlines an Action Plan with 36 priority actions of which 26 actions were included in the Year 2 Action Plan (including 15 ongoing actions carried forward from the Year 1 action Plan).

The purpose of this report is to present to Council an annual report on the Year 2 Action Plan (**Attachment 2**) of the Strategy and present the Year 3 Action Plan for endorsement (**Attachment 3**).

Recommendation

That Council:

1. Notes the Communications Strategy 2022-2025 Year 2 Action Plan Report; and
2. Endorses the Communications Strategy 2022-2025 Year 3 Action Plan.

Attachments

- 1  Communications Strategy 2022-25
- 2  Communications Strategy 2022-25 Year 2 Action Plan Outcomes
- 3  Communications Strategy 2022-25 Year 3 Action Plan

Discussion

1. The Communications Strategy 2022-25 was adopted by Council on 26 July 2022 as a priority action of the Council Plan 2021-2025.
2. The Strategy has been made available on Council's website in PDF format, an Accessible Word version, and an Easy Read document, in line with our commitment to access, equity and inclusion.
3. The strategic objective of the Strategy is to improve how Nillumbik's people are connected to the information they need and want about relevant Council programs, services and decisions, to enable them to live supported, active, sustainable and connected lives within our community.

12. Officers' reports

CM.081/24 Communication Strategy 2022-25 Annual Action Plan Update

4. There are four Pillars of Action:
 - Trust and transparency: use two-way communications to seek community input and enhance our transparency about why we've made decisions or taken actions.
 - Identity: enhance the Nillumbik identity by embedding a strong visual presence and consistent and engaging messaging.
 - Capability: build council capacity to clearly communicate and champion Council and community priorities to our community and other stakeholders.
 - Reach: improve our digital presence with more engaging content tailored to people already using the web and social media. Strengthen our non-digital communications options to cater to people who are not online and/or require alternative formats.
5. The Strategy outlines an Action Plan with 36 priority actions of which 26 were included in the Year 2 Action Plan (including 15 ongoing actions carried forward from the Year 1 Action Plan).
6. Following the implementation of the Year 2 Action Plan, twenty one (21) actions were completed, and fifteen (15) of these actions have been identified as fundamental to the way the Communications and Engagement Team works or produces communication materials. These actions have since been rolled over into the team's business plan and embedded into team practices.
7. Five of the actions from the Year 2 Action Plan have been started and will be rolled over into the Year 3 Action Plan for completion in 2024-25.
8. Some of the key achievements during the second year of the Strategy include:
 - Boosting the number of subscribers to our general Council e-newsletter, Nillumbik eNews, by around 27 per cent. This substantial increase is the result of a concerted promotional campaign over the past twelve months including wider promotion across all channels and a competition to win a \$100 'Shop in our Shire' voucher. The result is also in line with the 2024 Annual Community Survey, which found that e-newsletters are one of the preferred methods of receiving information from Council, with 20 per cent of participants nominating this form of communication.
 - The continuing positive impact of the website upgrade as more people access Council sites. In 2023-24 there were 443,945 users and 1,131,539 page views of Council's main website alone compared to 1,110,263 page views in 2022-23.
 - Increasing the total number of followers across all Council social media channels by 14 per cent. Council's Facebook page saw an 18 per cent increase in followers, Instagram had an increase of 14 per cent and LinkedIn a 14 per cent increase.
 - Supporting more than 488 communication projects or requests, and issuing 124 news releases.

12. Officers' reports**CM.081/24 Communication Strategy 2022-25 Annual Action Plan Update**

- Completion of a Signage Style Guide to help ensure consistent branding on signage for Council facilities as signs need replacing. Increased use of video through Council's digital channels to help promote or inform our community of Council services, programs and facilities and to increase engagement with Council's communications. Videos including mayor's video messages, and messages featuring community members and Council staff to promote events and initiatives, are proving successful in making topics, including strategies, more engaging and easy to understand.

For example, a series of videos was created to promote National Volunteer Week, featuring interviews with members of community groups. A video was posted on Council's social media channels each day of National Volunteer Week. As a whole, the campaign reached 10,910 people, and was engaged with 1,438 times through either likes, shares or comments.

- Attendance at community festivals and major events, including the Pet Expo, Wattle Festival, Warrandyte Festival and Diamond Creek Rotary Fair. This has provided an opportunity for Council to speak face to face with community and help promote Council activities including programs and community engagement projects. Staff from other departments at Council have also attended some of these events as a way of speaking with community members and getting their feedback on strategies they are working on.
- Consultation with councillors to help inform a review of Councillor Communications, an internal newsletter that helps keep councillors up to date on projects to assist them in their role as elected representatives. Feedback will be used to update the newsletter in time for the election of a new Council in October.
- Development of a draft Social Media Strategy, to help further improve on the effective use of Council's social media channels. The draft includes a list of findings and recommendations, and will be finalised during Q1 of the 2024-25 year.
- An audit of all external communication channels across Council, which will help identify opportunities to promote key Council messages through other networks.

9. The Year 3 Action Plan includes two (2) new actions and five (5) actions carried over from year 2. Focus areas of the Year 3 Action Plan include:

- Reintroduction of training for staff in 'Communications and brand 101'
- Development of guidelines to help streamline and improve the efficiency and equity of engagement methods and the way they are promoted
- Completion of an updated Issues Management Communications Plan
- Completion of a Social Media Strategy
- Improvements to the way noticeboards are used to display Council information
- Continue to use data from surveys to continuously improve content and effectiveness of Council's communication channels.

12. Officers' reports

CM.081/24 Communication Strategy 2022-25 Annual Action Plan Update

Related Council decisions

10. Council adopted the Communications Strategy 2022-2025 on 26 July 2022.

Options

11. Not applicable

Council plans and policies

12. 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

13. A Gender Impact Assessment was completed as part of the development of the Strategy. Actions of this Strategy also support Council's Access, Equity and Inclusion Policy.

Sustainability implications

14. Sustainability implications are considered in the implementation of all actions.

15. The Strategy seeks to improve sustainable digital communication options, but where required to use traditional printed communication methods, material must be printed with vegetable ink on 100 per cent recycled paper.

Community engagement

16. Community engagement was undertaken on the draft Strategy in Q4 2021-2022.

Innovation and continuous improvement

17. The Strategy actions seek to continually improve Council's communication and engagement with the Nillumbik community.

18. The results of the Annual Community Survey, as well as other relevant data, is used to measure and guide the actions of this Strategy.

Collaboration

19. Not applicable.

Budget considerations

20. The Year 2 and 3 actions fall within operational budgets.

Relevant law

21. *Local Government Act 2020 (s10).*

Regional, state and national plans and policies

22. Not applicable.

Conflicts of interest

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

12. Officers' reports

CM.082/24 Review of Council's Advisory Committee policy and Terms of Reference template

Distribution: Public

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

Author: Katia Croce, Manager Governance and Property

Summary

This report seeks to adopt a revised Advisory Committee Policy (**Policy**) (**Attachment 1**) and Terms of Reference template (ToR) (**Attachment 2**) following a review by Council Officers.

On 26 October 2021 Council endorsed a new Advisory Committee Policy and standardised Terms of Reference template.

The process in reviewing these documents considered the experience of Advisory Committees using the current endorsed Policy and ToR template and considered changes to related legislation, the operational use of the policy and improvements to Council operating procedures.

Recommendation

That Council adopts the Advisory Committee Policy (**Attachment 1**) and Terms of Reference template (**Attachment 2**).

Attachments

- 1  Advisory Committee Policy
- 2  Advisory Committee Terms of Reference template

Discussion

1. At the meeting on 23 February 2021, Council requested officers prepare a standardised format to Advisory Committees Terms of Reference giving effect to gender equality, diversity and inclusiveness, to be adopted by all Council Advisory Committees as part of their next scheduled review.
2. The existing Policy endorsed in October 2021 was developed to establish a consistent approach to managing advisory committees and included the development of standardised terms of reference and templates. It also sets minimum standards on a range of matters to ensure a sound governance framework is in place to support the establishment and ongoing management of Council's advisory committees.
3. Advisory Committee conveners and Managers were provided with the draft Policy and invited to share with their teams, review and provide feedback.
4. The draft ToR template was provided to Advisory Committees who had recently reviewed and they were invited to provide feedback.

12. Officers' reports

CM.082/24 Review of Council's Advisory Committee policy and Terms of Reference template

5. The feedback received in relation to the Terms of Reference was in general specific to the individual Committees and would be appropriate to be included in the Advisory Committee ToR reviews presented to Council for endorsement and not in the template.
6. Updated information relating to child safety and wellbeing has been included in both the draft Policy and ToR to ensure that Advisory Committees are following Council's Child Safe Policy and Child Safe Reporting processes.
7. The declaration page of the draft Policy (page 16 of **Attachment 1**) has been updated to include further information to streamline the induction process and reduce the number of documents completed by newly appointed committee members.
8. Administrative changes have been incorporated that have no effect to the purpose of the Policy and TOR.

Related Council decisions

9. The existing Advisory Committee Policy and standardised Terms of Reference template were endorsed by Council on 26 October 2021.

Options

10. It is recommended that the draft Policy and ToR are endorsed at the 27 August 2024 Council Meeting.

Council plans and policies

11. This report directly supports the achievement of the Council Plan 2021-2025 strategy:
 - We act in the best interests of our community.

Access, Equity and Inclusion

12. A Gender Impact Assessment (GIA) was requested, however after reviewing the documents it was considered that the GIA undertaken for the Advisory Committee application and selection process would equally apply to the Policy and ToR review.
13. The recommended actions to this GIA have been considered, and the actions assigned to Governance are mainly of an operational nature and not for inclusion in the policy.

Sustainability implications

14. Not applicable

Community engagement

15. Not applicable

Innovation and continuous improvement

16. This review considers the feedback received relating to the existing Policy and TOR template and includes updated information in relation to child safety and wellbeing to ensure consistency across all Council policies and processes.

Collaboration

17. The Governance team worked with key staff who hold responsibility for current Advisory Committees to collaborate on the review of the Policy and ToR review.

12. Officers' reports

CM.082/24 Review of Council's Advisory Committee policy and Terms of Reference template

Budget considerations

18. There are no budget implications arising from the continuation of the existing advisory committee arrangements.

Relevant law

19. The existing Policy was developed in response to the implementation of the *Local Government Act 2020*, and the repeal of sections of the *Local Government Act 1989*.

Regional, state and national plans and policies

20. Not applicable.

Conflicts of interest

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

12. Officers' reports

CM.082/24 Review of Council's Advisory Committee policy and Terms of Reference template

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12. Officers' reports**CM.083/24 Naming proposal for Civic Drive Precinct (Park)**

Distribution: Public**Manager: Blaga Naumoski, Director Governance, Communications and Community Safety****Author: Katia Croce, Manager Governance and Property****Summary**

At its Council Meeting on 30 April 2024, Council endorsed the commencement of the public consultation process on the proposed naming of Civic Drive Precinct (Park) at 1 Civic Circuit, 44 and 44B Civic Drive, Greensborough to 'Kirrip Park', including naming the:

- a) Building 'Kirrip Pavilion';
- b) Outdoor Performance Area 'Kirrip Outdoor Performance Space';
- c) Playground 'Kirrip Playspace'; and
- d) Exercise / Flat Open Space Area 'Kirrip Recreation Space'

as shown in **Attachment 1**.

Community consultation occurred on the above naming proposals between 3 May 2024 to 2 June 2024.

Council received 208 submissions and one submission from the local School with feedback from 32 children. All submissions are included in **Attachment 2 (redacted)** and **Attachment 3 (unredacted)**.

Overall 63.75% of submissions were supportive of the name proposal, 35.83% objected to the name and .42% were neutral. Two submitters in support of the name spoke on behalf of their submission at the Planning and Consultation Committee Meeting held on 16 July 2024.

Following evaluation of all responses received, it is recommended that the entire Civic Drive Precinct (Park) be named 'Kirrip Park' including naming of the areas within the Park as outlined above.

Recommendation

That Council:

1. Notes that the majority of the 240 submissions received and considered in response to Council's public notice on the following naming proposals as required under Section 7 of the Naming Rules for Places in Victoria – 2022 (Naming Rules), and Council's Community Engagement Policy supported:
 - a) The entire Civic Drive Precinct (Park) at 1 Civic Circuit, 44 and 44B Civic Drive, Greensborough to be named 'Kirrip Park';
 - b) The Building within the Civic Drive Precinct (Park) area to be named 'Kirrip Pavilion';
 - c) The Outdoor Performance Area within the Civic Drive Precinct (Park) area to be named 'Kirrip Outdoor Performance Space';

12. Officers' reports**CM.083/24 Naming proposal for Civic Drive Precinct (Park)**

- d) The Playground within the Civic Drive Precinct (Park) area to be named 'Kirrip Playspace'; and
- e) The Exercise / Flat Open Space Area within the Civic Drive Precinct (Park) to be named 'Kirrip Recreation Space'

as shown in **Attachment 1**.

2. Considers the submissions in **Attachment 2** and notes that all submitters were provided with the opportunity to be heard by the Planning and Consultation Committee on 16 July 2024.
3. Resolves to submit the name 'Kirrip Park' for the Civic Drive Precinct (Park) to the Registrar of Geographic Names Victoria for consideration and inclusion in VICNAMES register, including naming of areas within 'Kirrip Park' as follows:
 - a) Building 'Kirrip Pavilion';
 - b) Outdoor Performance Area 'Kirrip Outdoor Performance Space';
 - c) Playground 'Kirrip Playspace'; and
 - d) Exercise / Flat Open Space Area 'Kirrip Recreation Space'
4. Advises all submitters and all relevant parties of the outcome on the naming proposal for Civic Drive Precinct (Park) and other areas in the Park.
5. Resolves the confidential un-redacted copy of the written submissions to the naming proposal (**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.  Plan of Civic Drive Precinct
2.  Submissions - redacted
3. Submissions - no redaction - CONFIDENTIAL

Discussion

1. Council received a proposal to name Civic Drive Precinct (reserve/park area) 'Kirrip Park'. 'Kirrip' is the Woi-wurrung word for friend.
2. The park area at present does not have a registered name with the Registrar of Geographic Names – VICNAMES.
3. Registering an official name for the Civic Drive Precinct (Park) and other areas within the Park with the Registrar of Geographic Names Victoria will assist Council Officers, visitors and most importantly emergency services with clearly identifying the location of the Park and specific areas within the Park.

12. Officers' reports

CM.083/24 Naming proposal for Civic Drive Precinct (Park)

4. Emergency services (000) rely on VicMap datasets, this includes registrar of Geographic Names (GNR data). Parks and reserves must be registered in this data with the correct address to assist with emergencies.
5. The name 'Kirrip Park' has received Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation formal approval to use this name and Geographic Names Victoria (GNV) have provided informal in principle support for the use of the name.
6. At its Council Meeting on 30 April 2024, Council endorsed the commencement of the public consultation process on the proposed naming of Civic Drive Precinct (Park) to 'Kirrip Park', including naming the:
 - a) Building 'Kirrip Pavilion';
 - b) Outdoor Performance Area 'Kirrip Outdoor Performance Space';
 - c) Playground 'Kirrip Playspace'; and
 - d) Exercise / Flat Open Space Area 'Kirrip Recreation Space'.
7. Community engagement on the naming proposal commenced Friday 3 May 2024 and closed Sunday 2 June 2024.
8. The contribution summary from all submissions received:

Type of submissions	Support Name	Object to Name	General feedback /questions
Participate Nillumbik	130	74	
Written by email	2	1	1
Hardcopy – school	21	11	
Total	153	86	1

9. Overall 63.75% of submissions were supportive of the name proposal, 35.83% objected to the name and .42% were neutral.
10. Council officers have provided comments in response to the submissions which objected to the name 'Kirrip Park' in **Attachment 2**.
11. Submitters who did not support the name 'Kirrip Park' did so for the following reasons:
 - a) Concerns that it is renaming the Park and Greensborough Outdoor Performance Area NSP
 - b) Cost and replacement of signage
 - c) Hard to pronounce and do not like the word 'Kirrip'
 - d) Does not adequately identify the area or match place, has no meaning to members of the Shire

12. Officers' reports

CM.083/24 Naming proposal for Civic Drive Precinct (Park)

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- e) As a whole the Nation voted 'No' to the Voice yet Council is still moving towards direction of the 'Yes' vote
 - f) Waste of ratepayers money on naming process and concerns about funds being spent on this process
 - g) The aboriginal name 'Kirrip' is for minority of people, discriminates against others
 - h) A few recommended English men names in connection with the area
 - i) Concerns about name duplication in Wollert, South Melbourne and Whittlesea Shire
 - j) Prefer the park be named Civic Drive Precinct or Civic Drive Park as many people currently refer to the park area.
12. As noted in the Officers comments in **Attachment 2**, the submissions received not supporting the naming proposals were not significant reasons or justification why the name 'Kirrip Park' and naming of other assets in the park did not comply with the principles within the Naming Rules for places Victoria 2022.
13. All submitters were provided with the opportunity to attend the Planning and Consultation Committee (PCC) Meeting on 16 July 2024 to speak on behalf of their submission.
14. Only two submitters, attended the PCC Meeting and spoke in support of the name 'Kirrip Park'. Both submitters belong to the Friends of Apollo Parkways who since 2007 have advocated for the retention of public open space and rezoning of the Land at Civic Drive to Public Park Recreation Zone (PPRZ).
15. Friends of Apollo Parkways representatives support the name 'Kirrip Park' as:
- a) Giving the community hub (park) the name that means Friend in Woi-wurrung language emphasises the values of friendship, community involvement and connection to the Land
 - b) Good things need to be acknowledge and given a name
 - c) Name is more than a label it is a welcome mat to the storey of a place
 - d) 'Civic Drive' as currently referred to is a Road name not the name of the Public Open Space (Park)
 - e) If Places are not named and anonymous they cannot be recognised and therefore not likely to be retained. A name transforms it into a place on map and tells people it has something to show you and something to be remembered by.

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16. Council officers have reviewed the name to ensure compliance with the principles within the Naming Rules for places Victoria 2022. These include:

Principle	Officer Comment
Principle A - Ensuring public safety	At present this Park has no registered name with Geographic Place Names Victoria. Registered names ensure emergency services can locate the feature (park area).
Principle B - Recognising the public interest	The short and long term benefits are that a registered name will assist emergency services as well as recognise that the area is a public park for the community which includes a number of public assets.
Principle C - Linking the name to place	This park already has artwork completed by Fiona Clarke which is on the Diamond Valley Sports Centre external wall. This art work is called 'Family and Future' (Past, Present and Future emerging). The name 'Kirrip Park' suits the park area as it will be a meeting place for friends to use the playground, exercise equipment, tables and chairs and schools to use the open space for other activities.
Principle D - Ensuring names are not duplicated	Duplication is not allowed within the same locality or the following default distances: <ul style="list-style-type: none"> • metropolitan urban areas - 5 kilometre radius • regional urban areas, - 15 kilometre radius • rural or remote areas, within a 30 kilometre radius In this case the area in question is considered metropolitan so any instances of 'Kirrip' outside the 5km radius are not be considered duplications.
Principle E - Recognition and use of Traditional Owner languages	Approval has been received from Wurundjeri Woiwurrung Cultural Heritage Aboriginal Corporation to use the name 'Kirrip Park'.
Principle F - Names must not discriminate or be offensive	The name is not considered to be derogatory or patently offensive, and it does not discriminate.
Principle G - Gender equality	The name is neutral and inclusive of all genders.
Principle H - Dual names	Not applicable to this naming proposal.
Principle I - Using commemorative names	Not applicable to this naming proposal.
Principle J - Using commercial and business names	Not applicable to this naming proposal.
Principle K - Language	Complies with all language requirements.

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Principle	Officer Comment
	Fairly easy to pronounce, spell and write, and does not exceed three words allowance.
Principle L - Directional names to be avoided	The names complies with this.
Principle M - Assigning extent to a road, feature or locality	The Plan shown in Attachment 1 – outlines the proposed areas. This was shown during the submission phase on Participate Nillumbik and mail out to residents.

Related Council decisions

17. Council resolved at the May 2016 Council Meeting:
 - a) *That Council officers commence the detailed design process in consultation with the community and stakeholders in 2016-2017, subject to the adoption of the 2016-17 Budget. The detailed planning to include appropriate naming of the precinct after community consultation and retention of the existing Outdoor Performing Arts Centre with a view to using the building for multipurpose use, making the existing toilets public and a future upgrade of the building if further community consultation so wishes.*
 - b) *Refers the required planning scheme amendment to rezone the land at Civic Drive to Public Park and Recreation Zone to the budget process for 2017-2018 and receive a further report to seek authorisation to commence the amendment.*
18. On 15 August 2017, at the Future Nillumbik Committee Meeting, the Committee acknowledged key stakeholders and community members' involvement in the development of the detailed concept plan and to commence construction on the open space south of the carpark abutting Greensborough Bypass.
19. On 29 October 2019, Council adopted the Planning Scheme Amendment C117, to rezone 15 parcels of land in Diamond Creek, Eltham, Greensborough, Hurstbridge and Research, the Civic Drive Precinct land shown in **Attachment 1** formed part of this Amendment and was rezoned Public Park and Recreation Zone (PPRZ) in February 2020.
20. At its Council Meeting on 30 April 2024, Council endorsed the commencement of the public consultation process on the proposed naming of Civic Drive Precinct (Park) to 'Kirrip Park', including naming the:
 - e) Building 'Kirrip Pavilion';
 - f) Outdoor Performance Area 'Kirrip Outdoor Performance Space';
 - g) Playground 'Kirrip Playspace'; and
 - h) Exercise / Flat Open Space Area 'Kirrip Recreation Space'.
21. Council considered and heard submissions at the Planning and Consultation Committee meeting on 16 July 2024.

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CM.083/24 Naming proposal for Civic Drive Precinct (Park)

Options

22. Officers reviewed the submissions and verbal submissions and recommend that Council resolves to name the Civic Drive Precinct and other areas within the Park; and submit the naming proposal to Registrar of Geographic Names to consider the formal registration of the names as outlined in Item 6.

Council plans and policies

23. This report directly supports the achievement of the Council Plan 2021-2025 strategy:
- We act in the best interests of our community.
 - [If you require more one strategy reference – please cut and paste the additional strategy from the [Council Plan 2021-2025](#) – otherwise please delete this line]

Access, Equity and Inclusion

24. The Naming Rules include Principle G - Gender equality, which states 'Gender equality in the naming of roads, features and localities is encouraged. When developing a naming proposal consideration should be given to gender equality'.
25. Proposed names must conform to the Principles in the Naming Rules.
26. The proposed name 'Kirrip' for the Park and other features complies with this principle as the name is neutral and inclusive of all genders.

Sustainability implications

27. Not applicable

Community engagement

28. Council must undertake a public consultation process on the proposed name as required under section 7 of the Naming Rules for Places in Victoria – 2022 (Naming Rules).
29. This is a key component in the process of naming roads, features and localities. Naming authorities typically consult the public on any naming proposal and must comply with the minimum requirements under Section 7.1, where relevant.
30. Section 7.1 of the Naming Rules include that consultation with the immediate and/or extended community must be a minimum of 30 days, though may be longer.
31. Community engagement on the naming proposal commenced Friday 3 May and closed Sunday 2 June 2024, being 31 days in total.
32. Consultation took the form of a survey on Council's Participate Nillumbik site. Hardcopy submissions were also received.
33. The consultation was promoted through:
- a) An email to targeted audience;
 - b) Public Notice on Council's website;
 - c) News release on website – explain Participate Nillumbik community engagement;
 - d) Social posts (where possible);
 - e) Letters to adjoining and nearby properties;

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CM.083/24 Naming proposal for Civic Drive Precinct (Park)

- f) Letters and emails to the relevant Emergency Service Organisations; and
 - g) The ability to submit hard copy submissions.
34. Submitters were thanked for their contribution to the naming proposal and provided the opportunity to make a verbal presentation to the Planning and Consultation Committee (PCC) on 16 July 2024.
35. Only two submitters attended the PCC meeting in support of the name 'Kirrip Park'.

Innovation and continuous improvement

36. The Naming Rules - Statutory requirements for naming roads, features and localities, was reviewed and updated to fulfil Geographic Names Victoria's requirement under the *Geographic Place Names Act 1998* section 6 to review the 'guidelines' once every five years.
37. The Naming Rules were developed following consultation with municipal councils, government departments and emergency response and public service providers.
38. The Naming Rules focus on and support Traditional Owner languages and commemorative naming of places after women.
39. Council as a statutory naming authority must comply with the Naming Rules, which includes naming principles.

Collaboration

40. Internal consultation has occurred with Governance, Social Planning and Equity, Recreation and Community Infrastructure, Community Facilities, Environment and Sustainability, Environmental Works, Recreation and Leisure, Strategic Planning, and Spatial IT Business Analyst on the proposed name 'Kirrip Park' and the proposed names for the additional areas. All of the relevant teams supported the name proposal for the Park and areas within the Park.
41. Consultation and approval has been received from Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation to use the name 'Kirrip Park' and GNV have provided informal in principle support for the use of the name.
42. Initial approval has also been received from Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation and GNV to name other areas within the Park 'Kirrip'.
43. The applicant has advised that the proposed names have been endorsed by the local community as represented by The Friends of Apollo Parkway.

Budget considerations

44. The naming request submitted to Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation cost Council \$550 plus GST for word translation and approval. Should Council resolve to officially name the Civic Drive Precinct (Park) 'Kirrip Park' and Geographic Place Names approves the name, usage fees for ongoing use of a name will be \$3,500 plus GST.
45. Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation has confirmed that no additional charges will be incurred for officially naming the four areas within the Civic Drive Precinct (Park).

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CM.083/24 Naming proposal for Civic Drive Precinct (Park)

- 46. Costs associated with the naming proposal and community consultation process will be costed to the Governance and Property Department operational budget.
- 47. If the name is endorsed and registered with GNV, identification signage will be erected with the new name. Signage will be funded out of an existing sign budget.

Relevant law

- 48. The Naming Rules for places in Victoria 2022, statutory requirements for naming roads, features and localities are commonly referred to as the Naming Rules.
- 49. The Naming Rules uphold the guidelines in the *Geographic Place Names Act 1998*. They are mandatory for naming authorities in Victoria.

Regional, state and national plans and policies

- 50. Not applicable.

Conflicts of interest

- 51. 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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CM.083/24 Naming proposal for Civic Drive Precinct (Park)

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12. Officers' reports

CM.084/24 Proposed Road Deviation - Part of Simpson Road and Ridge Road, Christmas Hills

Distribution: Public

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

Author: Katia Croce, Manager Governance and Property

Summary

At the Council meeting on 30 April 2024, Council considered Melbourne Water Corporations (MWC) request to complete a road deviation for part of Simpsons Road and Ridge Road in Christmas Hills so that the titles are consistent with the location of Simpson Road and Ridge Road as constructed, refer to **Attachment 1** and **Attachment 2**.

Council resolved at this meeting to give public notice and seek submissions on the proposed Road Deviation pursuant to section 207A and 223 of the *Local Government Act 1989* (1989 Act).

As Council received no written submissions in response to the public notice and no person requested to be heard at the Planning and Consultation Committee Meeting on 16 July 2024, Council can now resolve to proceed with the Road Deviation pursuant to section 207A of the 1989 Act and transfer of the Unused Road to MWC under section 116 of the *Local Government Act 2020* (Land Transfer).

Recommendation

That Council, having followed the statutory procedures under clause 2 of Schedule 10, sections 207A and 223 of the *Local Government Act 1989* (**1989 Act**) and having received no submissions and no request to be heard at the Planning and Consultation Committee Meeting on 16 July 2024:

1. resolves to deviate part of Simpson Road and Ridge Road, Christmas Hills (**Road**) which comprises the following:
 - a) discontinuing that part of the Road shown as Lot 5 and cross-hatched on the plan contained in **Attachment 3** to this report, being those parts of the government road that are not used as a road on Crown land (**Unused Road**); and
 - b) deviating the Road to the location shown as Lot 4 and hatched on the plan contained in **Attachment 3** to this report, being part of the land contained in certificates of title volume 8222 folio 900, volume 8480 folio 275 and volume 8480 folio 278 (**Constructed Road**), which is registered in the name of Melbourne Water Corporation (**MWC**),

(together the **Road Deviation**)
2. subject to Council first resolving to proceed with the Road Deviation, resolves to complete the transfer of the Unused Road to MWC under section 116 of the *Local Government Act 2020* (**Land Transfer**);

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CM.084/24 Proposed Road Deviation - Part of Simpson Road and Ridge Road, Christmas Hills

3. notes that the Road Deviation and Land Transfer is subject to MWC making the land comprising the Constructed Road available for the purpose of the Road Deviation;
4. directs that a notice be published in the Victoria Government Gazette under clause 2(3) of the *1989 Act*; and
5. authorises the Chief Executive Officer to sign any documents necessary to give effect to the Road Deviation and Land Transfer.

Attachments

1.  Aerial Plan of Ridge and Simpson Road, Christmas Hills
2.  Proposed Title Plan - Ridge and Simpson Road, Christmas Hills
3.  Proposed Road Exchange Plan - Ridge and Simpson Road, Christmas Hills

Discussion

1. In 2017, the Governor in Council and Minister approved the transfer of 288 hectares of Melbourne Water Corporation (MWC) surplus land to the Crown for the extension of the existing Warrandyte Kinglake Nature Conservation Reserve.
2. As part of the transfer of land from MWC to the Crown, Department of Energy, Environment and Climate Action (DEECA) require that all land parcels divested to the Crown are appropriately zoned, have correct road status and appropriate land data particulars.
3. MWC and the DEECA have identified that part of Simpson Road and Ridge Road, Christmas Hills (as constructed) does not conform to the title boundary of the government road, as the road has been constructed on part of the adjoining land owned by MWC, refer to **Attachment 1** and **Attachment 2**.
4. Council has been requested by MWC to realign the title boundaries to reflect the location of Simpson Road and Ridge Road as constructed, and transfer the Unused Road (land) to MWC.
5. Land Use Victoria advised Council's lawyers that the most effective process to complete the Road Discontinuance and Land Transfers as well as ensure that the land is appropriately zoned, has the correct road status and appropriate land data particulars is to complete a Road Deviation process.
6. The Road Deviation will regularise the existing constructed road alignment on title and will assist in the land to the north of Ridge Road being transferred to DEECA for future management by Parks Victoria. It will not change the existing constructed road alignment.

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7. Council agreed with MWC to complete a Road Deviation under clause 2 of Schedule 10 of the 1989 Act, and the Land Transfers under section 116 of the 2020 Act, subject to Council complying with its obligations under section 223 of the 1989 Act in respect of the Road Deviation proposal. The two proposals can be considered concurrently by Council.
8. MWC confirmed with Council in January 2024 that it consented to Council commencing the Road Deviation process and to transfer the Unused Road to MWC.
9. Following Council's resolution at the 30 April 2024 Council meeting to give public notice of the proposed Road Deviation pursuant to 207A and 223 of the 1989 Act, a public notice was published in the Herald Sun on 20 May 2024 inviting submissions on the proposal in accordance with section 223 of the 1989 Act.
10. The closing date for submissions on the proposed Road Deviation was Sunday 16 June 2024, being 28 days from the date the public notice was published.
11. On conclusion of the public notice process, Council received no written submissions and no person requested to be heard at the Planning and Consultation Committee Meeting on 16 July 2024.
12. Council resolved at the 30 April 2024 Council meeting that the Chief Executive Officer enter into a Deed with MWC which sets out the necessary statutory processes, associated costs and responsibilities of both parties in relation to the Road Deviation and Land Transfer. Council has provided MWC the Deed to review and execute.
13. Pursuant to clause 2(2) of Schedule 10 of the Act, Council sought the Minister for Environment, Climate Change and Water consent to the Road Deviation proposal. Council received the Ministers consent on 6 August 2024 to the Road Deviation proposal.
14. Council can now resolve to proceed with the Road Deviation for part of Simpson and Ridge Road, Christmas Hills and the Land Transfer with MWC.

Related Council decisions

15. At the 30 April 2024 Council Meeting, the Council:
 - a) Authorised the Chief Executive Officer to enter into a Deed with Melbourne Water Corporation (MWC) setting out the necessary statutory processes and resolution(s) required by Council to proceed with the proposal.
 - b) Resolved to commence the statutory procedures with respect to the proposed Road Deviation of part of Simpson Road and Ridge Road, Christmas Hills (Road).
 - c) Noted that subject to the outcome of the Road Deviation proposal, Council proposes that the Unused Road will be transferred from Council to MWC under section 116 of the *Local Government Act 2020*; and the title to the Constructed Road will be registered in Council's name.
 - d) Authorised the Chief Executive Officer to write to the Minister administering the Land Act 1958 (Minister) to seek the Minister's consent to the proposed Road Deviation under clause 2(2) of Schedule 10 of the 1989 Act.

12. Officers' reports

CM.084/24 Proposed Road Deviation - Part of Simpson Road and Ridge Road, Christmas Hills

- e) Authorised the Chief Executive Officer to give public notice of the proposed Road Deviation pursuant to 207A and 223 of the 1989 Act; and undertake the administrative procedures necessary to enable Council to carry out its functions under section 223 of the 1989 Act in relation to this matter.
 - f) Considers any public submissions received in respect of the proposed Road Deviation and Land Transfers at the Planning and Consultation Committee (PCC) meeting on 16 July 2024.
 - g) Receives a further report prior to making a final decision on whether to proceed with the proposed Road Deviation and Land Transfers.
16. The following was resolved at the 16 July 2024 Planning and Consultation Committee Meeting (*acting under delegation from Council*):
- 1. *acknowledges and notes that no written submissions have been received in respect of the proposed road deviation of part of Simpson Road and Ridge Road, Christmas Hills and subsequent transfer of the former road to Melbourne Water Corporation as shown on the plan contained in Attachment 3 to this report.*
 - 2. *receives a further report at the 27 August 2024 Council Meeting following the completion of the procedures required under clause 2 of Schedule 10 and 207A and 223 of the Local Government Act 1989, prior to making a final decision on whether to proceed with the proposed road deviation and land transfers to Melbourne Water Corporation (MWC).*

Options

17. Council having followed the statutory procedures under clause 2 of Schedule 10, sections 207A and 223 of the 1989 Act and having received no submissions and no request to be heard at the PCC Meeting on 16 July 2024, can now resolve to deviate part of Simpson Road and Ridge Road, Christmas Hills (Road) and to complete the Land Transfer of the Unused Road to MWC under section 116 of the *Local Government Act 2020*.

Council plans and policies

18. 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

19. Not applicable.

Sustainability implications

20. DEECA has advised MWC that the road alignment and title boundaries need to be regularised prior to the land to the north of Ridge Road being transferred to DEECA for future management by Parks Victoria.

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CM.084/24 Proposed Road Deviation - Part of Simpson Road and Ridge Road, Christmas Hills

21. The proposal under the Planning Scheme Amendment is to rezone the land surrounding Old Simpson Road and Simpson Road to 'Public Conversation and Resource Zone'. This means that the intended future use will be Crown land and form part of the 'Warrandyte-Kinglake Nature Conversation Reserve'.

Community engagement

22. Council must give public notice of the Road Deviation, pursuant to section 207A of the 1989 Act and consider any submissions received in respect of the proposal, pursuant to section 223 of the 1989 Act.
23. Under 223 of the 1989 Act, Council published a public notice in the Herald Sun on the 20 May 2024 and allowed 28 days for submissions to be received. Any person making a submission was entitled to request in the submission that they wish to be heard in support of their submission.
24. Letters were also sent to adjoining and nearby properties to Ridge Road and Simpsons Road, Christmas Hills.
25. The public notice was also placed on Council's website under the 'Public Notices' section.
26. The public was able to contact Council's Property team to discuss the proposed Road Deviation. During the consultation period Council officers received two enquiries seeking further clarity on the Road Deviation proposal and confirmation that the proposal did not involve a new road being constructed or a change in the alignment of the Constructed Road. Following the response from Council's officers, no written submission or request to be heard was received by Council.

Innovation and continuous improvement

27. Not applicable.

Collaboration

28. Council Officers have been working with MWC on the proposed Road Deviation and Land Transfers, which will benefit both organisations in essentially regularising the road boundaries on title.
29. This Road Deviation also forms part of MWC's planning scheme amendment and transfer of some land parcels to the Crown.
30. Internal consultation has occurred with Traffic and Transport, Strategic Planning, Assets, and Roads, Drains and Cleansing teams, which all have no objections to the Road Deviation provided that access arrangements and maintenance responsibilities for the end road user remain unchanged from existing conditions.

Budget considerations

31. MWC has advised Council that they will reimburse Council \$5,000 plus GST to cover Council's expenses related to the Road Deviation. Additionally, Melbourne Water will cover any additional disbursements, encompassing costs such as public notices, Government Gazette notices, Land Use Victoria registration fees for the title application, survey expenses, and all stamp duty fees associated with the transfer of the Unused Road to Melbourne Water.

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CM.084/24 Proposed Road Deviation - Part of Simpson Road and Ridge Road, Christmas Hills

32. Any relevant costs which should be paid by Council in relation to the matter will be paid through Governance and Property's operational budget.

Relevant law

33. Section 206 and Schedule 10 of the 1989 Act provides powers to a Council in relation to roads in its municipal district.
34. The statutory procedures to carry out the Road Deviation are pursuant to clause 2 of Schedule 10 and sections 206, 207 and 223 of the 1989 Act.
35. Council must obtain the Minister's consent to the proposal under clause 2(2) of Schedule 10 of the 1989 Act.

Regional, state and national plans and policies

36. Victorian Government agencies, which includes Melbourne Water Corporation must comply with the Victorian Government Land Transactions Policy dated April 2022 in respect of its land dealings.

Conflicts of interest

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

12. Officers' reports

CM.085/24 Nillumbik Urban Tree Canopy Strategy 2024-2040 - adoption of strategy

Distribution: Public

Manager: Frank Vassilacos, Director Planning, Environment and Strategy

Author: Leigh Northwood, Manager Strategic Planning and Environment

Summary

This report presents the Nillumbik Urban Tree Canopy Strategy 2024-2040 (**Attachment 1**) to Council for consideration for adoption.

We are very fortunate that the extent of canopy in our suburbs and townships is generally high, noting Nillumbik's urban canopy cover is the second highest in all of Melbourne - and we want to maintain this.

The Urban Tree Canopy Strategy (the Strategy) affects Nillumbik's urban areas only, that is land located inside the Urban Growth Boundary (UGB).

The Strategy provides context on the importance of urban canopy, the wide-range of challenges and considerations that need to be taken into account and provides a fifteen-year framework for strategic action that will help us achieve our vision.

The Strategy includes three goals and three focus areas for action, with associated targets, and an overarching urban tree canopy indicator.

The Strategy identifies the importance that we all do what we can to protect - and enhance - the extent, health and resilience of canopy across Nillumbik's urban areas, and that local government has an important and varied role to play in helping to achieve this – on our own land and on privately owned land by our residents and businesses.

The Strategy will be supported by a separate annual Implementation Plan that will specify key actions that will be undertaken each year to help deliver on the goals and targets of the Urban Tree Canopy Strategy.

The Year 1 (2024/25) Implementation Plan is provided in **Attachment 2**, noting significant budget allocation will be required to realise the targets and objectives within the Strategy, and Year 1 implementation will focus on business case development for this integral future funding (among other matters). Reporting updates on implementation will be received by Council on an annual basis.

The Strategy incorporates updates arising from the public exhibition period that was held from 28 March to 28 April 2024, and from verbal submissions heard at the Planning and Consultation Committee (PCC) meeting held on 11 June 2024.

Supporting information regarding community feedback on the draft Strategy, and how this has been considered, is provided in **Attachments 3** and **4**.

12. Officers' reports**CM.085/24 Nillumbik Urban Tree Canopy Strategy 2024-2040 - adoption of strategy**

Recommendation

That Council:

1. Adopts the Nillumbik Urban Tree Canopy Strategy 2024-2040 (**Attachment 1**).
2. Endorses the Urban Tree Canopy Year 1 Implementation Plan (2024/25) (**Attachment 2**).
3. Notes that the Urban Tree Canopy Strategy, subject to graphic design, and its Implementation Plan(s) will be made available on Council's website.
4. Receives an annual update on the implementation of the Urban Tree Canopy Strategy and the proposed actions for the following year.
5. Notes that a summary will be provided to the community on Council's website and in Council's Annual Report.

Attachments

1.  Nillumbik Urban Tree Canopy Strategy 2024-2034
2.  Year 1 Urban Tree Canopy Strategy Implementation Plan (2024/25)
3.  Consultation Summary Report
4.  Consultation feedback with officer responses

DiscussionUrban Tree Canopy Strategy 2024-2040

1. Nillumbik is very fortunate that the extent of urban canopy in our suburbs and townships is generally high. With an average of 39 percent urban canopy coverage, Nillumbik's urban canopy cover is the second highest in all of Melbourne - and we want to maintain this. This canopy contributes greatly to the green, leafy neighbourhood character that our residents, visitors and wildlife enjoy and provides a wide range of environmental, health, cultural and economic benefits.
2. The Urban Tree Canopy Strategy (the Strategy) identifies the importance that we all do what we can to protect - and enhance - the extent, health and resilience of canopy across Nillumbik's urban areas, and that local government has important and varied role to play in helping to achieve this – on our own land and on land owned by our residents and businesses.
3. This is Council's first Urban Tree Canopy Strategy (**Attachment 1**). It has been informed by:
 - Research into relevant legislative requirements, policy, data, science, benchmarking and best practice;
 - Engagement with the Nillumbik community; and

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CM.085/24 Nillumbik Urban Tree Canopy Strategy 2024-2040 - adoption of strategy

- Councillor and officer engagement.
4. The Strategy provides context on the importance of urban canopy, the wide-range of challenges and considerations that need to be taken into account and provides a fifteen-year framework for strategic action that will help us achieve our vision.
 5. Challenges specific to Nillumbik with regard to urban canopy include:
 - a. Climate change and bushfire;
 - b. Age, health and diversity of our tree population;
 - c. Urban development and housing pressures;
 - d. Provision of public infrastructure and utilities; and
 - e. Our communities perceptions around trees more generally.
 6. The Strategy includes three goals and three focus areas – with associated objectives, supporting strategies, targets and an overarching canopy measurement indicator. Goals include:
 - a. **Goal 1 – That Nillumbik’s Urban Canopy is protected and enhanced** i.e. That through Council leadership, advocacy, use of planning regulations, improved data, a focus on proactive tree maintenance and other canopy works, our urban canopy is supported.
 - b. **Goal 2 – That Nillumbik’s community values and cares for the Urban Canopy** i.e. That through education, planning regulations and support, the number of trees being planted, cared for and thriving will increase. This includes Council providing support to volunteers, identifying new partners and encouraging all residents / community members to be tree stewards.
 - c. **Goal 3 – That a healthy Urban Canopy supports the wellbeing of Nillumbik’s Community** i.e. That through the strategic targeting of locations to renew and increase canopy and reduce urban heat island impacts, along with management of canopy across the whole of urban areas, that there will be human health and wellbeing benefits.
 - d. Each of these goals is considered across three focus areas:
 - i. Focus Area 1 – Leadership;
 - ii. Focus Area 2 - Grow Nillumbik’s urban canopy on Council land; and
 - iii. Focus Area 3 - Grow Nillumbik’s urban canopy on private land.
 - e. These focus areas are supported by objectives and examples of what Council will do over the coming 15 years (prioritised across the short, medium and longer term) through to 2040.
 - f. Targets in the Strategy relate to the percentage canopy cover sought for Nillumbik’s urban areas and include:
 - i. An overall average urban canopy cover of 40 percent;

12. Officers' reports**CM.085/24 Nillumbik Urban Tree Canopy Strategy 2024-2040 - adoption of strategy**

-
- ii. An increase in canopy in areas experiencing higher Urban Heat Island Effect (minimum urban canopy cover of 25 percent in every suburb and township);
 - iii. An increase in the planting of trees across all land tenures; and
 - iv. An increase in the maintenance/care of existing trees to support them to grow and thrive.

Year 1 (2024/25) Implementation Plan

7. The Strategy will be supported by a separate annual Implementation Plan that will specify key actions that will be undertaken each year to help deliver on the goals and targets of the Urban Tree Canopy Strategy.
8. The Year 1 (2024/25) Implementation Plan is provided in **Attachment 2**.
9. It has been developed in line with annual budget processes and available budget.
10. It contains 13 actions and it specifies which Urban Tree Canopy Strategy focus area and objective each will contribute to.
11. Significant budget allocation will be required to realise the targets and objectives within the Strategy, and Year 1 implementation will include a focus on business case development for this integral future funding (among other matters).
12. Reporting updates will be received by Council on an annual basis.

Related Council decisions

13. On 25 October 2022, a Council resolution (NOM.003/22) requested that the creation of a Nillumbik Urban Forest Strategy be explored to set the actions we will take as a Council to increase tree canopy in the urban areas of Nillumbik.
14. Action 16 of Council's Annual Action Plan 2023-2024 was to "Complete and adopt the new Biodiversity Strategy, including investigation into measures to establish and enhance the urban tree canopy and protect wildlife".
15. On 26 March 2024, Council endorsed the draft Urban Tree Canopy Strategy for the purpose of community engagement, which commenced on 28 March 2024 and concluded on 28 April 2024.
16. On 11 June 2024, Council considered public submissions on the draft Strategy and requested that a report be presented at the August 2024 Council Meeting to consider adoption of the final version of the Urban Tree Canopy Strategy 2024-2040.

Options

17. The Urban Tree Canopy Strategy was prepared and subsequently updated following engagement with our community; and is presented to Council for adoption.

Council plans and policies

18. This report directly supports the achievement of the Council Plan 2021-2025 strategy:
 - *We value, appreciate and enjoy our Green Wedge Shire, including our rural areas and leafy urban areas, which we work hard to protect and enhance.*

12. Officers' reports**CM.085/24 Nillumbik Urban Tree Canopy Strategy 2024-2040 - adoption of strategy**

Access, Equity and Inclusion

19. A Gender Impact Assessment (GIA) was applied to the development of this Strategy.
20. The community engagement process was designed to be accessible to, and collect feedback from, diverse community representation – including, young people and adults, day-time and evening feedback opportunities, and in-person and on-line feedback opportunities.

Sustainability implications

21. The Urban Tree Canopy Strategy will provide strategic direction for Council to support positive social and environmental outcomes.
22. It considers the impacts of climate change.
23. The Department of Energy, Environment and Climate Action's (DECCA) Environmental-Economic Account for Greater Melbourne quantifies the significant economic benefits of addressing the urban heat island effect and thus improving productivity and reducing mortality. A conservative analysis of the cost-benefit ratio suggests that for every dollar spent on urban greening in Melbourne, around \$4 in benefits are derived (Source: *Living Melbourne, Priority urban greening analysis, June 2023*).

Community engagement

24. Engagement to inform the Urban Tree Canopy Strategy included:
 - a) Benchmarking, and discussions with other local governments.
 - b) Discussions with representatives of Wurundjeri Woi-wurrung; and with Council's Environment and Sustainability Advisory Committee and Youth Council.
 - c) Consideration of feedback that relates to urban tree canopy matters collected via alternate consultations undertaken by Council over the past several years (including via the Biodiversity Strategy, Neighbourhood Character Strategy, Local Laws and Climate Action consultations).
 - d) Consideration of feedback gathered during the formal consultation period on the draft Strategy, from 28 March to 28 April 2024, and a subsequent Planning and Consultation Committee meeting on 11 June 2024 to hear verbal submissions:
 - A total of 147 written submissions were received, including 136 survey responses and 11 freeform written submissions. A summary of this community feedback is provided in **Attachment 3**.
 - Ten people spoke at the Planning and Consultation Committee on 11 June 2024.
 - This feedback was considered (**Attachment 4**) and it informed updates to the final Strategy.
25. The community feedback was generally very positive. The vast majority of survey respondents expressed support for its draft goals, targets and objectives; with some suggestions for changes.

12. Officers' reports**CM.085/24 Nillumbik Urban Tree Canopy Strategy 2024-2040 - adoption of strategy**

26. Changes made include:

- a) In response to requests for canopy cover targets to be increased:
 - The overall canopy cover target for urban areas of the shire has increased from a no-net loss of 39%, to an increased target of 40%.
- b) The meaning of 'urban canopy' in the context of this Strategy has been made clearer and a more explicit rationale provided as to why it is being measured as 'vegetation that is two meters plus in height'.
 - All councils need to collect data on change in canopy tree cover, currently via aerial photography, to identify overall reductions/decline. Councils pay for this data. The data set most feasibly available is 'vegetation that is two meters plus in height', so this is the measure that has been used (and this is comparable/benchmarked to other councils). There was some confusion that that reference to this data in some way provided a definition of the height of canopy tree's in Nillumbik, however this is not the case. It has been made clearer in the Strategy that tree canopy (at maturity) would be considerably higher as per the species found in Nillumbik, and that it is a priority that our mature indigenous canopy be retained. Reference has also been added to the 'canopy tree' and 'amenity tree' definitions of Council's Neighbourhood Character Strategy which defines canopy tree heights and is the appropriate place for such, given that Strategy is tied to future planning controls.
- c) Adding an additional target: "An increase in the maintenance/care of existing trees to support them to grow and thrive".
- d) Specifying that the strategy indicator is "extent of tree canopy cover (2 metres+ height)". Measured every four years.
- e) Addition of three new strategies in Focus Area 1, focusing on:
 - Management of herbivores to protect tree health (via implementation of the Biodiversity Strategy);
 - Conducting 'other' advocacy to support urban canopy protection and gains (in addition to the specific advocacy topics already listed); and
 - The promotion of CFA resources on bushfire mitigation landscaping, including garden design and plant selection.

23. Matters raised in submissions that have not resulted in changes to the wording of the Strategy include:

- a) Many people suggested that the metric of considering tree canopy to comprise any tree that is taller than two meters in height, was inadequate and requested that a higher than 2m+ measurement of canopy cover be used as the metric upon which to measure and track canopy over time. This is not able to be changed, because this is the aerial imagery data set which Council is currently most feasibly able to purchase, for ongoing monitoring purposes, as discussed above.

12. Officers' reports

CM.085/24 Nillumbik Urban Tree Canopy Strategy 2024-2040 - adoption of strategy

- b) A higher minimum urban tree canopy target for those localities that have the lowest canopy cover - up from 25% to 30%. It was determined that adopting a 30% target without being able to allocate associated resourcing was inappropriate.
- c) Higher/stronger penalties for illegal clearing – which is already covered within the Strategy as an advocacy priority (to State government), so edits are not necessary.
- d) Requests for more education to be provided on what to plant and the benefits – this is already covered in the draft so edits were not necessary.
- e) Requests for financial incentives to be provided, to encourage landowners to plant more trees such as free tube stock and/or seedlings, Edendale nursery vouchers, rebates for tree planting, free mulch and grants for revegetation or significant tree maintenance. Such matters can be considered through annual implementation plans, subject to budget.

Innovation and continuous improvement

- 24. The Urban Tree Canopy Strategy has been developed with continuous improvement as a guiding principle.

Collaboration

- 25. Partnerships and collaboration will play an integral role in the implementation of the Strategy.

Budget considerations

- 26. The Urban Tree Canopy Strategy is a high-level strategic document and does not make specific budget commitments.
- 27. There are no implications for the 2024/25 budget.
- 28. The cost of implementing the Strategy will need to be considered on a regular basis. In particular, there is an opportunity to review future budget allocations for tree data collection and analysis, tree maintenance and tree planting on Council land.
- 29. Budget requirements will be considered via the formal annual budget setting process.

Relevant law

- 30. *Planning and Environment Act 1987*

Regional, state and national plans and policies

- 31. Living Melbourne: Our Metropolitan Urban Forest (2019).
- 32. Plan Melbourne 2017 - 2050 (under review in preparation of Plan for Victoria).

Conflicts of interest

- 33. 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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CM.085/24 Nillumbik Urban Tree Canopy Strategy 2024-2040 - adoption of strategy

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12. Officers' reports**CM.086/24 Plan for Victoria Submission**

Distribution: Public**Manager: Frank Vassilacos, Director Planning, Environment and Strategy****Author: Leigh Northwood, Manager Strategic Planning and Environment****Summary**

This report presents a submission to the State Governments draft Plan for Victoria 'Big Ideas' and draft housing targets for Councils consideration of adoption.

On 16 June 2024, the Victorian Government announced draft housing targets for each local government area in Victoria. When finalised, these targets will form part of the forthcoming Plan for Victoria, which when released (programmed for late 2024) will provide the overarching strategic planning vision for Victoria and Melbourne (replacing Plan Melbourne 2017-2050). A key objective of that Plan will be to support the State in realising the Government's ambitions for an additional 2.2 million+ homes by 2051, including 800,000 in the next 10 years to address the current housing shortage.

The targets are currently in draft form, and all Victorian Councils were notified that submissions opened for a draft Plan for Victoria (and housing targets) on 4 July 2024, with a deadline of 30 August for submissions. The current draft housing target identifies an additional 12,000 dwellings in Nillumbik by 2051 (a 53% increase). Annualised, this more than doubles recent development trends and exceeds the growth anticipated by Council's draft Housing Strategy, and Victoria In Futures 2023 projections (the State's own population projections).

This figure is considered by Council to be a significant and potentially unachievable target, noting the existing significant constraints of the Shire's Green Wedge. Therefore, a considerable portion of this growth will need to be accommodated within the Shire's existing Major Activity Centres (MACs) of Eltham and Diamond Creek.

Based on the State Government's forecasts and objectives for population growth and demand in both Melbourne and regional Victoria, every municipality across Victoria is obligated to plan for projected population growth and provide a suitable supply of dwellings. Notably Nillumbik's residential areas are significantly affected by various planning, environmental, and other constraints (e.g. bushfire and flooding). Therefore, Nillumbik Shire will need to actively consider how best to accommodate housing in the most appropriate locations, balancing the competing needs of environmental preservation, topography, access, and the availability of infrastructure and community services.

The submission (at **Attachment 2**) includes an overall response to the draft Plan for Victoria and an addendum specifically addressing the draft housing targets. The housing targets addendum is a technical capacity analysis that includes market feasibility commentary and recommendations, supported by Ethos Consultants, who were engaged to assess and provide technical recommendations on the feasibility of the housing targets. Document highlights (showing version changes, as requested by Councillors at the August briefing) are included to demonstrate changes made in response to Councillor feedback.

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Consistent with State policy in regard to provision of housing in close proximity of public transport, amenity and services, Nillumbik's Major Activity Centres (MAC's) (Eltham and Diamond Creek) and immediate surrounds are evidently positioned to accommodate future population growth and diversity of housing. The addendum/report will serve as the foundation for further analysis and recommendations to Council in the New Year, contingent on the release of the finalised housing targets by the state government.

Upon adoption the submission will be submitted to the Department of Transport and Planning to meet the identified 30th August deadline for submission.

Recommendation

That Council:

1. Endorses the Plan for Victoria Submission (**Attachment 2**), noting Council have not formed a view on the recommendations contained within the Ethos report (addendum) as yet, as that will be the subject of future consideration of Council once the final housing targets are known.
2. Presents the Plan for Victoria Submission to the State Government via the Engage website prior to 30 August 2024 deadline (with change highlights removed).
3. Notes that options will be put to Council in 2025 subject to release of the final housing targets by the state government, regarding the strategic direction of key strategies including the draft Housing Strategy and Planning Scheme Amendments C143nill and C144nill (which relate to the Eltham and Diamond Creek Structure Plans).

Attachments

- 1  Draft Plan for Victoria 'Big Ideas'
- 2  Plan for Victoria Submission and Addendum Draft Housing Targets Advice

Discussion

1. The issue of the availability and cost of housing has rarely featured more prominently in the media or in government policy.
2. The State government released new draft housing targets for every Victorian council on 4 June 2024, and subsequently it released its 'Big Ideas for Victoria's Future' (refer to **Attachment 1**) on 4 July 2024, effectively a draft Plan for Victoria that will replace the existing Plan Melbourne 2050.
3. Victoria's population (based on projected natural population growth and migration policy) is predicted to reach more than 10 million by 2051 (8m metropolitan and 2m regional). The Victorian government has set a target of building 2.24m new homes by 2051 (74% increase on existing number of homes) with 800,000 new homes in the next 10 years in its Housing Statement (released in September 2023), or 80,000 on average per year.

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CM.086/24 Plan for Victoria Submission

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4. This is an incredibly ambitious target. Victoria has never completed this many homes in a year before. For example, in the 2022-23 financial year only 36,000 new dwellings were completed in Victoria.
 5. In planning for Victoria, the State government is reviewing its overarching strategic planning document Plan Melbourne which will now address Victoria. The government has announced that the new Plan for Victoria will:
 - a) Focus on delivering more homes near transport, jobs and essential services.
 - b) Ensure 70% of new homes will be built in established areas and 30% in growth areas (this is consistent with existing objectives of Plan Melbourne).
 - c) Establish local government targets for where homes will be built.
 6. Programs and initiatives that the State government has introduced that will support these targets include:
 - a) Big housing build.
 - b) Regional housing fund.
 - c) Activity centres program.
 - d) State led precincts.
 - e) Suburban Rail Loop.
 - f) Development Facilitation Program.
 - g) Small second dwellings.
 7. The State governments 'Big Ideas for Victoria's Future' as part of the State Government's program to develop a new Plan for Victoria, identifies eight 'Big Ideas' to underpin the new Plan for Victoria (refer **Attachment 1**):
 - a) *More homes in locations with great public transport access;*
 - b) *More housing options for all Victorians including social and affordable homes;*
 - c) *More jobs and opportunities closer to where you live;*
 - d) *More options for how we move from place to place;*
 - e) *More certainty and guidance on how places will change over time;*
 - f) *More trees and urban greening in our parks and community spaces;*
 - g) *More protections from flooding, bushfire and climate hazards; and*
 - h) *Greater protection from or agricultural land.*

Housing Targets

8. Draft housing targets represent an initial distribution of the Housing Statement's aspirations across local government areas and are not the typical approach to planning for housing:
<https://engage.vic.gov.au/project/shape-our-victoria/page/housing-targets-2051>
9. The draft targets are being validated through a modelling process incorporating additional inputs, including council submissions. The modelling approach, developed

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by Department of Transport and Planning (DTP) demographers and external advisers, aims to accurately disperse the targets across Victoria. According to DTP, this process takes into account:

- a) future transport network improvements and accessibility;
- b) environmental constraints, such as flooding and bushfire;
- c) built form, based on modelled floor area ratios;
- d) heritage, based on significance; and
- e) development viability, based on land values and access to jobs and education.

10. The modelling at this point does not take into account:

- a) construction factors such as material availability, labour and other impacts on construction;
- b) taxation settings;
- c) current modelling undergoing update e.g. flood modelling;
- d) local infrastructure constraints;
- e) topography;
- f) restrictive covenants; or
- g) small second dwellings.

11. The draft housing target calls for an additional 12,000 dwellings in Nillumbik by 2051. Annualised, this more than doubles recent development trends and exceeds the growth anticipated by the draft Housing Strategy and Victoria In Futures 2023 projections (the State's population projections).

12. The submission highlights that Nillumbik will need to actively consider how best to accommodate housing (housing targets) in the most appropriate locations, balancing the competing needs of environmental preservation, topography, access, and the availability of infrastructure and community services.

13. Consistent with State policy in regard to provision of housing in close proximity of public transport, amenity and services, Nillumbik's Major Activity Centres (MAC's) (Eltham and Diamond Creek) and immediate surrounds are evidently positioned to accommodate future population growth and diversity of housing. Further investigations will be required to suitably evidence the capacity of the MAC's to accommodate increased housing supply over the medium and longer term.

Plan for Victoria Submission

14. At its August briefing, Council reviewed a draft Plan for Victoria submission and provided feedback. This feedback has been incorporated into the final submission (refer **Attachment 2**). The submission is structured into two parts: an overall strategic response to the draft Plan for Victoria's 'big ideas' and an addendum specifically addressing the draft housing targets.

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15. Key matters identified in the submission include:
- a) The 'big ideas' fail to adequately address existing strategic Green Wedge policies and the unique challenges faced by Green Wedge councils like Nillumbik in accommodating housing.
 - b) The need for a balanced approach that considers other critical policy positions, such as climate change, urban cooling, greening (including canopy tree retention), and impacts on neighbourhood character, environment, and biodiversity.
 - c) Available land does not guarantee housing construction, as it is influenced by market forces beyond Council's control, including macroeconomic factors like policy, taxes, supply chains, and labour.
 - d) Strategically accommodating final targets will impose significant costs on councils, requiring them to review and develop their strategic planning documents. These costs exceed typical review timeframes and necessitate outsourcing expertise to assess housing capacity, which may differ from the State government's Victoria in Future population forecasts and historical data.
 - e) Infrastructure planning and service delivery based on the targets could pose challenges. Coordinated and efficient planning and funding for infrastructure are critical, yet currently, there is no comprehensive plan for both State and local government-led infrastructure.
 - f) How will councils fund (or recoup funds for) future infrastructure needed to support housing targets? Developer levies are typically based on growth rather than targets, and implementing these levies into planning schemes can be costly for councils.
 - g) Is it realistic to cap local government rates at the CPI, limiting the services that can be provided in light of the infrastructure demands required to meet housing targets?
16. The housing targets section of the submission is presented as an addendum as it involves a technical capacity analysis and market feasibility commentary. Consultants from Ethos were engaged to evaluate and make technical recommendations regarding the feasibility of the housing targets. In relation to housing targets:
- a) The draft housing target for Nillumbik is 12,000 homes by 2051, reflecting a 52.9% increase. This target surpasses the current figures in the draft Housing Strategy, which is based on State government population growth forecasts and historical and projected building rates.
 - b) Significant portions of Nillumbik outside the Urban Growth Boundary (UGB) consist of State and National parks, including Kinglake National Park, Warrandyte State Park, and One Tree Hill Reserve.
 - c) Consequently, approximately 91% of Nillumbik's total land area is outside the UGB and designated as Green Wedge, which prioritises conservation, farmland, and other appropriate non-urban uses.

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CM.086/24 Plan for Victoria Submission

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- d) This means that 91% of Nillumbik Shire is highly constrained and cannot be developed for urban uses, such as residential estates, unless the UGB is amended. Many of Nillumbik's residential areas face multiple interlinked planning and environmental constraints, limiting the municipality's capacity to accommodate residential growth.
 - e) A significant portion of Nillumbik's residential areas are affected by various interconnected planning and environmental factors, which further restrict their potential for residential development.
 - f) Typically, these constraints impact similar regions within the municipality, with constrained land often subject to the Bushfire Management Overlay (BMO), the Bushfire Prone Area (BPA), and/or the Environmental Significance Overlay (ESO).
 - g) At the same time, these constraints, including high canopy coverage and steep topography, contribute to the unique characteristics that define Nillumbik's highly valued Character Areas as identified in the Neighbourhood Character Strategy (NCS).
 - h) Accordingly, the Council's draft Housing Strategy (Residential Development Framework) focuses growth in Incremental and Substantial Change areas, which are less constrained. Residential areas impacted by the BMO, ESO, and high canopy coverage are primarily located in areas designated for Minimal Change and, to a lesser extent, Incremental Change.
 - i) Additionally, Nillumbik currently faces a lack of housing market depth, and challenging feasibility conditions will hinder the residential sector's ability to accommodate additional growth at higher densities, at least in the short term.
17. The addendum/Ethos report will serve as the basis for further analysis and recommendations to Council in the New Year, focusing on the draft Housing Strategy and the adopted MAC Structure Plans, pending the State government's release of the finalised housing targets.
 18. The advice from Ethos supports Council's submission to the proposed housing targets, illustrating potential figures IF certain recommendations are adopted. While Council cannot yet commit to pursuing any/all of Ethos' recommendations, these options will be explored and presented to Council for consideration once the final housing targets are determined by the State government. The Ethos report highlights the potential housing targets Nillumbik could plan for, with an understanding of the Shire's unique planning, environmental constraints, and market realities.

What does this mean for Nillumbik's Strategies (adopted and in progress)

19. The housing targets (current and potentially final figure) have implications for Nillumbik's adopted strategies such as the Neighbourhood Character Strategy and Major Activity Structure Plans for Eltham and Diamond Creek, and those in preparation such as the draft Housing Strategy.

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20. Based on the State Government's forecasts and objectives for population growth and demand in both Melbourne and regional Victoria, every municipality across Victoria is obligated to plan for accommodating this population growth and provide a suitable supply and diversity of dwellings. Therefore, Nillumbik Shire will need to actively consider how best to accommodate this in the most appropriate locations, balancing the competing needs of environmental preservation, topography, access, and the availability of infrastructure and community services.
21. All councils, regardless of their progress on strategies or planning scheme amendments related to land use and housing, will need to develop their strategies to align with the final housing targets.
22. Once Council understands the final housing targets, it will conduct further analysis to explore how to accommodate the targets. Various options will then be presented to the Council for consideration in early/mid 2025.

Related Council decisions

23. Related Council decisions are summarised as follows:
 - a) *16 April 2024 – Planning and Consultation Committee meeting resolution to commence the public consultation of the draft Housing Strategy 2024.*
 - b) *16 July 2024 - Planning and Consultation Committee meeting resolution to note verbal submissions to the draft Housing Strategy 2024, and that the draft Strategy would be 'on hold' until such time as Council had provided a submission to the draft housing targets, and the State government has released the final targets, programmed for end 2024.*

Options

24. Updates to the submission have been made in response to feedback provided by Council at its 6 August 2024 briefing. Those changes have been highlighted in yellow to demonstrate location and scope of change.
25. Document highlights (showing version changes, as requested by Councillors at the August briefing) will be removed prior to lodging the submission with the Department.
26. It is requested that Councillors endorse the Plan for Victoria Submission (and addendum) to meet the deadline of 30 August 2024.

Council plans and policies

27. This report directly supports the achievement of the Council Plan 2021-2025 strategy:
 - a) *We act in the best interests of our community.*
 - b) *We respect and enhance the unique neighbourhood character in our communities to ensure a considered approach to planning and development.*
 - c) *We act in the best interests of our community.*

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CM.086/24 Plan for Victoria Submission

Access, Equity and Inclusion

- 28. 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.
- 29. A Gender Impact Assessment (GIA) has not been prepared given this is a submission to a State government initiative. However a GIA has been prepared for the Housing Strategy in collaboration with our Gender Equity Officer.

Sustainability implications

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

Community engagement

- 31. Like most submissions to State government plans/strategies, timelines do not allow for community engagement on Council's submission to this State government plan and draft housing targets.
- 32. Given these targets were released by the State Government, broad community consultation was undertaken by the Department of Transport and Planning (DTP) to encourage feedback and submissions via the Engage Victoria website.
- 33. Council's submission is however informed by feedback to extensive community engagement that has informed development of recent Council strategies including the Neighbourhood Character Strategy, Housing Strategy, Biodiversity Strategy and Urban Tree Canopy Strategy.
- 34. Further community consultation will be undertaken by Council separately as part of the ongoing development of Council's Housing Strategy and Structure Plans for Eltham and Diamond Creek.

Innovation and continuous improvement

- 35. The submission is important in supporting Council's planning policy settings 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

- 36. The submission has been prepared collaboratively with input from a number of relevant teams within Council including Traffic and Transport, Economic Development and Tourism, Strategic Planning and Environment.

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CM.086/24 Plan for Victoria Submission

Budget considerations

- 37. Strategic planning to accommodate the final housing targets will impose significant financial burdens on councils, which will necessitate a comprehensive review and development of their strategic planning documents. These costs are exceptional compared to the typical timelines for reviewing such documents and require inputs that many councils may need to outsource in order to assess and plan for housing capacity.
- 38. Infrastructure planning and service delivery based on the housing targets may present challenges. Coordinated and efficient planning and funding for such infrastructure will be critical, as there will need to be corresponding plans and funding arrangements for infrastructure led by both the State and local governments, which are currently not accounted for.
- 39. The means by which councils will fund or recoup costs for future infrastructure to effectively support these housing targets remains uncertain.
- 40. In relation to the final housing targets, funding must be allocated for assessments, including capacity figures and potential landscape risk evaluations, particularly concerning bushfire risks.

Relevant law

- 41. The State government has also identified review and rewrite of the *Planning and Environment Act 1987* which is the State legislation that regulates all Victorian planning schemes as part of delivery of housing targets.

Regional, state and national plans and policies

- 42. A future Plan for Victoria will result in changes to State Planning Policy with regard to planning for Victoria and resulting updates to planning schemes.

Conflicts of interest

- 43. 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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CM.087/24 Council Plan Quarterly Performance Report 2023-2024 - Quarter 4

Distribution: Public

Manager: Jeremy Livingston, Director Culture and Performance

Author: Craig King, Manager Customer Experience and Business Performance

Summary

The purpose of this report is to present the Council Plan Quarterly Performance Report for noting.

These reporting updates are received by Council on a quarterly basis to demonstrate in a practicable and tangible way how the Council Plan 2021-2025 is being delivered to the community.

The Council Plan Quarterly Performance Report provides the fourth and final update on delivery progress and performance of the 2023-2024 Annual Action Plan actions, which align to delivery of the third year of the Council Plan 2021-2025.

Of the 37 actions in the 2023-2024 Annual Action Plan, 10 actions have been completed, 24 are 'on track' for completion and three actions are experiencing minor issues (**Attachment 1**).

Of the 56 strategic indicators in the Council Plan 2021-2025, 22 have improved on last year's result, 11 have decreased compared to last year, and 23 indicators recorded minimal change from 2022-2023 (**Attachment 2**).

The overall position reflected in the report suggests that Council continues to make solid progress in delivering on key actions of the Council Plan and significant outcomes for the community.

All 37 actions identified in the Annual Action Plan 2023-2024 will also be published in the Annual Report 2023-2024.

Recommendation

That Council receives and notes the Council Plan Quarterly Performance Report for the fourth quarter of 2023-2024.

Attachments

- 1  Q4, 2023-2024 Council Plan Performance Report - Priority Actions
- 2  Q4, 2023-2024 Council Plan Performance Report - Strategic Indicators

12. Officers' reports**CM.087/24 Council Plan Quarterly Performance Report 2023-2024 - Quarter 4**

Discussion

1. The Council Plan 2021-2025 was developed throughout 2021 and adopted by Council in October 2021. The Council Plan 2021-2025 has four high-level strategic themes:
 - Community and Connection – to encourage inclusion and participation to support health and wellbeing and ensure that all our residents have equitable access to services, programs, events and initiatives.
 - Place and Space – to protect, enhance, maintain, plan and design places and spaces that strengthen identity, reinforce character, improve accessibility, encourage social connection and enjoyment, support biodiversity and respect the environment.
 - Sustainable and Resilient – to manage and adapt to changing circumstances that affect our community to ensure it remains sustainable and resilient, both now and into the future.
 - Responsible and Accountable – to facilitate the best possible outcomes for our community, by demonstrating strong leadership and working actively to achieve the community's objectives.
2. The Annual Action Plan 2023-2024, adopted by Council in May 2023, contains 37 actions contributing to delivery of the Council Plan within the corresponding financial year. Of those 37 actions, 17 are identified for quarterly reporting, while the remaining 20 actions are subject to an update in the corresponding report in the final quarter of the financial year (being this quarterly report).

Priority actions

3. **Attachment 1** provides a summary of the actions of the 37 actions in the 2023-2024 Annual Action Plan. Of the 37 actions, 10 actions have been completed, 24 are 'on track' for completion and three actions are experiencing minor issues.
4. Some of the highlights of activities and deliverables achieved over the course of the 2023-2024 financial year included:
 - a) Development of the Inclusive Sports and Facilities Framework has been completed;
 - b) Key actions in the Disability Action Plan were completed to ensure a disability lens was applied across Council's projects, services and activities;
 - c) Progress on the Gender Equality Action Plan has continued, with key improvements made based on employee experience and feedback;
 - d) Council's Reflect Reconciliation Action Plan (RAP) is on track to be presented to Council next quarter. Phase 2 of community engagement was undertaken in May 2024 to allow the public to provide comment and feedback on the draft RAP and RAP Vision Statement;
 - e) Implementation of the Year 3 Action Plan for the Nillumbik Health and Wellbeing Plan 2021-2025 is complete, with a total of 112 actions delivered;

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- f) Delivered Council's first Environmental Volunteers Expo, and have facilitated the start of three new Friends of Groups, new Gardens for Wildlife volunteers, and new volunteers for the Fauna Monitoring program;
- g) Delivery of the Youth Strategy 2022-2026 progressed, including the hosting of the 2024 Youth Summit and commencement of construction of the Nillumbik Youth Hub in Diamond Creek, due to open in early September 2024;
- h) The Creative Infrastructure Framework was endorsed by Council at the April 2024 Council Meeting. The framework aims to pinpoint infrastructure gaps and explore existing opportunities and new projects for the delivery and development of creative spaces across the Shire;
- i) Delivery of actions in the Arts and Culture Strategy 2022-2026 continued, including the Nillumbik Prize for Contemporary Writing (NPCW) award event and anthology launch, the Nillumbik Artist in Residence Program 2024-2025, and the Eltham Library Community Gallery program of exhibitions;
- j) The draft Biodiversity Strategy has been updated following community consultation. A Planning and Consultation Committee Meeting was held in May 2024 with approximately 20 people making verbal submissions. The strategy is due to be considered for adoption at the July 2024 Council Meeting;
- k) A thorough review of Council's Tree Management Policy and its supporting guidelines has been completed and finalised. This comprehensive review ensures that our policies and guidelines are aligned with best practices, and are designed to support our ongoing commitment to effective tree management;
- l) Actions completed as part of Council's Recreation and Leisure Strategy 2022-2030 included a successful grant application for the Nillumbik Youth Pop Tennis Open, infrastructure funding grants for Panton Hill Tennis Courts and Plenty War Memorial Park lighting and upgrade funding for Diamond Creek Dog Park;
- m) The Neighbourhood Character Strategy was adopted at the December 2023 Council Meeting. The strategy covers all residential areas across the Shire, including rural townships, and aims to guide new development, ensuring it respects and responds to the existing or preferred valued features or character of the area;
- n) Works to progress development of a Housing Strategy for the Shire included consultation on the draft strategy. However, progress will now be stalled due to the State Government's recent proposed housing targets announcement. Council will need to prepare a submission to the State Government's on these proposed housing targets and draft Plan for Victoria, noting deadline for submissions is 30 August 2024. Officers will be seeking Council endorsement of a submission at the August 2024 Council Meeting;
- o) A business review of the 2022-2023 place-making program was conducted, with a new Place-making Grant program for 2023-2024 developed to improve place-making outcomes;

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- p) Actions undertaken to progress development of Council's Integrated Transport Strategy included development of an issues and options paper to understand Council's transport challenges, and community consultation on the draft strategy;
- q) Work to progress implementation of Council's Climate Action Plan included submission of a federal grant application to help fund essential energy infrastructure upgrades at the Operations Centre, purchase of 3 new electric vehicles to replace petrol cars in our fleet, and delivery of programs/events to support the community to reach Council's target of net-zero community emissions by 2035;
- r) Key actions completed in the Economic Development Strategy 2020-2030 included hosting Nillumbik Small Business Week, commencement of the Shop in our Shire Winter season promotion, and large growth in Visit Nillumbik social media followers, with 2,600 on Instagram and 4,937 followers on Facebook;
- s) Council submitted three motions to the Municipal Association of Victoria (MAV) State Council Meeting in May 2024, providing an opportunity for Council to pursue its local advocacy priorities by positioning their importance and relevance to communities across the state;
- t) Adoption of an Onsite Wastewater Management Plan which outlines the responsibilities of landowners and occupiers, and enables Council to effectively manage wastewater in the Shire;
- u) Implementation of the Customer First Strategy has progressed well, including:
- Council rated number 1 overall across a range of industry sectors (and over 200 organisations) in the Customer Service Benchmarking Australia's (CSBA) telephone mystery shopping program
 - Improvement in overall customer satisfaction – Council's performance has improved from 6.33 out of 10 in 2022 to 6.99 out of 10 in 2023
 - Improvement in first point of contact resolution – from 73.5% in 2022 to 80% in 2023
 - Increased effectiveness and customer usage in online channels – since 2020, website usage is up 3%, website views are up 5.6%, and user satisfaction with the website is up 6.3%; and
- v) 86% of Council's 2023-2024 Capital Works program was delivered across the year (consistent with the previous year), with a large number of remaining projects due for completion in Quarter 1, 2024-2025.

Strategic indicators

5. **Attachment 2** provides a summary of performance against the 56 strategic indicators in the Council Plan 2021-2025. Of these, 22 have improved on last year's result, 11 have decreased compared to last year, and 23 indicators recorded minimal change from 2022-2023.

Overall status

6. The overall position as reflected in the report suggests that Council continues to make solid progress in delivering on the key actions supporting the Council Plan.

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7. Reporting updates will continue to be received by Council on a quarterly basis that demonstrates in a practicable and tangible way how the Council Plan 2021-2025 is being delivered to the community.

Related Council decisions

8. In concert with the adoption of the 2023-2024 Council Budget, the Annual Action Plan 2023-2024 was adopted at the May 2023 Council Meeting.

Council plans and policies

9. This report directly supports the achievement of the Council Plan 2021-2025 strategy:
- We are forward-thinking, data-driven and evidence-led in our decision making, always looking to identify new opportunities.

Access, Equity and Inclusion

10. A Gender Impact Assessment has not been completed for this report. However, actions developed in the Performance Report best reflect the principles outlined in the Access, Equity and Inclusion Policy where applicable.

Sustainability implications

11. One of the four themes of the Council Plan includes sustainability, identifying it as a key focus area for Council across the duration of this Council Plan.

Community engagement

12. Through the Our People, Our Place, Our Future community engagement program that occurred in February and March 2021, feedback was received which helped inform the development of the Council Plan 2021-2025. The Council Plan was also developed and refined through a series of workshops with Councillors following the general election in November 2020.
13. The Council Plan was subject to a four-week public consultation process across July and August 2021, with refinements made following the receipt of submissions. The Council Plan was subsequently adopted by Council in October 2021.
14. The Annual Action Plan 2023-2024, reflecting the third year of delivery of the four-year Council Plan, was also adopted at the May 2023 Council Meeting.

Innovation and continuous improvement

15. Not applicable.

Collaboration

16. Not applicable.

Budget considerations

17. This report is part of Council's monitoring of the Council Plan 2021-2025. The resources for the monitoring and the preparation of this report are accommodated within the existing operational budget.

Relevant law

18. Not applicable.

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Regional, state and national plans and policies

19. Not applicable.

Conflicts of interest

20. Officers who have been involved in the preparation of this report declare that they do not have a conflict of interest in the subject matter of this report.

12. Officers' reports**CM.088/24 Nillumbik Integrated Transport Strategy 2024 - Final Endorsement**

Distribution: Public**Manager: Frank Vassilacos, Director Planning, Environment and Strategy****Author: Ayman William, Coordinator Transport and Development****Summary**

The report presents the final Nillumbik Integrated Transport Strategy (ITS) in **Attachment 1** for Council's consideration and adoption.

The final draft ITS provides a framework to guide Council in advocating and undertaking transport actions in a cohesive and holistic manner via the implementation of an Integrated Transport Strategy Action Plan.

Transport networks that are safe, accessible, connected, comfortable, and inclusive are very important to our community and access to improved public transport is a key priority.

Advocating to influence State and Federal governments to fund important priority projects around planning for and providing improved transport infrastructure and services is a key component of the ITS.

The final Strategy is the result of extensive community consultation and engagement to ensure that it reflects the feedback and views expressed by the community. It also builds on the Integrated Transport Strategy Issues and Options Paper, which was consulted with the community in April/May 2024 and feedback from the Planning and Consultation Committee (PCC) meeting on the 16 July 2024. A summary of the community consultation is shown in **Attachment 2**.

The key themes raised through community consultation include:

- a. Road Safety
- b. Pedestrian crossings
- c. Missing active travel links
- d. Lack of bus networks
- e. Footpath amenity concerns

These key themes have informed the development of a Nillumbik Integrated Transport Strategy Action Plan (the Action Plan) with ongoing, short, medium and long term actions. The Action Plan can be found in Section 7 to the final draft ITS.

Recommendation

That Council:

1. Adopts the Nillumbik Integrated Transport Strategy 2024 and the associated Action Plan (**Attachment 1**).
2. Notes that the Integrated Transport Strategy, subject to graphic design, will be made available on Council's website.
3. Receives an annual update on the implementation of the Integrated Transport Strategy Action Plan.

12. Officers' reports**CM.088/24 Nillumbik Integrated Transport Strategy 2024 - Final Endorsement**

Attachments

- 1  Final Integrated Transport Strategy (ITS) 2024
- 2  ITS Consultation Summary

Discussion

1. The final draft Integrated Transport Strategy 2024 (ITS) and the accompanying Action Plan in Section 7 of the Strategy (**Attachment 1**) has been informed by:
 - a. Relevant Local, State and Federal government policy, statistical data, and best practice;
 - b. Engagement with the Nillumbik Community and government authorities; and
 - c. Councillor and officer engagement.
2. Submissions to the community consultation process have informed a final draft ITS and an Integrated Transport Strategy Action Plan that will be brought to Council for consideration of adoption.
3. The community consultation was explicit about the objectives of developing an ITS through the Integrated Transport Strategy Issues and Options Paper, and its alignment to Council's strategies and policies on Health and Wellbeing, Climate Action and sustainability.
4. Through the Integrated Transport Strategy Issues and Options Paper, the final draft ITS has identified four strategic direction objectives that the community was asked to rank. It is important to note that not all survey contributors ranked the strategic direction objectives, however many provided commentary in the general comments of the online survey relating to the strategic direction objectives. Officers have reviewed both the results of the survey question and the commentary provided to determine the rankings.
5. Therefore, based on the community responses and comments captured in the survey, the strategic direction objectives have been ranked as follows:
 - I. Plan and deliver active transport networks that are safe, accessible, connected, comfortable, and inclusive.
 - II. Advocate and encourage public transport by enhancing its accessibility, safety, convenience, and attractiveness.
 - III. Encourage land use planning that supports safe and sustainable transport outcomes.
 - IV. Enable emerging sustainable transport.
6. The final draft ITS provides a framework to guide Council in advocating for and undertaking transport actions in a cohesive and holistic manner through the implementation of the Integrated Transport Strategy Action Plan.

12. Officers' reports**CM.088/24 Nillumbik Integrated Transport Strategy 2024 - Final Endorsement**

7. Given the community feedback (survey results and commentary), the Action Plan in Section 7 of the ITS has been developed to guide Council with a range of actions that can be implemented to achieve its objectives of providing an integrated transport network within Nillumbik.
8. The plan provides for ongoing, short, medium and long term actions to be undertaken over the next 10+ years.
9. Actions that require the development of a new plan / policy / strategy such as the Road Safety Strategy, will be subject to future community consultation and endorsement by Council prior to their implementation.
10. Other actions such as advocacy to the State government for a Bus Services Network Review will be undertaken as part of Council's ongoing operational work.
11. Some actions will require the allocation of funding from either Council or the State government to undertake and will be requested via the formal annual budget setting process.

Related Council decisions

12. Over the past twenty years, Council has adopted three specific integrated transport strategies:
 - a) Integrated Transport Strategy (adopted by Council on 18 December 2001). The strategy sought to preserve the Green Wedge, conserve energy and minimise greenhouse gas emissions, optimise the use of public transport, minimise unnecessary motor vehicle travel, integrate the community's transport systems with land uses (activities) and provide a 10-year integrated transport planning horizon.
 - b) Sustainable Transport Strategy (adopted by Council 16 November 2010). This Strategy was prepared through a Victorian Government grant and considered future growth projections for Nillumbik and how additional trips can be accommodated. This strategy is currently available on Council's webpage. This strategy has a focus on the Eltham and Diamond Creek Activity Centres, with a particular aim to encourage sustainable transport (cycling, walking and public transport) in each town centre.
 - c) Nillumbik Integrated Transport Statement (adopted by Council on 29 July 2014). This Statement outlines Council's position on integrated transport and identifies a number of actions and recommendations flowing from the Nillumbik Shire Council Integrated Transport Strategy of 2001.
13. In addition, Council has also adopted a number of mode-specific transport strategies.

Council plans and policies

14. This report directly supports the following achievement of the Council Plan 2021-2025:
 - *We work to understand what residents, businesses and visitors need from modes of transport, to ensure that getting around is easy, accessible, safe and sustainable.*

12. Officers' reports**CM.088/24 Nillumbik Integrated Transport Strategy 2024 - Final Endorsement**

Access, Equity and Inclusion

15. A Gender Impact Assessment (GIA) has been applied to the Integrated Transport Strategy Issue and Options Paper
16. The community engagement process was designed to be accessible to, and collect feedback from, diverse community groups with both in-person and on-line feedback opportunities.

Sustainability implications

17. Council's *Climate Action Plan 2022-2032* provides the strategic direction for Council's climate action over the next decade. Importantly, it includes the 2022 Council declaration of a climate emergency and a mitigation target for Council emissions of net zero by 2030 and a community emissions target of net zero by 2035.
18. The ability to enable sustainable transport outcomes, such as improving Nillumbik's public and active transport networks, is an essential component for Council to realise its Climate Action Plan
19. Encouraging a shift towards sustainable transportation (walking, cycling and public transport) requires individuals to take ownership of their personal travel choices. By recognising the convenience of alternatives like walking, cycling, micro mobility and public transit, the community can embrace a more responsible travel behaviour. Council can play a vital role in promoting this mindset by raising awareness of the Shire's climate change commitment and the challenges posed by the growing number of vehicles on the road, which lead to more traffic and parking issues.
20. The final draft ITS will assist in prioritising sustainable transport modes, reduce transport emissions and improve our resilience to climate change risks of peak oil and fossil fuel dependency.

Community engagement

21. Council commenced a community consultation process from 15 April 2024 to 27 May 2024. The engagement included printing and distribution of collateral, Mayoral message, planning and establishing a Participate Nillumbik webpage, undertaking a six-week public consultation window, pop up stalls and meetings.
22. The community consultation was conducted via the Participate Nillumbik webpage and provided comprehensive information, including a link to the Integrated Transport Strategy Issues and Options Paper, an interactive/social map, key points, and a survey questionnaire designed to encourage and facilitate community feedback and submissions. Additional information was available at Council's Customer Service Centre and during 'pop-up' consultation sessions.
23. Council's emissions targets are more ambitious than the Victorian Government's *Climate Change Act 2017* target of net-zero greenhouse gas emissions by 2050. Consideration of the Integrated Transport Strategy and transport policy in this context will require the community to consider measures that are a significant deviation from the 'business as usual' approach to transport planning, with a much stronger emphasis on sustainable modes of transport (walking, cycling, scooters, e-scooters, e-vehicles and public transport) over the current dominance of fossil fuel powered private vehicle use (which is responsible for nearly half of Victoria's transport emissions).

12. Officers' reports**CM.088/24 Nillumbik Integrated Transport Strategy 2024 - Final Endorsement**

24. The key themes raised through the community consultation include Road Safety, Pedestrian crossings, missing active travel links, lack of bus network and footpath concerns.
25. The community was also asked to rank four strategic direction objectives identified in the Integrated Transport Strategy Issues and options Paper. Not all respondents ranked the strategic direction objectives, however many provided commentary in the general comments of the online survey relating to the strategic direction objectives. Officers have reviewed both the results of the question and the commentary to determine the rankings. These rankings appear earlier in this report at paragraph 5.
26. There were two (2) verbal submissions to the July Planning and Consultation Meeting in relation to the Integrated Transport Strategy Issues and Options Paper.
27. Both submitters were in support of the direction of the ITS and raised concerns relating to:
 - a) Missing links in the active transport network, in particular accessing the Diamond Creek Linear Trail from the local road network;
 - b) The need to consider land use planning in the context of car parking demand around activity centres; and
 - c) The need for increased fixed bus routes.
28. Actions based on the above points made by the submitters have been included in the draft ITS Action Plan (Attachment 1)
29. The written community submissions from the 6-week community consultation process and the verbal submissions at the July Planning and Consultation Meeting have informed the development of the final draft Nillumbik Integrated Transport Strategy and the Integrated Transport Strategy Action Plan.

Collaboration

30. The preparation of the draft ITS involved a series of workshops held with Council staff and the Department of Transport and Planning staff throughout 2022 and 2023.
31. Submissions and feedback from the recent Integrated Transport Strategy Issues and Options Paper community consultation in 2024 has informed the final draft of the Strategy.

Budget considerations

32. The ITS is a high-level strategic document and does not make specific budget commitments.
33. The cost of implementing the Integrated Transport Strategy Action Plan needs to be considered via the formal annual budget setting process.

Relevant law

34. The *Transport Integration Act 2010* is Victoria's key piece of legislation in the area of transport. It provides an example of the use of aspirational legislation to reflect the broad policy aims of the Government for integrated and sustainable transport.

12. Officers' reports**CM.088/24 Nillumbik Integrated Transport Strategy 2024 - Final Endorsement**

35. The Act does not legislate that authorities prepare a transport strategy. However it is best practice for authorities to prepare a framework to guide the delivery of transport investments and provide for an endorsed position for advocacy purposes

Regional, state and national plans and policies

36. There are several Council plans that guide Council's decision making, with several of these plans focusing on transport and access within and around the Shire. These include:
- a. *Council Plan 2021-2025 Annual Council Action Plan 2023-2024: Action 25* requires Council "Complete and adopt a new Integrated Transport Strategy".
 - b. *Community Vision – Nillumbik 2040* is for Nillumbik to have "Connected transport systems, including public and active transport, as well as appropriate infrastructure, are accessible to all residents".
 - c. *Nillumbik Health and Wellbeing Plan 2021-2025* – a key objective is to increase physical activity of the Nillumbik Community through various strategies including "Promote sustainable and active transport options" and "Create environments that encourage walking and cycling".
 - d. The *Climate Action Plan 2022-2032* details Council's response by defining objectives, strategies, and a path for active and collaborative work to tackle the climate change emergency.
37. In addition to the local policy context, the preparation of the final draft ITS will also be strongly influenced by the State government's key transport documents and strategies, including:
- a. *Infrastructure Victoria - Victorian Infrastructure Strategy 2021-2051*
 - b. *Department of Transport and Planning Strategic Plan 2023-2027*
 - c. *Plan Melbourne 2017-2050* (addendum 2019) (currently under review by the State government, with a new draft Plan for Victoria to be developed in late 2024)
 - d. *Department of Transport and Planning Movement and Place Framework 2019*

Conflicts of interest

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

12. Officers' reports**CM.089/24 Wattle Glen Public Realm Framework - For adoption**

Distribution: Public**Manager: Frank Vassilacos, Director Planning, Environment and Strategy****Author: Leigh Northwood, Manager Strategic Planning and Environment****Summary**

The purpose of this report is to present the Wattle Glen Public Realm Framework (the Framework, **Attachment 1**), as exhibited, for Council's consideration for adoption. An adopted Framework will enable Council's continued collaboration with the Department of Transport and Planning (DTP), in an established partnership to secure funding support for delivery. Funding support is required to advance key initiatives of the Framework that are located on state government land/assets and which are aimed at improving the township's most basic public realm conditions i.e., fundamentally disconnected, unsafe and severely lacking infrastructure for non-motorised forms of travel (pedestrians, cyclists, horse-riders). It will be imperative in endorsing the Framework that Council continue to work with DTP in partnership, but also to advocate to, on these key initiatives into the future, to ensure the community's aspirations to preserve and enhance the township's much loved 'rural feel' and sense of place are advanced.

Acknowledging the feedback from the community regarding the level of detail contained in the Framework, adoption of the Framework is essential to enable Council to pursue ongoing collaboration and commitment from the Department of Transport and Planning (DTP) to build upon and progress the objectives of the Framework and public realm upgrades.

On adoption of the Framework by Council, an implementation plan will be developed by late 2024 utilising internal resourcing and existing budget. The implementation plan will outline the stages, timeline and project budgets required, including undertaking advocacy to guide state government funding of key improvements to state infrastructure, and opportunities for future community engagement on developing designs that will be vital to ensure community aspirations are embedded into proposed upgrades.

Subject to an adopted Framework, Officers will explore opportunities to utilise existing and on-going Council programs to work with the community to investigate, prioritise and implement public realm improvements of an operational and maintenance nature that are outside the scope and implementation timeframe of the adopted Framework, but which are aligned to it and are important to the community in the short term.

Recommendation

That Council:

1. Adopts the Wattle Glen Public Realm Framework (**Attachment 1**), for publishing as adopted at the Council Meeting 27 August 2024.
2. Notes that in endorsing the Wattle Glen Public Realm Framework, any development of Department of Transport and Planning (DTP) assets as related to the Wattle Glen Public Realm Framework will require Council to advocate to DTP to ensure the Wattle Glen community's aspirations to maintain and enhance their township's much loved 'rural feel' and sense of place are advanced.

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CM.089/24 Wattle Glen Public Realm Framework - For adoption

3. Notes that Officers will subsequently prepare an implementation plan for the adopted Wattle Glen Public Realm Framework.
4. Notes that Officers will explore opportunities to utilise existing and on-going Council operational programs to engage with the Wattle Glen community and investigate, prioritise and implement public realm improvements of an operational and maintenance nature to Wattle Glen, that are outside the scope and implementation timeframe of the adopted Wattle Glen Public Realm Framework, but which are aligned to it and are important to the community in the short term.

Attachments

- 1  Wattle Glen Public Realm Framework - For Adoption
- 2  DTP letter of endorsement - May 2024

Discussion

1. The Wattle Glen Public Realm Framework project is a priority action of the Place and Space theme of the Council Plan 2021-2025.
2. The Wattle Glen Public Realm Framework (the Framework, **Attachment 1**) provides strategic direction for improving Wattle Glen's public realm. It does this by outlining a range of very high-level key initiatives that directly respond to the community's primary concerns about the safety and connectivity of the township's public realm and its sense of place, as expressed in the project's first round of engagement in 2021 (undertaken to understand the community's values and concerns).
3. As Wattle Glen's core public realm is fragmented by arterial road and rail reserves, and these reserves present the major challenge to and opportunities for addressing the community's safety, connectivity and sense of place concerns, the state government reserves are directly addressed in the Framework. Improvements to the state-owned road and rail reserves are therefore critical in order to unlock the full potential of Wattle Glen's public realm and enhance its overall performance.
4. Because the state road and rail reserves are owned/managed by state government, not Council, any improvements to them (i.e., design and funding and delivery) are subject to the relevant state agencies. As there is currently no state funding for any public realm initiatives in Wattle Glen, the Framework is intentionally, and by necessity, strategic in its scope and diagrammatic in its level of detail. No detailed solution concerning the key road and rail reserve public realm components have been determined or proposed in the Framework because no funding currently exists for any improvements. Detailed solutions can only be entertained on securement of funding for their development (development funding) or as part of seeking funding for delivery (delivery funding).
5. Therefore, collaboration and buy-in by the Department of Transport and Planning (DTP) is critical to the advancement of the Framework's objectives.

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CM.089/24 Wattle Glen Public Realm Framework - For adoption

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6. The high-level scope and diagrammatic level of detail in the Framework is also true to the definition and expectations of a Framework i.e., a system of objectives to guide the planning of improvements (not decisions about the improvements). The Framework indicates 'what' strategic direction needs to be followed, but not 'how' this could or should be achieved.
 7. The value of the Framework, therefore, is in the partnership and platform it establishes to seek future funding that is required in order to affect meaningful change that addresses the community's key concerns, with the written support that has been provided by DTP, the primary state government agency responsible for the township's major public realm constraints — and improvement opportunities (**Attachment 2**).
 8. Community feedback from the exhibition of the draft Framework and the subsequent July PCC clearly indicates that:
 - the safety and accessibility of Wattle Glen's public realm, as identified in the draft Framework, are key concerns of the community and need to be improved in Wattle Glen;
 - the maintenance of Wattle Glen's rural character and environmental qualities is paramount in making any future change;
 - the community are strongly vested in their place and need to be part of any further decision-making in any future change; and
 - the community have high expectations for immediate on-the-ground improvements to Wattle Glen's public realm, especially improvements to/on Council owned/managed land/assets that the community understands is the responsibility of Council and which are not subject to longer term state government funding and delivery processes.
 9. The above community feedback indicates:
 - the strategic direction provided by the Framework is relevant and it is in the implementation of the Framework that the community's aspirations can, and should be harnessed; and
 - the more immediate needs of community that are of an operational and maintenance nature should be separately attended to outside, but aligned to, the strategic ambition and scope of the Framework.
 10. What would most satisfy the community and best respond to the diverse feedback received, therefore is:
 - the adoption of the Framework and the commitment to its implementation as soon as possible (additional implementation project budget for further concept work, advocacy), as the community feedback is less about what the Framework proposes, and more about how it should be achieved — a concern (and opportunity) that can be addressed as community are included in all further implementation work, along with Council's key stakeholder partners; and

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- the identification, prioritisation and commitment to immediate operational and maintenance improvements of a non-strategic nature under existing Council programs, separate to, but aligned with, the Framework's scope and implementation, to effect immediate improvement and re-build community trust (as further outlined below).

11. Implementation of the Framework will therefore need to:

- involve community in, and through, the development of future design proposals leading to final improvement solutions, ensuring community's informed understanding of technical constraints and opportunities and the relevancy of any proposed changes to the community; and
- seek state funding opportunities for priority improvements to state government owned land/ assets that are vital to Wattle Glen's improved connectivity and safety but which will need to be delivered over the long term, in partnership with the Department of Transport and Planning (DTP).

12. It will be imperative in endorsing the Framework that Council continue to work with DTP in partnership on these key initiatives into the future, to ensure the communities aspirations to preserve and enhance the township's much loved 'rural feel' and sense of place are advanced.

Attending to community's immediate operational and maintenance needs, outside the Framework

13. Council's Strategic Planning team will collaborate with various internal departments, such as Traffic and Transport, and Operations and Maintenance, to identify and develop targeted mitigation actions to address known hazards on the local road network. These actions will align with an adopted Framework's strategic goals and complement larger infrastructure solutions.
14. These actions include identifying and developing missing links within the local footpath network, implementing road safety measures through specific local area traffic management, and conducting regular operational maintenance in line with the Council's Road Management Plan 2021. These projects will be updated and engaged on with the community to ensure consistency with broader goals and to support the advancement of larger-scale projects upon adopting the Framework.
15. Council's Traffic and Transport team has advised that they can undertake the relevant assessments, based on community feedback, and deliver projects within the adopted Road Safety Capital Works Program and New Footpath Capital Works Program. Additionally, State capital grant applications can be explored to assist in the delivery of a number of these projects.

Related Council decisions

16. Council endorsed the commencement of the first round of community engagement at its June 2021 Council Meeting.

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17. At the 16 November 2021 PCC meeting, it was resolved that the Committee (acting under delegation from Council) among other matters, noted the public response, and that a first draft of the Public Realm Framework Plan was scheduled to be presented to a Council meeting in early to mid-2022 with a view to Council endorsing it for public engagement.
18. Council endorsed the commencement of a second round of community engagement on a draft Framework at its May 2024 Council Meeting.
19. At the 16 July 2024 PCC meeting, it was resolved that the Committee (acting under delegation from Council) among other matters, noted the public response, and that a further report be presented at the August 2024 Council meeting in consideration of adoption of the Framework, and also noting the level of detail in the Framework is high level and strategic to enable partnership with State agencies on their assets and that further detailed plans will be developed in consultation with the community for future individual projects leading on from an adopted Framework.

Options

20. As the core components of Wattle Glen's public realm that are implicated in the community's key concerns about safety and connectivity are state government owned arterial road and rail reserves, a public realm framework for Wattle Glen is at this stage, a strategic document that provides direction, not solutions to specific matters. Moreover, the value of the Framework is in the political agreement among DTP and, from the community feedback, the community itself that something needs to be done, not what, exactly, needs to be done. The needs of community are identified and prioritised in the initiatives of the Framework and they can only be addressed and attended to by the implementation of the Framework together with the community and state government partners.
21. Therefore, in acknowledging the feedback from the community regarding the level of detail contained in the Framework, adoption of the Framework is essential to enable Council to pursue ongoing collaboration and commitment from the Department of Transport and Planning (DTP) to build upon and progress the objectives of the Framework and public realm upgrades.
22. Options applicable at this stage of the project (noting that operational and maintenance improvements discussed to local Council road reserves over the short-term are outside the ambition and scope of the Framework and can be independently considered to the options), are to:
 - i. Adopt the Framework, enabling development of a Framework implementation plan to complete the public realm project and guide funding advocacy and any budget allocations required by Council; or
 - ii. Abandon the public realm framework project.

Council plans and policies

23. This report directly supports the achievement of the Council Plan 2021-2025 strategies of the Movement and Place theme:

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CM.089/24 Wattle Glen Public Realm Framework - For adoption

- We work to understand what residents, businesses and visitors need from modes of transport, to ensure that getting around is easy, accessible, safe and sustainable
- We champion the notion of living locally; making it easier for people to meet most of their daily needs within the Shire
- We facilitate the enjoyment of the Green Wedge by residents and visitors through the development and maintenance of shared trails
- We continue to deliver on our road management responsibilities; working to enhance infrastructure that aligns with the character of the neighbourhood
- We prioritise and actively advocate for new and better public transport options and a reduction of private car use and dependence
- We work with our community, neighbouring councils and transport and planning agencies to advocate for improved transport solutions.

Access, Equity and Inclusion

24. The project commenced before the introduction of requirements for the preparation of a Gender Impact Assessment, however in meeting relevant objectives of Council's Access, Equity and Inclusion Policy, and as relevant to areas the project may influence with regard to such, the first round of community engagement in the project has been extensive and was carefully designed to access as many stakeholder groups as possible.
25. Future detailed projects as they stem from the adopted Framework will be prepared with gender Impact Assessments and community engagement accordingly.

Sustainability implications

26. The project and the Framework respond directly to the climate emergency and seeks sustainable outcomes, especially by the prioritisation of safe and connected public realm infrastructure within Wattle Glen that can reduce car dependency and:
 - reduce fossil fuel consumption;
 - reduce motor vehicle-induced pollution;
 - reduce risk of road accidents, and deaths;
 - encourage human activity in everyday travel to combat obesity;
 - remove wasted space and reduce opportunities for anti-social behaviour and improve conditions for public life;
 - support economic activity in the Shire through improved opportunities for visitation to Wattle Glen and surrounds; and
 - enhance environmental values.

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Community engagement

27. The 16 November 2021 PCC (PCC.031/21) documents the community engagement undertaken in the project's first round of engagement. The themes established from the first round of community engagement that have directly informed the Framework, are:
- Wattle Glen's rural character and natural and environmental setting are valued as the distinctive qualities of the township;
 - a fundamental lack of connectivity among key points within the township; and
 - unsafe conditions for travel, especially for non-motorists, among key points within the township.
28. Exhibition of a draft Framework ran for three weeks, from 29 May to 18 June 2024, and was supported by a number of communications and engagement activities, including two local community information sessions attended by approximately 50 people.
29. In total 127 submissions were received to this recent engagement including 120 survey submissions and seven written submissions.
30. For detailed community feedback on the draft Framework, refer to 16 July 2024 PCC (PCC.013/24).
31. The 16 July PCC heard verbal submission from four submitters all of whom provided submissions to the exhibition of the draft Framework, the content of which was consistent with the written submission received.

Innovation and continuous improvement

32. Key community feedback from written and verbal submissions on the draft Framework and implications for the Framework and project have been discussed in this report (refer Discussion).

Collaboration

33. Collaboration with DTP and VicTrack has been on-going since the inception of the project in 2021.
34. The collaboration has confirmed the project's dependency on DTP and VicTrack for support in the development of initiatives concerning State land and assets in the Framework (as well as for further development and implementation of the initiatives in the Framework in the future).

Budget considerations

35. Budget allocation was made in the 2023-2024 Strategic Planning budget for the completion of the Framework.
36. On adoption of the Framework by Council, a Framework implementation plan will be developed by late 2024 by officers utilising internal resourcing within existing allocation budgets. The implementation plan will outline the stages, timeline and project budgets required for the implementation of the Framework, including options for seeking state government funding (see below) for key improvements to State infrastructure, and opportunities for future community engagement on developing designs.

12. Officers' reports

CM.089/24 Wattle Glen Public Realm Framework - For adoption

37. State funding applications/ bids may take two forms:
- i. 'Development funding' that would be used by Council to prepare concept designs (required for the second form of funding application (ii., below); and/ or
 - ii. 'Delivery funding' that would be used to undertake detailed design and construction from concept designs that Council would need to have prepared (either through the first form of funding application (i., above) or with its own budget).
38. Should 'Development funding' be sought by Council to prepare concept proposals, then Council would need to advocate for the funding; should Council decide to undertake the concept phase without funding support, Council would need to allocate a new project budget for the concept work required in order to seek future 'Delivery funding' for the detailed design and construction that would be undertaken by state government.

Relevant law

39. Not applicable.

Regional, state and national plans and policies

40. The project and the Framework supports all relevant state and local planning policy.

Conflicts of interest

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

12. Officers' reports

CM.090/24 Endorsement of recommended Nominees for 2024-2026 Arts and Cultural Advisory Committee

Distribution: Public

Manager: Corrienne Nichols, Director Communities

Author: Nichole Johnson, Manager Community Partnerships

Summary

The Arts and Cultural Advisory Committee provides a formal mechanism for Council to consult with key stakeholders, seek specialist advice and enable community participation in the development, implementation and evaluation of Arts and Culture. Community representation is sought from all segments of the arts, culture and creative industries. There are up to 16 places on the committee, and one of these places is a dedicated First Nations position, and two of these positions are Councillors who act as Chair and Deputy Chair.

Recruitment of nine members of the Arts and Cultural Advisory Committee for a two year term from 2024-2026 opened on 30 May and closed on 20 June 2024. A total of seven applications were received, assessed and reviewed against the selection criteria by an internal assessment panel.

This report provides Council with a full copy of the assessment outcomes against the seven applications, including Officer Assessment Outcome report (**Attachment 1**) to support the recommendations. A total of seven applicants are being recommended for the Arts and Cultural Advisory Committee.

Recommendation

That Council:

1. Endorses the seven applicants listed in the Assessment Outcome (**Attachment 1**) onto the Nillumbik Arts and Cultural Advisory Committee:
 - (a) Applicant 1 _____ for their role as a Arts and Cultural Advisory Committee Member
 - (b) Applicant 2 _____ for their role as a Arts and Cultural Advisory Committee Member
 - (c) Applicant 3 _____ for their role as a Arts and Cultural Advisory Committee Member
 - (d) Applicant 4 _____ for their role as a Arts and Cultural Advisory Committee Member
 - (e) Applicant 5 _____ for their role as a Arts and Cultural Advisory Committee Member
 - (f) Applicant 6 _____ for their role as a Arts and Cultural Advisory Committee Member
 - (g) Applicant 7 _____ for their role as a Arts and Cultural Advisory Committee Member
2. Acknowledges and thanks all community members who submitted applications to the Arts and Cultural Advisory Committee.

12. Officers' reports

CM.090/24 Endorsement of recommended Nominees for 2024-2026 Arts and Cultural Advisory Committee

3. Resolves that the Assessment Outcome (**Attachments 1**) are to remain confidential on the grounds specified in the definition of confidential information in section 3(1)(f) of the *Local Government Act 2020*.
4. Resolves that the successful Applicants be named.

Attachments

1. Assessment Outcome- Arts and Culture Advisory Committee - *CONFIDENTIAL*
2. Arts and Cultural Advisory Committee - Terms of Reference

Discussion

1. As per the endorsed Terms of Reference (**Attachment 2**) the aim of the Arts and Cultural Advisory Committee is to enable community members with appropriate expertise and experience to provide advice to Council concerning key issues relating to arts and culture. The Arts and Cultural Advisory Committee aims to maximise participation in the cultural life of the community and opportunities to enjoy the arts.
2. The Arts and Cultural Advisory Committee has a maximum membership of 14 community members with two year terms for members and an annual nomination process. This means that each calendar year roughly half the Committee will come to the end of their term. This ensures that there are always experienced members on the Committee, assists the Committee in achieving quorum, provides regular opportunities for new members to nominate and provides a greater depth of candidates for Council to draw on for arts and culture activities.
3. As the current two year term for nine committee members will end, Council have called for Expressions of Interest (EOI) for Arts and Cultural Advisory Committee for members to serve two year terms from 2024-2026.
4. In the updated Terms of Reference for 2024-26 (**Attachment 2**), the Arts and Cultural Advisory Committee membership will consist of up to sixteen members as follows:
 - Two representatives of the Nillumbik Shire Council (Councillors) to act as Chair and Deputy Chair;
 - Up to fourteen community representatives to collectively represent a diverse range of arts and cultural expertise.
 - Arts Advisory Committee members should represent the diverse and varied needs of the arts community in Nillumbik including members who represent a range of age groups.
 - A dedicated position on the Committee to be reserved for a First Nations artist or creative.
 - Suitably skilled persons may be invited to join the Committee in an advisory capacity, for a specified purpose and for a specified period of time. Co-opted members do not contribute to the Committee's quorum.

12. Officers' reports

CM.090/24 Endorsement of recommended Nominees for 2024-2026 Arts and Cultural Advisory Committee

5. All nominees have been individually scored by a selection panel against evaluation matrix that considers the nominees:
 - a. Qualifications, skills and/or expertise in the focus areas of the advisory committee.
 - b. A strong understanding of the local community and its social, environmental and economic influences.
 - c. An ability to represent a broad range of views that reflect the diversity of the community.
6. All Advisory Committee positions are unpaid positions. Members will contribute specialist knowledge and expertise to the group, reflecting on and presenting community issues, rather than focusing on personal concerns or individual issues.
7. Recruitment for the Arts and Cultural Advisory Committee 2024-26 opened on 30 May 2024 and closed on 20 June 2024.
8. Please note that the 2023-2025 membership consists of a First Nations Artist.

Related Council decisions

9. Revised Arts and Cultural Advisory Committee Terms of Reference 2024-2026 were last endorsed at Council Meeting on 28 May 2024.

Options

10. A total of seven applications were received, assessed and shortlisted against the selection criteria by an internal assessment panel.
11. A full copy of the assessment outcomes against the seven applications, including Officer Comments to support the recommendations is attached (see **Attachment 1**).
12. A total of seven applicants are being recommended for the Arts and Cultural Advisory Committee.
13. The selection panel for making recommendations of members on the Advisory Committee consisted of a Senior Member of Council (CEO or Director – or delegated Manager) and two nominated Council staff members from Arts and Cultural Development, who evaluated the Applications as per the Terms of Reference (**Attachment 2**) and scored applicants as per the Assessment Outcomes (**Attachment 1**).
14. The Terms of Reference for 2024-2026 (**Attachment 2**) allows for a membership of up to fourteen community representatives. Through the EOI process we were looking for up to nine members however we only received seven.
15. It is recommended that the seven nominations of 2024 - 2026 join the five current members of 2023-2025 term. This will mean we have a total of twelve community representatives up until mid-2025. This approach will ensure we have a balanced number for the 2025-2027 EOI process in seeking equal number of seven members to reach the 14 members total as per the Terms of Reference in (**Attachment 1**).

12. Officers' reports

CM.090/24 Endorsement of recommended Nominees for 2024-2026 Arts and Cultural Advisory Committee

Council plans and policies

16. This report directly supports the achievement of the Council Plan 2021-2025 strategy:
- We champion equity, diversity, access and inclusion for people of all abilities, ages, cultural identities, gender identities, geographic locations, religions, sexualities, and socio-economic backgrounds.
 - We recognise and celebrate our community's significant contributions to art and culture.

Access, Equity and Inclusion

17. Council's Access, Equity and Inclusion policy has informed inclusion of new measures in the Terms of Reference (**Attachment 2**), which support increase in the representation of diverse and varied needs of the arts community on the committee.

Sustainability implications

18. Not Applicable

Community engagement

19. Calls for nominations were broad and the communication plan is summarised below:
- a. Recruitment launched on 30 May, and closed on 20 June 2024.
 - b. A recruitment approach which included targeting diverse community groups and stakeholders. This involved reaching out to local arts leaders, creative practitioners working across all art forms, arts organisations, arts groups, creative businesses, First Nations artists, artists living with a disability and creatives from diverse backgrounds and age groups.
 - c. The use of various Council social media platforms ensured a wide range of Council social media followers are aware of nominations.
 - d. Invitations to nominate will be disseminated through community group networks, and to be promoted through existing contact databases, including current First Nations networks, and local arts institutions.
 - e. A call for nominations was included on Arts and Culture webpages and in the monthly e-newsletter.
 - f. Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation was engaged to support First Nations nominations through the Corporation's own creative network, A First Nations Artist already on the ACAC board for the 2024-2025 term.
 - g. The Arts and Cultural Development team adopted a head hunting approach, focusing on candidate's skills and connection to the Shire, public invitation/callout and reach out to Council's creative partners and local art institutions such as Montsalvat.

12. Officers' reports

CM.090/24 Endorsement of recommended Nominees for 2024-2026 Arts and Cultural Advisory Committee

Innovation and continuous improvement

20. The Terms of Reference 2024-2026 (**Attachment 1**) ensure continuous improvement in meeting Advisory Committee Policy and Access, Equity and Inclusion Policy objectives.

Collaboration

21. Not Applicable.

Budget considerations

22. Not Applicable.

Relevant law

23. Not Applicable.

Regional, state and national plans and policies

24. Not Applicable.

Conflicts of interest

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

12. Officers' reports

CM.090/24 Endorsement of recommended Nominees for 2024-2026 Arts and Cultural Advisory Committee

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12. Officers' reports

CM.091/24 Planning and Consultation Committee Cancellation and Notice of Extraordinary Council Meeting.

Distribution: Public

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

Author: Katia Croce, Manager Governance and Property

Summary

At the Extraordinary Council Meeting held on 29 November 2023, Council resolved a meeting schedule for Delegated Committee(s) and Council meeting schedule for the 2024 calendar year.

This reports seeks to formally resolve to cancel the Planning and Consultation Committee Meeting (PCC Meeting) scheduled for 10 September 2024 and to announce that an Extraordinary Council Meeting will be held on 10 September 2024 commencing at 5.30pm.

Recommendation

That Council:

1. Resolves to cancel the Planning and Consultation Committee Meeting on 10 September 2024.
2. Requests that the Chief Executive Officer gives notice of an Extraordinary Meeting being scheduled for 10 September 2024 to consider the following matters;
 - a) Presentation of the Annual Report 2023-24;
 - b) 30 June 2024 Annual Financial Report and Performance Statements;
 - c) Audit & Risk Committee August meeting Minutes; and
 - d) Quarterly Risk & Safety Report.

Attachments

Nil

12. Officers' reports

CM.091/24 Planning and Consultation Committee Cancellation and Notice of Extraordinary Council Meeting.

Discussion

1. At the Extraordinary Council Meeting held on 29 November 2024, Council resolved:

“That Council:

1. *Adopts and advertises the Delegated Committee(s) and Council Meeting schedule for the 2024 Council year as listed below:*

Delegated Committee	Council Meeting
13 February 2024	27 February 2024
12 March 2024	26 March 2024
16 April 2024	30 April 2024
14 May 2024	28 May 2024
11 June 2024	25 June 2024
16 July 2024	30 July 2024
13 August 2024	27 August 2024
10 September 2024	

2. *Endorses that the 2025 Citizenship Ceremony is to be held on Wednesday 29 January 2025.”*

2. In light of the absence of reports for September PCC Meeting, it is recommended that the scheduled meeting should be cancelled.
3. Council elections are scheduled for 26 October 2024, meaning Council’s Election Period Policy will commencement at midday on 17 September 2024 and continue through to 6pm on 26 October 2024.
4. In accordance with the Election Period Policy, Council Meetings have not been scheduled during the Election Period.
5. An Extraordinary Meeting is recommended to be convened to address items that Council must consider under the *Local Government Act 2020* prior to the first expected Meeting of the newly elected Council. In addition other matters would be considered to ensure that they are addressed in a timely manner.

Related Council decisions

6. Council resolved the 2024 Meeting schedule at the Extraordinary Council Meeting held 29 November 2024.
7. This report seeks to amend the meeting schedule.

12. Officers' reports

CM.091/24 Planning and Consultation Committee Cancellation and Notice of Extraordinary Council Meeting.

Options

8. Not applicable.

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. Not applicable.

Sustainability implications

11. There are no Sustainability implications to Council resolving to cancel the PCC Meeting and schedule an Extraordinary Council Meeting on the same date.

Community engagement

12. The nature of this report does not require any community engagement.

Innovation and continuous improvement

13. Not applicable

Collaboration

14. Not applicable

Budget considerations

15. There no budget implications as a result of cancelling the September PCC Meeting and scheduling an Extraordinary Council Meeting on the same date, as it will be incorporated into the existing operating budget.

Relevant law

16. *Local Government Act 2020*

17. Nillumbik Shire Council's Governance Rule – Meeting Procedures.

Regional, state and national plans and policies

18. Not applicable.

Conflicts of interest

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

12. Officers' reports

**CM.091/24 Planning and Consultation Committee Cancellation and Notice of
Extraordinary Council Meeting.**

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12. Officers' reports

CM.092/24 Mills Road, Hurstbridge - Proposed Special Charge Scheme

Distribution: Public

Manager: Vince Lombardi, Chief Operating Officer

Author: Steven Blight, Manager Capital and Infrastructure

Summary

Council received a petition on 16 February 2023 from property owners on Mills Road, Hurstbridge requesting the road to be sealed. An initial questionnaire was sent to property owners on 11 April 2023, to gauge interest on sealing the road via a Special Charge Scheme. The results of the initial questionnaire confirmed sufficient support to proceed further with investigation into a Special Charge Scheme to seal Mills Road.

On 30 April 2024, a formal questionnaire and cost apportionment were sent to property owners to determine their support for sealing Mills Road. The level of support for the Special Charge Scheme was 20 percent (three out of 15 property owners).

The level of support is below the 60 percent threshold in Council's policy for a Special Charge Scheme. Therefore, it is recommended that Council abandon the Scheme for Mills Road, Hurstbridge and place further investigation for sealing of Mills Road on a three year moratorium.

Recommendation

That Council:

1. Abandons further investigations into the Special Charge Scheme for Mills Road, Hurstbridge.
2. Places any further investigations into a Special Charge Scheme for Mills Road on a three year moratorium, commencing 27 August, 2024.
3. Notes that Officers will advise affected property owners of Council's resolution.

Attachments

- 1  Mills Road Scheme Area

Discussion

1. On 16 February 2023, Council received a petition from property owners on Mills Road, Hurstbridge to seal the road through a special charge scheme.
2. Initial questionnaires were sent to all property owners on Mills Road on 11 April 2023 to establish the level of support to seal the road via a Special Charge Scheme.

12. Officers' reports

CM.092/24 Mills Road, Hurstbridge - Proposed Special Charge Scheme

3. The questionnaire result demonstrated a sufficient level of support to proceed with further investigation of the scheme (refer table below)

	Construction	No Change	Total
Votes	10	5	15
Percentage	67%	33%	100%

4. Council officers held an information session on 23 August 2023 with property owners.
 5. On 30 April 2024 a formal questionnaire was sent to all affected property owners along Mills Road (refer Attachment 1 for Scheme Area) to ascertain the level of support.
 6. The results of the formal questionnaire are shown in the table below.

	Construction	No Change	Total
Votes	3	12	15
Percentage	20%	80%	100%

7. As the level of support is below the 60 percent threshold in Council's policy, it is recommended that the scheme be abandoned and put on a three year moratorium.

Related Council decisions

8. Not applicable.

Options

9. The options available to Council are:
- Abandon further investigation into a Special Charge Scheme reflective of the responses provided and as recommended in this report.
 - Proceed with development of the Scheme, which is not recommended due to the low level of property owner support.

Council plans and policies

10. This report directly supports the achievement of the Council Plan 2021-2025 strategy:
- We continue to deliver on our road management responsibilities; working to enhance infrastructure that aligns with the character of the neighbourhood.

Access, Equity and Inclusion

11. Not applicable.

Sustainability implications

12. Council is committed to using environmentally sustainable materials where available and appropriate.

12. Officers' reports

CM.092/24 Mills Road, Hurstbridge - Proposed Special Charge Scheme

Community engagement

13. Consultation has been undertaken in accordance with Council's Special Charge Schemes for Road and Drainage Works Policy & Guidelines (August 2018).

Innovation and continuous improvement

14. Not applicable.

Collaboration

15. Not applicable.

Budget considerations

16. All internal costs associated with the investigation are accommodated within existing operational budgets.

Relevant law

17. The 'Special Charge Scheme' legislation under Section 163 of the *Local Government Act 1989* enables a Council to recover the cost of works from abutting property owners where the works will be of special benefit to them.

Regional, state and national plans and policies

18. Not applicable

Conflicts of interest

19. 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 of this report.

12. Officers' reports

CM.092/24 Mills Road, Hurstbridge - Proposed Special Charge Scheme

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12. Officers' reports

CM.093/24 Bouchiers Road Special Charge Scheme, Kangaroo Ground - Declaration

Distribution: Public

Manager: Vince Lombardi, Chief Operating Officer

Author: Steven Blight, Manager Capital and Infrastructure

Summary

Council resolved on 25 June 2024 its Intention to Declare a Special Charge for the sealing of Bouchiers Road, Kangaroo Ground.

Council's notice of its Intention to Declare was publicly advertised in the *Herald Sun* and on Council's website on 4 July 2024. A letter and notice of the Intention to Declare was sent to all property owners with a liability under the scheme, the closing date for submissions was 2 August 2024.

The public noticed stated that Council would make a decision on the Bouchiers Road Special Charge Scheme at Ordinary Council Meeting on 27 August 2024.

On 13 August 2024 the Planning and Consultation Committee considered six submissions.

As part of the submissions received, information was provided by one of the property owners that may result in changes the cost apportionment for each property. The nature of the information has not previously been encountered.

In light of the new information provided, it is recommended that Council defer its decision on the declaration of the Bouchiers Road Special Charge Scheme to enable the consideration of this information and the impact to the scheme.

Recommendation

That Council:

1. Notes six submissions were received for the scheme and considered at the Planning and Consultation Committee on 13 August 2024.
2. Defers any decision in relation to the Bouchiers Road Special Charge Scheme to a future Council Meeting.
3. Requests Council officers to notify the submitters, objectors and abutting property owners of Council's decision.

Attachments

1.  Scheme area

Discussion

1. At the Ordinary Council Meeting of 25 June 2024, Council resolved its intention to declare a Special Charge for the sealing of Bouchiers Road, Kangaroo Ground.
2. There are ten private properties, one crown land property and one Council reserve property.

12. Officers' reports**CM.093/24 Bouchiers Road Special Charge Scheme, Kangaroo Ground - Declaration**

3. Currently, a total of 60% of property owners support the scheme.
4. The properties affected by the Special Charge Scheme are shown in **Attachment 1**.
5. The public notice was published in the Herald Sun newspaper and on Council's website on 4 July 2024.
6. A notice of the Intention to Declare was sent to all property owners with a liability under the scheme. The closing date for submissions was 2 August 2024.
7. The public noticed stated that Council would make a decision on the Bouchiers Road Special Charge Scheme at Ordinary Council Meeting on 27 August 2024.
8. On 13 August 2024 the Planning and Consultation Committee considered six submissions.
9. As part of the submissions received, information was provided by one property owner that may impact the cost apportionment for each property.
10. This particular information has not been previously encountered during a Special Charge Scheme declaration process.
11. To consider this information and ensure Council is interpreting and applying the *Local Government Act 1989* and Council's Special Charge Scheme Policy (2018) correctly in a fair and equitable manner, it is recommend the decision of the scheme declaration be deferred while expert advice is sought.

Related Council decisions

12. Council resolved on 26 October 2021 to proceed with development of a Special Charge Scheme for the sealing of Bouchiers Road, Kangaroo Ground.
13. Council resolved on 25 June 2024 to give public notice of its Intention to Declare a Special Charge for the sealing of Bouchiers Road, Kangaroo Ground.
14. Council resolved on 13 August 2024 to acknowledge and consider all submissions received and any presentations to the Committee in relation to the Intention to Declare, and to refer any decision regarding the declaration of the scheme to the 27 August 2024 Ordinary Council Meeting.

Council plans and policies

15. This report directly supports the achievement of the Council Plan 2021-2025 strategy:
 - We continue to deliver on our road management responsibilities; working to enhance infrastructure that aligns with the character of the neighbourhood.
16. The scheme is consistent with the policies and objectives of the Nillumbik Planning Scheme, including the protection of neighbourhood character and environment where appropriate.
17. The special charge scheme process was initiated by residents of Bouchiers Road under Council's Special Charge Scheme Policy (2018). This policy has been applied throughout the entire process to date.

12. Officers' reports

CM.093/24 Bouchiers Road Special Charge Scheme, Kangaroo Ground - Declaration

Access, Equity and Inclusion

18. Not applicable.

Sustainability implications

19. Not applicable.

Community engagement

20. Consultation was carried out in accordance with *Council's Special Charge Schemes for Road and Drainage Works Policy and Guidelines (August 2018)*.

Innovation and continuous improvement

21. Not applicable.

Collaboration

22. Not applicable.

Budget considerations

23. Not applicable.

Relevant law

24. The 'Special Charge Scheme' and 'Rights of Submission' legislation under Part 8 and 11 of the *Local Government Act 1989* (the Act).

Regional, state and national plans and policies

25. Not applicable.

Conflicts of interest

26. 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 for this report.

12. Officers' reports

**CM.093/24 Bouchiers Road Special Charge Scheme, Kangaroo Ground -
Declaration**

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12. Officers' reports

CM.094/24 2122-062 Diamond Hills Preschool Redevelopment - Variation Report

Distribution: Public

Manager: Vince Lombardi, Chief Operating Officer

Author: Steven Blight, Manager Capital and Infrastructure

Summary

On 28 September 2022, Council approved the awarding of contract 2122-062 Diamond Hills Preschool Redevelopment Project at 9-11 Diamond Hills Drive, Greensborough to Modus Projects Pty Ltd.

Approved contract variations to date have been within the approved budget.

Recent additional costs incurred as contract variations on this project exceeded the current approved budget. Reflective of the original Council resolution in 2022 any variations incurred above the budget are required to be presented back to Council.

The variations are reflective of the original scope of works and have not contributed to any additional works.

Recommendation

That Council authorises the Chief Executive Officer to approve an increase in the allocated project budget by \$154,000 exclusive of GST for the additional contract variations for contract 2122-062 Diamond Hills Preschool Redevelopment.

Attachments

Nil

Discussion

- On 26 September 2022, Council approved the awarding of contract 2122-062 Diamond Hills Preschool Redevelopment Project, to Modus Projects Pty Ltd.
- The project budget has been funded as per below:

Project Funding Source	Contribution (\$,000)
Grant Funding - Department of Jobs, Precincts & Regions (GSF)	2,915
Nillumbik Shire Council	1,521
Contributions (Not-for-profit) Diamond Hills Pre School	75
Total Budget	4,511

- The resolution specified that any variations above the approved amount would be required to be presented back to Council.
- During construction works, a number of issues were encountered, resulting in unforeseen additional costs being incurred totalling \$870,686.

12. Officers' reports

CM.094/24 2122-062 Diamond Hills Preschool Redevelopment - Variation Report

5. The main variations were;
 - i) Latent Conditions – Blinding concrete beneath the building slab due to adverse ground conditions.
 - ii) Water Main Extension – provision of a new water main connection from Plenty River Drive as water pressure from the existing supply could not accommodate the new larger facility’s needs.
 - iii) Fire Tanks – Poor water pressure also resulted in the installation of two fire tanks and associated works.
 - iv) Additional safety measures to allow the new facility to operate during works.
 - v) Additional works required to for the provision of the staged building permit.
6. The incursion of the variations has resulted in additional funds of \$154,000 being required to complete the project as per the initial scope and in compliance with building requirements.
7. The project expenditure is detailed below:

Project	Budget Allocation (\$,000)
Construction Contract (excluding contingency)	3,572
Total Variations	871
Consultant, planning and artworks	162
Remaining Project Contingency	60
Total cost	4,665
Approved budget	4,511
Additional funds required (Total cost less approved budget)	154

8. All variation works have been approved, completed and paid for to ensure works could continue on site without further delay.

Related Council decisions

9. The awarding of contract 2122-062 Diamond Hills Preschool Redevelopment at the Ordinary Council Meeting held on 28 September 2022.

Council plans and policies

10. This report directly supports the achievement of the Council Plan 2021-2025 strategy:
 - We ensure people of all ages and stages have access to inclusive services that respond to their individual needs.

Budget considerations

11. All costs will be accommodated within the Capital Works Budget allocation.

12. Officers' reports

CM.094/24 2122-062 Diamond Hills Preschool Redevelopment - Variation Report

Conflicts of interest

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

12. Officers' reports

CM.094/24 2122-062 Diamond Hills Preschool Redevelopment - Variation Report

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12. Officers' reports**CM.095/24 Council Expenses Policy 2024**

Distribution: Public**Manager: Vince Lombardi, Chief Operating Officer****Author: Melika Sukunda, Manager Finance, Assets and Procurement****Summary**

This report presents the Council Expenses Policy for Council's endorsement.

The policy has been reviewed to ensure compliance with the Local Government Act 2020, including the review of eligible reimbursements and resources available during the course of performing the duties of a councillor or delegated committee member.

The Council Expenses Policy (Local Government Act 2020, section 41) outlines the procedures and policy for reimbursement of out-of-pocket expenses of councillors and members of delegated committees. The policy also establishes support and resources to be made available during the Council term.

This policy replaces and updates the Councillor Expenses Policy 2020.

The Council Expenses Policy was presented to the Audit and Risk Committee in August 2020.

Recommendation

That Council endorses the Council Expenses Policy (**Attachment 1**).

Attachments

1.  Council Expenses Policy 2024

Discussion

1. Council is required to prepare a current Council Expenses Policy under section 41 of the *Local Government Act 2020* (the Act).
2. The Council Expenses Policy details the out-of-pocket expenses for which a reimbursement claim may be made and the resources available to assist councillors and members of delegated committees in the course of performing their duties.
3. The policy is intended to ensure that councillors and members of delegated committees are supported to perform their duties without disadvantage.
4. The Council Expenses Policy (**Attachment 1**) addresses the following aspects:
 - a) Definitions, who is eligible to claim
 - b) Expenses eligible for reimbursement
 - c) Resources and equipment available for councillor and delegated member use.
 - d) End of councillor services
 - e) Procedures
 - f) Monitoring, evaluation and review

12. Officers' reports

CM.095/24 Council Expenses Policy 2024

- g) Related policies and legislation
- 5. Expenses eligible for reimbursement include childcare and dependent related expenses, travel expenses, stationary, conferences, seminars events and training, within the guidelines outlined in the policy.
- 6. Quarterly reports of all councillor and delegated committee member expenses will be provided Council's Audit and Risk Committee and published on Council's website.
- 7. Expense reimbursement forms are included as attachments to the policy. The forms must be completed and submitted to Finance in order for a claim to be processed and paid.
- 8. A Councillor Agreement for the use of Council Information Technology equipment is included as an attachment to the policy. The agreement must be signed prior to equipment being supplied.

Related Council decisions

- 9. Not applicable

Options

- 10. The Council Expenses Policy has been drafted in compliance with the Act 2020 and is presented to Council for formal endorsement.

Council plans and policies

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

Access, Equity and Inclusion

- 12. Gender access, equity and inclusion was considered in the development of this policy.

Sustainability implications

- 13. Not applicable.

Community engagement

- 14. Not applicable.

Innovation and continuous improvement

- 15. Not applicable.

Collaboration

- 16. Not applicable.

Budget considerations

- 17. The associated costs are contained within Council's 2024-2025 Budget.

Relevant law

- 18. *Local Government Act 2020*

Regional, state and national plans and policies

- 19. Not applicable.

12. Officers' reports

CM.095/24 Council Expenses Policy 2024

Conflicts of interest

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

12. Officers' reports

CM.095/24 Council Expenses Policy 2024

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12. Officers' reports**CM.096/24 Informal Meetings of Councillors Records - 27 August 2024**

Distribution: Public**Manager: Blaga Naumoski, Director Governance, Communications and Community Safety****Author: Katia Croce, Manager Governance and Property****Summary**

In accordance with *Item 20 of Council's Governance Rule – Meeting Procedures*, adopted on 25 July 2023, Council is required to report as soon as practicable to a Council Meeting a record of each Informal Meeting of Councillors held.

This report lists Informal Meetings of Councillors Records submitted since the matter was last reported to Council on 30 July 2024.

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

1. Councillor Briefing held 9 July 2024;
2. Health and Wellbeing Advisory Committee meeting held 16 July 2024;
3. Recreation Trails Advisory Committee meeting held 17 July 2024;
4. Council Briefing held 23 July 2024;
5. CEO Employment Matters Advisory Committee meeting held 29 July 2024;
6. Council Meeting Pre-Meet 30 July 2024;
7. Positive Ageing Advisory Committee meeting held 2 August 2024;
8. Councillor Briefing held 6 August 2024;
9. Living & Learning Nillumbik Advisory Committee meeting held 12 August 2024; and
10. Planning and Consultation Committee Pre-Meet held 13 August 2024.

Recommendation

That Council, in accordance with *Item 20 of Council's Governance Rule – Meeting Procedures*, receives the Informal Meetings of Councillors Records (**Attachment 1**) for the meetings held.

Attachments

- 1  Informal Meeting of Councillors record reported 27 August 2024

12. Officers' reports

CM.096/24 Informal Meetings of Councillors Records - 27 August 2024

Discussion

1. *Item 20 of Council's Governance Rule – Meeting Procedures*, requires records of Informal Meetings of Councillors be reported to a Council Meeting and recorded in the minutes of that meeting.

Related Council decisions

2. Not applicable.

Options

3. An Informal Meetings of Councillors is defined in *Item 20 of the Governance Rule – Meeting Procedures*. It is a meeting at which matters are considered that are intended or likely to be the subject of a Council decision or the exercise of delegated authority and which is either of the following:
 - Planned or scheduled meeting that includes at least half the Councillors and at least one Council officer. These meetings do not include meetings of Councillors and Council staff that are not planned or scheduled.
 - Meeting of an Advisory Committee where at least one Councillor is present. An Advisory Committee is any committee established by the Council, other than a special committee, that provides advice to the Council or to a special committee or to a member of Council staff who has been delegated a power or duty or function of the Council.
4. A record must be kept of any Informal Meeting of Councillors and include the names of all Councillors and Council staff attending, the matters considered, disclosures of conflict of interest and whether a Councillor left the meeting after making a disclosure.
5. In accordance with *Item 20 of the Governance Rule – Meeting Procedures*, Council is required to report as soon as practicable to a Council Meeting, a record of any Informal Meetings of Councillors held.
6. The recommendation contains the list of Informal Meetings of Councillors records submitted since the matter was last reported to Council at the last Council Meeting.

Conclusion

7. It is recommended that Council receives the records of recent records of Informal Meetings of Councillors as contained in this report, fulfilling *Item 20 of the Governance Rule – Meeting Procedures*.

Council plans and policies

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

Access, Equity and Inclusion

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

Sustainability implications

10. Not applicable.

12. Officers' reports

CM.096/24 Informal Meetings of Councillors Records - 27 August 2024

Community engagement

11. Not applicable.

Innovation and continuous improvement

12. Not applicable.

Collaboration

13. Not applicable.

Budget implications

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

Relevant law

15. *Local Government Act 2020.*

Regional, state and national plans and policies

16. None applicable.

Conflicts of interest

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

12. Officers' reports

CM.096/24 Informal Meetings of Councillors Records - 27 August 2024

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- 13. Notices of Motion
- 14. Delegates' Reports
- 15. Supplementary and urgent business
- 16. 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.097/24 CEO Employment Matters

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).

Recommendation

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.

- 17. Close of Meeting