

Council Meeting

to be held at the Council Chamber, 32 Civic Drive, Greensborough
on Tuesday 25 November 2025 commencing at 7:00 PM.

Attachments

**Carl Cowie
Chief Executive Officer**

Thursday 20 November 2025

Distribution: Public

Civic Drive, Greensborough
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Nillumbik Shire Council

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Council Meeting

held at the Council Chamber, 32 Civic Drive, Greensborough
on Tuesday 28 October 2025 commencing at 7:00 PM.

Minutes

Carl Cowie
Chief Executive Officer

Friday 31 October 2025

Distribution: Public

Civic Drive, Greensborough
PO Box 476, Greensborough 3088
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Council Meeting Minutes

28 October 2025

Nillumbik Shire Council

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Council Meeting Minutes

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Nillumbik Shire Council

Minutes of the Meeting of Nillumbik Shire Council held Tuesday 28 October 2025.
The meeting commenced at 7.01pm.

Councillors present:

Cr John Dumaresq	Wingrove Ward (Mayor)
Cr Naomi Joiner	Bunjil Ward (Deputy Mayor)
Cr Grant Brooker	Blue Lake Ward
Cr Kelly Joy	Edendale Ward
Cr Peter Perkins	Ellis Ward
Cr Kim Cope	Sugarloaf Ward
Cr Kate McKay	Swipers Gully Ward

Officers in attendance:

Carl Cowie	Chief Executive Officer
Blaga Naumoski	Director Governance, Communications and Community Safety
Nichole Johnson	Acting Director Communities
Jeremy Livingston	Director Culture and Performance
Bulent Oz	Chief Financial Officer
Katia Croce	Manager Governance and Property

1. Welcome

2. Acknowledgement

Acknowledgement of Country was read by the Mayor, Cr John Dumaresq.

3. Good Governance Pledge

The Good Governance Pledge was read by Cr Naomi Joiner.

4. Prayer

A prayer was read by Pastor John Graham, UniHill Church Bundoora.

5. Apologies\Leave of Absence

Nil

6. Declarations of conflict of interest

Nil

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7. Presentations

Recognition of service

Cr Peter Perkins – 2025 MAV Councillor Service Award – 15 Years of Service.

Cr Peter Perkins gave an address to the meeting.

Sporting Grants

Samuel Cartledge (Ellis Ward) receives \$250 for being selected to represent Australia in Basketball at the 2025 Summer Deaflympics in Japan.

Megan Brand (Edendale Ward) receives \$200 for being selected to represent Victoria at Under 15 National Lacrosse Tournament in Western Australia.

Diamond Creek Primary School 'Spirit of Diamond Creek' Energy Breakthrough team (Ellis Ward) receives \$500 for being selected to participate at the Energy Breakthrough event in Maryborough.

Caleb Rogers was an apology.

Northern Warriors U/15 Lacrosse (Wingrove Ward) receives \$500 for being selected to represent Victoria at Under 15 National Lacrosse Tournament in Western Australia.

Recipients thanked Council and a photo was taken with their Ward Councillor.

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

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8. Confirmation of Minutes

COM.001/25 Confirmation of Minutes Council Meeting held Tuesday 30 September 2025

Confirmation of the Minutes of the Council Meeting and Confidential Council Meeting held on Tuesday 30 September 2025.

Council Resolution

MOVED: Cr Naomi Joiner
SECONDED: Cr Kim Cope

That Council:

1. Confirms the Minutes of the Council Meeting (**Attachment 1**) and Confidential Council Meeting (**Attachment 2**) held on Tuesday 30 September 2025.
2. Resolves that the Confidential Council Meeting Minutes (**Attachment 2**) remain confidential in accordance with section 3(1) (f) and (h) of the *Local Government Act 2020*.

CARRIED UNANIMOUSLY

Council Meeting Minutes

28 October 2025

8. Confirmation of Minutes

COM.001/25 Confirmation of Minutes Council Meeting held Tuesday 30 September 2025

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Council Meeting Minutes

28 October 2025

9. Petitions

PT.005/25 Petition for Removal / Replacement of four Trees

A petition containing **23** signatures from residents requests the removal or replacement of four trees located on the nature strip area of 18 Wilson Street, Diamond Creek.

The petition contained the following statement;

"We the undersigned residents of Wilson Street, Diamond Creek respectfully submit this petition to request the removal / replacement of FOUR Council trees located on the nature strip area of 18 Wilson Street, Diamond Creek, VIC, 3089."

Council Resolution

MOVED: Cr Kelly Joy

SECONDED: Cr Grant Brooker

That Council:

1. Receives and notes the "Petition for Removal / Replacement of four Trees" petition requesting removal of four trees located on the nature strip area of 18 Wilson Street, Diamond Creek, in accordance with the Governance Rule - Meeting Procedure.
2. Refers this petition to the Chief Operating Officer for investigation and response.
3. Notes that officers will advise the petition organiser of the outcome.

CARRIED UNANIMOUSLY

Council Meeting Minutes

28 October 2025

PT.006/25 Petition - Support for Local BMX Jumps in Swipers Gully (North) Research

A petition containing **73** signatures from residents requesting Council's support to pause any removal of existing BMX jumps on Council land.

The petition contained the following statement;

"Community Petition — Support for Local BMX Jumps in Swipers Gully (North) Research We, the undersigned residents of Research and surrounding areas, respectfully request that Nillumbik Shire Council:

1. Pause any removal or disturbance of the existing BMX jumps and trails currently used by local children until this matter can be properly considered with the community;
2. Engage directly with local young riders, parents, and residents to explore how these trails could be made safe and sustainable with Council's guidance and environmental expertise; and
3. Authorise and support the continued use and improvement of the existing jumps (or an agreed site nearby) as a recognised community recreation space, with appropriate design and safety measures in place.

These small dirt jumps have become a positive and healthy outlet for local young people — encouraging outdoor play, teamwork, and connection. The children have shown real initiative and pride in their neighbourhood.

Rather than removing what has been created, we believe Council could help formalise and celebrate it as a community credit — a great example of shared responsibility, youth leadership, and active recreation in keeping with the Public Park and Recreation Zone (PPRZ) purpose of the land.

In summary, we are asking Council to work with the community to make this a safe, supported and sustainable recreation space — one that reflects the values of Nillumbik's outdoor, active lifestyle and spirit of local innovation."

Council Resolution

MOVED: Cr Kate McKay
SECONDED: Cr Naomi Joiner

That Council:

1. Receives and notes the "Support for Local BMX Jumps in Swipers Gully (North) Research" petition requesting Council's support to pause any removal of existing BMX jumps on Council land, in accordance with the Governance Rule - Meeting Procedure.
2. Refers this petition to the Chief Operating Officer for investigation and response.
3. Notes that officers will advise the petition organiser of the outcome.

CARRIED UNANIMOUSLY

10. Questions from the gallery

Nil

Council Meeting Minutes

28 October 2025

11. Reports of Advisory Committees

AC.008/25 Advisory Committee Report 28 October 2025

Distribution: Public

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

Author: Katia Croce, Manager Governance and Property

Summary

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

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

1. Youth Council Minutes meeting held 6 October 2025.

Council Resolution

MOVED: Cr Kate McKay

SECONDED: Cr Kim Cope

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

CARRIED UNANIMOUSLY

Council Meeting Minutes

28 October 2025

11. Reports of Advisory Committees

AC.008/25 Advisory Committee Report 28 October 2025

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12. Officers' reports

CM.124/25 September Quarter Financial Report

Distribution: Public

Manager: Jeremy Livingston, Director Culture and Performance

Author: Bulent Oz, Chief Financial Officer

Summary

This report outlines Council's financial performance and position for the period ended 30 September 2025.

We are pleased to report a \$68.8 million surplus, mainly driven by the rates income recognised in August with the issue of rates notices, which form the main source of income for Council. The surplus will reduce as capital works and services are delivered throughout the year.

This reflects higher than budgeted operating income of \$1.14 million, partially offset by slightly higher operating expenses (\$0.01 million).

Council's financial position at quarter-end remains sound and stable, with net assets of \$1.096 billion and cash holdings of \$30.3 million.

Council Resolution

MOVED: Cr Grant Brooker
SECONDED: Cr Kate McKay

That Council receives and notes the Financial Report for the period ended 30 September 2025 (**Attachment 1**).

CARRIED UNANIMOUSLY

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12. Officers' reports

CM.124/25 September Quarter Financial Report

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12. Officers' reports

CM.125/25 Annual Report 2024-2025

Distribution: Public

Manager: Jeremy Livingston, Director Culture and Performance

Author: Craig King, Manager Customer Experience and Business Performance

Summary

This report presents Council's Annual Report 2024-2025 for noting (**Attachment 1**).

The report has been prepared in accordance with the *Local Government Act 2020* and the *Local Government (Planning and Reporting) Regulations 2020*.

The Annual Report is Council's highest level reporting document to our community and stakeholders. While Council has a statutory obligation to produce an Annual Report, it is also an opportunity to demonstrate Council's service delivery and performance to the community regarding Council activities over the past financial year.

Appropriately, the Annual Report 2024-2025 also reports on progress and delivery of the key strategies and actions for the final year of the Council Plan 2021-2025, and also highlights and achievements across the four-year lifespan of the Council Plan 2021-2025.

The Annual Report includes the Financial and Performance Statements as approved 'in principle' by Council at the 30 September 2025 Council Meeting.

Once noted by Council, the Annual Report will be made available on Council's website.

Council Resolution

MOVED: Cr Kate McKay

SECONDED: Cr Naomi Joiner

That Council:

1. Notes Council's Annual Report 2024-2025 (**Attachment 1**).
2. Notes that the Annual Report has been prepared in accordance with section 98 of the *Local Government Act 2020* and the *Local Government (Planning and Reporting) Regulations 2020*.
3. In finalising the Annual Report, authorises the Director, Culture & Performance to make any further minor changes that may be necessary and are inconsequential in nature.

CARRIED UNANIMOUSLY

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12. Officers' reports

CM.125/25 Annual Report 2024-2025

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12. Officers' reports

CM.126/25 Nillumbik Festival and Event Triennial Program 2026-2029

Distribution: Public

Manager: Corrienne Nichols, Director Communities

Author: Nichole Johnson, Manager Community Partnerships

Summary

The Triennial Festival and Event Program 2026-2029 supports large-scale festivals and events that foster community connection, celebrate local identity, and enhance Nillumbik's cultural and economic vibrancy.

This report provides Council with an overview of the outcomes of the Expression of Interest (EOI) process for the Nillumbik Festival and Event Triennial Program 2026–2029. It provides Council with a full copy of the assessment outcomes against the applications received and outlines the assessment methodology, proposed funding allocations, and how these align with Council's strategic objectives (**see Attachment 1**).

The Expression of Interest process commenced on 6 May 2025 and closed on 30 June 2025, offering three-year funding between \$10,000 and \$65,000 per event, from a total annual pool of \$320,000.

A total of 15 applications were received, assessed, and reviewed against the assessment criteria provided in Nillumbik Triennial Festival and Event Program 2026-2029 Guidelines (**Attachment 2**) by an external assessment panel.

A total of 15 applications were received, requesting \$672,813.00 in annual funding. Of these, a total of eight applications have been recommended for funding. Two are recommended for full funding, six for partial funding, three are not recommended, and three were deemed ineligible.

Recommendation

That Council:

1. Endorses the eight community events listed in **Attachment 1** for the Triennial Festival and Event Program 2026-2029:
 - a) Applicant 1 _____ for the sum of \$[Redacted] (inclusive of GST) disclosed in **(Attachment 1)**.
 - b) Applicant 2 _____ for the sum of \$[Redacted] (inclusive of GST) disclosed in **(Attachment 1)**.
 - c) Applicant 3 _____ for the sum of \$[Redacted] (inclusive of GST) disclosed in **(Attachment 1)**.
 - d) Applicant 4 _____ for the sum of \$[Redacted] (inclusive of GST) disclosed in **(Attachment 1)**.
 - e) Applicant 5 _____ for the sum of \$[Redacted] (inclusive of GST) disclosed in **(Attachment 1)**.
 - f) Applicant 6 _____ for the sum of \$[Redacted] (inclusive of GST) disclosed in **(Attachment 1)**.

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CM.126/25 Nillumbik Festival and Event Triennial Program 2026-2029

- g) Applicant 7 _____ for the sum of \$[Redacted] (inclusive of GST) disclosed in **(Attachment 1)**.
- h) Applicant 8 _____ for the sum of \$[Redacted] (inclusive of GST) disclosed in **(Attachment 1)**.

2. Acknowledges and thanks all community event organisers who submitted an application for the Triennial Festival and Event Program 2026-2029.
3. Resolves that the Assessment Outcome **(Attachment 1)** is to remain confidential on the grounds specified in the definition of confidential information in section 3(1)(g) of the *Local Government Act 2020*.

Motion

MOVED: Cr Naomi Joiner

SECONDED: Cr Kelly Joy

That Council defers consideration of the Nillumbik Festival and Event Triennial Program 2026-2029 to 9 December 2025 Council Meeting to allow time to review and consider additional information.

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

Council Resolution

MOVED: Cr Naomi Joiner

SECONDED: Cr Kelly Joy

That Council defers consideration of the Nillumbik Festival and Event Triennial Program 2026-2029 to 9 December 2025 Council Meeting to allow time to review and consider additional information.

CARRIED UNANIMOUSLY

Council Meeting Minutes

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CM.127/25 Replacement member for the Economic Development Advisory Committee

Distribution: Public

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

Author: Tania Treasure, Economic Development & Tourism Lead

Summary

The purpose of this report is to notify Council of the resignation of the Hurstbridge Traders Association representative from the Economic Development Advisory Committee (EDAC) and to seek Council's approval for the process to appoint a replacement representative.

Council Resolution

MOVED: Cr Grant Brooker

SECONDED: Cr Naomi Joiner

That Council:

1. Acknowledges the current Hurstbridge Traders Association representative has resigned from the Economic Development Advisory Committee (EDAC) and thank the representative for their participation on the Committee.
2. Endorses that the Hurstbridge Traders Association will hold a standing position on Council's Economic Development Advisory Committee as per the Terms of Reference (**Attachment 1**).
3. Endorses that the Hurstbridge Traders Association will nominate a representative (and alternate) to fulfil their role on EDAC in writing to the Chairperson of the Economic Development Advisory Committee and Director Planning, Environment and Strategy.
4. Delegates the approval for the appointment of the Hurstbridge Traders Association representative (and alternate) to the Director of Planning, Environment and Strategy.

CARRIED UNANIMOUSLY

Council Meeting Minutes

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CM.127/25 Replacement member for the Economic Development Advisory Committee

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12. Officers' reports

**CM.128/25 Outcome EOI Process Health and Wellbeing Advisory Committee
2025-2027**

Distribution: Public

Manager: Corrienne Nichols, Director Communities

Author: Nichole Johnson, Manager Community Partnerships

Summary

This report seeks endorsement for 12 recommended applicants for appointment to the Nillumbik Health and Wellbeing Advisory Committee for a two-year term (**Attachment 1**).

The Terms of Reference (**Attachment 2**) outlines that membership can consist of up to 20 Committee members for a two-year term.

Expressions of interest for membership were open for three weeks during which 12 submissions were received, comprising of three community members and nine organisational representatives. All applications were assessed against a selection criteria (**Attachment 1**) by an internal assessment panel.

Recommendation

That Council:

1. Endorses the 12 applicants listed (**Attachment 1**) onto the Nillumbik Health and Wellbeing Advisory Committee:
 - (a) Applicant 1 _____ for their role as a Nillumbik Health and Wellbeing Advisory Committee member
 - (b) Applicant 2 _____ for their role as a Nillumbik Health and Wellbeing Advisory Committee member
 - (c) Applicant 3 _____ for their role as a Nillumbik Health and Wellbeing Advisory Committee member
 - (d) Applicant 4 _____ for their role as a Nillumbik Health and Wellbeing Advisory Committee member
 - (e) Applicant 5 _____ for their role as a Nillumbik Health and Wellbeing Advisory Committee member
 - (f) Applicant 6 _____ for their role as a Nillumbik Health and Wellbeing Advisory Committee member
 - (g) Applicant 7 _____ for their role as a Arts and Cultural Advisory Committee Member
 - (h) Applicant 8 _____ for their role as a Nillumbik Health and Wellbeing Advisory Committee member
 - (i) Applicant 9 _____ for their role as a Nillumbik Health and Wellbeing Advisory Committee member
 - (j) Applicant 10 _____ for their role as a Nillumbik Health and Wellbeing Advisory Committee member

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12. Officers' reports

**CM.128/25 Outcome EOI Process Health and Wellbeing Advisory Committee
2025-2027**

- (k) Applicant 11 _____ for their role as a Nillumbik Health and Wellbeing Advisory Committee member
- (l) Applicant 12 _____ for their role as a Nillumbik Health and Wellbeing Advisory Committee member.
- 2. Acknowledges and thanks all community members and organisational representatives who submitted applications to the Health and Wellbeing Advisory Committee.
- 3. Resolves that the Applicant Assessment Summary (**Attachment 1**) remain confidential on the grounds specified in the definition of confidential information in section 3(1)(f) of the *Local Government Act 2020*.

Motion

MOVED: Cr Kelly Joy
SECONDED: Cr Grant Brooker

That Council:

- 1. Endorses the 12 applicants listed (**Attachment 1**) onto the Nillumbik Health and Wellbeing Advisory Committee:
 - (a) Applicant 1 _____ for their role as a Nillumbik Health and Wellbeing Advisory Committee member
 - (b) Applicant 2 _____ for their role as a Nillumbik Health and Wellbeing Advisory Committee member
 - (c) Applicant 3 _____ for their role as a Nillumbik Health and Wellbeing Advisory Committee member
 - (d) Applicant 4 _____ for their role as a Nillumbik Health and Wellbeing Advisory Committee member
 - (e) Applicant 5 _____ for their role as a Nillumbik Health and Wellbeing Advisory Committee member
 - (f) Applicant 6 _____ for their role as a Nillumbik Health and Wellbeing Advisory Committee member
 - (g) Applicant 7 _____ ~~for their role as a Arts and Cultural Advisory Committee Member~~ **for their role as a Nillumbik Health and Wellbeing Advisory Committee member**
 - (h) Applicant 8 _____ for their role as a Nillumbik Health and Wellbeing Advisory Committee member
 - (i) Applicant 9 _____ for their role as a Nillumbik Health and Wellbeing Advisory Committee member
 - (j) Applicant 10 _____ for their role as a Nillumbik Health and Wellbeing Advisory Committee member

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12. Officers' reports

**CM.128/25 Outcome EOI Process Health and Wellbeing Advisory Committee
2025-2027**

- (k) Applicant 11 _____ for their role as a Nillumbik Health and Wellbeing Advisory Committee member
- (l) Applicant 12 _____ for their role as a Nillumbik Health and Wellbeing Advisory Committee member.
- 2. Acknowledges and thanks all community members and organisational representatives who submitted applications to the Health and Wellbeing Advisory Committee.
- 3. Resolves that the Applicant Assessment Summary (**Attachment 1**) 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.**

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

Council Resolution

MOVED: Cr Kelly Joy
SECONDED: Cr Grant Brooker

That Council:

- 1. Endorses the 12 applicants listed (**Attachment 1**) onto the Nillumbik Health and Wellbeing Advisory Committee:
 - (a) Applicant 1 CareNet for their role as a Nillumbik Health and Wellbeing Advisory Committee member
 - (b) Applicant 2 Allwood Neighbourhood House for their role as a Nillumbik Health and Wellbeing Advisory Committee member
 - (c) Applicant 3 Aligned Leisure for their role as a Nillumbik Health and Wellbeing Advisory Committee member
 - (d) Applicant 4 Women's Health in the North for their role as a Nillumbik Health and Wellbeing Advisory Committee member
 - (e) Applicant 5 Yarra Plenty Regional Libraries for their role as a Nillumbik Health and Wellbeing Advisory Committee member
 - (f) Applicant 6 Holstep Health for their role as a Nillumbik Health and Wellbeing Advisory Committee member
 - (g) Applicant 7 healthAbility for their role as a Nillumbik Health and Wellbeing Advisory Committee member
 - (h) Applicant 8 Belgrave Leisure for their role as a Nillumbik Health and Wellbeing Advisory Committee member
 - (i) Applicant 9 North Eastern Public Health Unit (NEPHU) for their role as a Nillumbik Health and Wellbeing Advisory Committee member

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12. Officers' reports

**CM.128/25 Outcome EOI Process Health and Wellbeing Advisory Committee
2025-2027**

- (j) Applicant 10 Bec Schafer for their role as a Nillumbik Health and Wellbeing Advisory Committee member
- (k) Applicant 11 Snez Pezzin for their role as a Nillumbik Health and Wellbeing Advisory Committee member
- (l) Applicant 12 Ann Hutchinson for their role as a Nillumbik Health and Wellbeing Advisory Committee member.

2. Acknowledges and thanks all community members and organisational representatives who submitted applications to the Health and Wellbeing Advisory Committee.
3. Resolves that the Applicant Assessment Summary (**Attachment 1**) 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.

CARRIED UNANIMOUSLY

Council Meeting Minutes

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12. Officers' reports

CM.129/25 Reynolds Road, Eltham - Special Charge Scheme

Distribution: Public

Manager: Claire Quinlan, Chief Operating Officer

Author: Steven Blight, Manager Capital and Infrastructure

Summary

On 5 December 2023, Council received a petition by property owners to seal Reynolds Road in Eltham, between Mount Pleasant Road and Laughing Waters Road, with costs recovered via the implementation of a Special Charge Scheme.

Council officers have prepared a concept design and cost estimate for the Scheme. The estimated cost of the works is between \$173,000 and \$207,600.

On 9 July 2025, a formal questionnaire and cost apportionment were sent to property owners to determine their level of support for a Special Charge Scheme. The cost apportionment was based on Council contributing 24% of the cost of the Scheme (i.e. \$41,520 to \$49,824) to account for broader community benefit.

The level of support for a Special Charge Scheme for Reynolds Road in Eltham, between Mount Pleasant Road and Laughing Waters Road, was 67 percent (4 of the 6 property owners).

As the level of support for the scheme is over the 60 percent threshold, it is recommended that the development process proceeds and Council officers invite affected property owners for nominations to join the Task Group.

Council Resolution

MOVED: Cr Kate McKay

SECONDED: Cr Grant Brooker

That Council:

1. Proceeds with the development of a Special Charge Scheme for the sealing of Reynolds Road in Eltham, between Mount Pleasant Road and Laughing Waters Road.
2. Notes that Council will contribute 24% of the cost of the Scheme, which is currently estimated to equate to a Council contribution of \$41,520 to \$49,824.
3. Notes that Council officers will notify property owners accordingly and invite affected property owners for nominations to join the Task Group to provide comments for consideration within the design process.

CARRIED UNANIMOUSLY

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12. Officers' reports

CM.129/25 Reynolds Road, Eltham - Special Charge Scheme

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12. Officers' reports

CM.130/25 Instrument of Appointment and Authorisation (Planning and Environment Act 1987)

Distribution: Public

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

Author: Katia Croce, Manager Governance and Property

Summary

Section 224 of the *Local Government Act 1989* provides for the appointment of Authorised Officers for the purposes of the administration and enforcement of any Act, regulations or local laws which relate to the functions and powers of the Council.

The Chief Executive Officer makes these appointments by authority conferred by Instrument of Delegation by Council dated 25 March 2025.

Section 147(4) of the *Planning and Environment Act 1987* provides for the appointment and authorisation of Council Officers for the purpose of the *Planning and Environment Act 1987*.

To strengthen Council's decision making and enforcement processes, appointment of authorisation under the *Planning and Environment Act 1987* is being recommended by Council Resolution.

Council Resolution

MOVED: Cr Peter Perkins

SECONDED: Cr Naomi Joiner

That Council in the exercise of the powers conferred by s147(4) of the *Planning and Environment Act 1987*, resolves that:

1. The Nillumbik Shire Council staff referred to in the Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*) (**Attachment 1**) be appointed and authorised as set out in the instrument.
2. The common seal of Council be affixed to the Instrument.
3. The Instrument comes into force immediately after the common seal of Council is affixed to the Instrument and remains in force until Council determines to vary or revoke it.

CARRIED UNANIMOUSLY

Council Meeting Minutes

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12. Officers' reports

CM.130/25 Instrument of Appointment and Authorisation (Planning and Environment Act 1987)

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12. Officers' reports

CM.131/25 Informal Meetings of Councillors Records - 28 October 2025

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 September 2025.

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

1. Councillor Briefing held 16 September 2025;
2. Planning Application Conference for 21 Brougham St, Eltham held 22 September 2025;
3. Council Meeting Pre-Meet held 30 September 2025;
4. Youth Council Formal Advisory Committee held 7 October 2025;
5. Councillor Briefing held 7 October 2025; and
6. Planning and Consultation Committee Pre-Meet held 14 October 2025.

Council Resolution

MOVED: Cr Naomi Joiner

SECONDED: Cr Kim Cope

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.

CARRIED UNANIMOUSLY

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12. Officers' reports

CM.131/25 Informal Meetings of Councillors Records - 28 October 2025

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Council Meeting Minutes

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13. Notices of Motion

NOM.002/25 Fossil Fuel Non-Proliferation Treaty

Motion

That Council:

1. Endorses the Fossil Fuel Non-Proliferation Treaty, noting the alignment with Council's existing commitments to climate action.
2. Calls on the Australian Government to endorse the Fossil Fuel Non-Proliferation Treaty.
3. Authorises officers to complete the online endorsement form.

Procedural Motion

MOVED: Cr Kate McKay

SECONDED: Cr Naomi Joiner

That Council allows for an Amendment to the Notice of Motion to be made.

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

Council Resolution

MOVED: Cr Kate McKay

SECONDED: Cr Naomi Joiner

That Council allows for an Amendment to the Notice of Motion to be made.

CARRIED UNANIMOUSLY

Cr Kate McKay advised of their intention to move the following:

Amended Motion

That Council:

1. **Supports the call for a** Fossil Fuel Non-Proliferation Treaty, noting the alignment with Council's existing commitments to climate action.
2. Calls on the Australian Government to endorse the Fossil Fuel Non-Proliferation Treaty.
3. Authorises officers to complete the online endorsement form.

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

Council Resolution

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MOVED: Cr Kate McKay
SECONDED: Cr Naomi Joiner

That Council:

1. Supports the call for a Fossil Fuel Non-Proliferation Treaty, noting the alignment with Council's existing commitments to climate action.
2. Calls on the Australian Government to endorse the Fossil Fuel Non-Proliferation Treaty.
3. Authorises officers to complete the online endorsement form.

CARRIED

For: Crs Kim Cope, John Dumaresq, Naomi Joiner and Kate McKay

Against: Crs Grant Brooker, Kelly Joy and Peter Perkins

14. Delegates' Reports

Nil

15. Supplementary and urgent business

Council Resolution

MOVED: Cr Naomi Joiner
SECONDED: Cr Grant Brooker

In accordance with Clause 57 of the Governance Rule - Meeting Procedures, admit the item of urgent business relating to Update on Bourchiers Road Special Charge Scheme to be considered under point 16. Confidential reports in the Agenda.

CARRIED UNANIMOUSLY

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.132/25 Update on Bourchiers Road Special Charge Scheme

This item is confidential because it is law enforcement information, being information that would reasonably likely to prejudice the investigation into an alleged breach of the law or the fair trial or hearing of any person pursuant to paragraph (d) of the definition of confidential information under section 3(1) of the *Local Government Act 2020*; and legal privileged information, being information to which legal professional privilege or client legal privilege applies pursuant to paragraph (e) 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).

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Council Resolution

MOVED: Cr Kelly Joy
SECONDED: Cr Kim Cope

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

CARRIED UNANIMOUSLY

The meeting closed to the public at 8:21pm.

17. Close of Meeting

The meeting closed at 8:38pm.

Confirmed: _____

Cr John Dumaresq, Mayor

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Positive Ageing Advisory Committee

Minutes



Date:	3 October 2025
Time:	10.30am – 1.30pm
Venue:	Hurstbridge Hub, 50 Grayshars Road, Hurstbridge – Frank Nankervis Room
Chair:	Stephanie Vassiliou
Minute Taker:	Julie-Anne Grech, Business and Program Support Officer Ann Hutchinson, Steve Jenkinson, Sophie Broughton, Jacqui Sweeney, Marcel Saxone, Stella Huet, Tom Fisher, Marlwood Ryder, Alexandra Price (Yarra Plenty Regional Library Service), and Tanya Cottrell (St Vincent Healthy Ageing Service)
Committee Members:	Stephanie Vassiliou (Coordinator Ageing Well), Narelle Hart (Manager Community Programs), Heather Macmillan (Positive Ageing Officer), Michael Michael (Customer Service Team Lead), Imogen Austen Wishart (Communications and Engagement Coordinator), Bianca Caruso (Community Engagement Advisor) and Julie-Anne Grech (Business and Program Support Officer)
Other:	
Apologies:	Cr Perkins, Julie Cassim (apology and resignation), Kate Puls, Tamsyn Guerrera (HolStep Health) and Natalie Francis (HealthAbility)

Order of business

1. Welcome

2. Acknowledgement of Country

Acknowledgement of Country was read by Stephanie Vassiliou

3. Apologies

Cr Perkins, Kate Puls, Julie Cassim (apology and resignation); Tamsyn Guerrera (HolStep Health) and Natalie Francis (HealthAbility)

4. Conflict of Interest and Informal Meeting of Councillors Record

Nil

5. Minutes of previous meeting

That the minutes of the meeting held 1 August 2025 are confirmed as a true and accurate record of the meeting.

Moved:

Seconded:

Carried / Lost

Positive Ageing Advisory Committee

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6. Outstanding Action Items

Action Summary:	Electronic version of the card is to be provided to the Committee.
Actions:	Electronic version of postcard sent to members in conjunction with the August Minutes
Action Summary:	Organisation of PAAC to visit the St. Andrews Men's Shed
Actions:	Jodie Hoskins (Aged Care Navigation and Advocacy Officer) to follow up and organise visit in conjunction with Steve
Action Summary:	Circulation of flyers to PAAC about the Re-wire memory choir and Estia event.
Actions:	Flyers sent out to Committee members soon after last PAAC meeting.
Action Summary:	Support for PAAC members to sign up organisation/group members and others to Ageing Well in Nillumbik (AWIN) for distribution of information throughout the Shire of events and how people can get involved.
Actions:	AWIN sign-up template sent out with August Minutes for all PAAC members to us.

7. PAAC Recommendation – ‘Free gym membership for 80+ update’

The Manager of Community Programs advised the Committee that the proposal to support ‘free gym membership for 80+ year old residents in the Shire of Nillumbik went before the Councillors at Council briefing on September 16. The decision was made not to support the recommendation given there are a range of activities and financial support available to assist those in the community to keep active.

A letter to the PAAC from the Manager Recreation and Leisure outlining the above decision was read to the Committee.

PAAC members were asked to provide ideas that Aligned Leisure could present at the next meeting in December:

- What is Aligned doing to promote their services to older residents and the cost of these,

Positive Ageing Advisory Committee

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across the Shire.

- Membership fees and charges; is it affordable and what is currently available with regards to financial support
- What modelling have Aligned done to look at the ageing population and their service offering?
- How much of a financial impact would free membership represent for Nillumbik and Aligned Leisure
- What kinds of activities are available that do and don't use the facilities i.e. potentially walking groups that don't use facilities but that represent an opportunity for exercise and social contact (at a cheaper rate).
- Could Aligned programs be offered more flexibly e.g. online classes to enable people to join from home and at a lower cost?
- What is available for residents in the more northern reaches of the Shire?
- Is there potential for these northern services to be expanded?

Action: Letter from Manager Recreation and Leisure to be attached to PAAC Minutes

Positive Ageing Officer to work with Recreation and Leisure about attendance and presentation topics from Aligned Leisure at a December PAAC meeting

8. **Snap-Send-Solve overview and demonstration – Michael Michael (Nillumbik Shire Council Customer Service Team Leader)**

Snap, Send, Solve is an option for Committee members to address specific Council issues that fall outside the focus of Advisory Committee business. The Snap Send Solve app is a free mobile application for Android and iPhone users in Australia and New Zealand that simplifies reporting local issues to councils and other authorities in a timely manner.

Users can take a photo of a problem like a pothole or dumped rubbish, and the app uses GPS to determine the responsible authority and sends the report with a photo, location, and description for quick action. Statistics indicate that Snap Send Solve is now one of the most popular ways for Community to report issues/concerns to Council.

If the problem is applicable to Nillumbik Shire Council, the photo, issue and GPS will be directed to the Customer Experience Team for action. The app has a function for response directly back to senders mobile and reported issues can be tracked in real time updates.

Snap Send Solve is just one of the ways to contact Council; Customer Experience will still be responding to, and actioning phone calls and emails from community members.

Several Committee members confirmed that they are currently using Snap Send Solve and have experienced quick action and solution responses.

For further information please refer to the following website:

<https://www.snapandsolve.com/report/victoria>

Action: Any members of PAAC who did not have the Snap Send Solve app were advise that they could touch base with Positive Ageing Officer at the end of the meeting for

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assistance with downloading the app.

9. **Nillumbik Shire Council Community Engagement Policy Review 2025** - Imogen Austen Wishart (Communications and Engagement Coordinator) and Bianca Caruso (Community Engagement Advisor)

Council's Communications and Engagement Coordinator and Community Engagement Advisor provided the Committee with a brief overview of Nillumbik's Community Engagement Policy (adopted in February 2021) and Council's methods of engagement. Many PAAC meetings will have some element of engagement and feedback regarding Council projects or policy.

Generally, concepts or ideas relating to a project or plan will seek community feedback multiple times and in varying ways depending on the project/plan and feedback sought. This ensures that ideas/beliefs of the community can be considered in the decision-making process.

PAAC was asked:

- *How do you like to give your feedback?*
- *What do you think and what do your peers and friends need to incentivise feedback?*
- *What challenges are faced regarding feedback?*

PAAC members provided their thoughts on the above questions doing a hands-on activity casting their vote posting sticky dots on different chats and verbally (some PAAC members had already completed the short survey online):

Experience with online platforms included:

- Too much non relevant information that pops up on the website search engine
- Once you register online with Participate Nillumbik too much non relevant information is sent – is there a way to streamline contact based on demographics or interest of issue?
- Submission issues trying to lodge feedback online

Feedback was sought from the Committee in terms of how they would like to be engaged for feedback. Responses included:

- Preference for more face-to-face engagement – potentially with incentives for responding
- Issues relating to the ageing demographic in Nillumbik in a comfortable format such as the written word in letters/flyers rather than online which is difficult for some to use.
- By not offering a range of feedback methods are you excluding some in the community and favouring others?
- How do we strike a balance between printed information distributed throughout the community and the desire to maintain sustainability and reduce our footprint?
- Building positive connections and trust between Council, Councillors and community to foster engagement/feedback. How do we foster that connection? Possibly a series of community BBQ's where community can meet the Council and Councillors.

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How do you receive information from Council?

- Email
- ENews and social media (<https://www.nillumbik.vic.gov.au/Council/News-and-publications/eNewsletters/Nillumbik-eNews>)
- Website
- Media releases
- Paper format / newsletters
- Would be good to have an option of information in different language formats e.g. Chinese for local Chinese residents

10. PAAC Members Introduction – Part 2

Ann Hutchinson joined the Committee to represent LINC (Love in the name of Christ) –a group made up of churches in the local area joining together for the betterment of the Community. Prior to COVID Ann was assisting those in need in the community with transport to appointments and shopping. Since COVID, Ann has been assisting with emergency food relief in the local community; food parcels and food pantry (at St. Margaret's in Eltham), Christmas hampers, helping HealthAbility with their community pantry, food parcels for 2 schools and Odyssey House. Ann has requested that PAAC assist with Christmas hampers for those in need by bringing non-perishable food items to the December meeting.

Action: PAAC members to bring non-perishable food items to the December meeting.

Alex Price – Branch Manager of Diamond Valley Regional Library. Has been very busy preparing for Senior's month in October, local history month, Children's Week and supporting all the regular events and programs the library hosts. One of the most popular programs is the fitness after 50 group – free fitness session run at Eltham and DV Library. The library has lots of social inclusion groups such as the Yack and Yarn session, Craft and Connect and Tech help (basic tech assistance). Alex highlighted the click and collect option at the Hurstbridge Hub 10.00am to 2.00pm, Monday to Friday, for collection of holds using our self-loan station. There are many other social groups and programs the community can participate in and attend; most of them free. Please jump on the website to refer to the many options : <https://www.yprl.vic.gov.au/>

Marcel Saxone – represents himself and doesn't belong to a particular organisation. He is hoping that there will be others like him on the Committee that participate and help themselves and others in the process. Hoping to empower people to live their lives to the fullest – find initiatives that people feel passionate about. He has a strong sense about actions pertaining to looking after the planet and is looking forward to making some inroads to improving Nillumbik. Starting to prioritise what is important as time goes on and looking to connect with like-minded people. Has worked as a psychotherapist, pharmacist and in pastoral care.

Jacqui Sweeney is part of the Nillumbik Dementia Friendly Alliance. Was originally searching for information about, and what assistance was available to support people with dementia and their carers when she found out about the Alliance. Heads out into the community to raise awareness about dementia and how carers can be supported. Currently seeking to raise funds with the Alliance and Rotary to purchase a Tovertafel for a local aged care facility to benefit residents and their families. Participates in the Memory

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Care Café – an informal, open-door format for people caring for someone with dementia. A facilitator is on hand to engage with and care for those with dementia while the carer can relax, chat and connect with other carers.

Tanya Cottrell (St Vincent Healthy Ageing Service) – second term on PAAC. Has been working for the last 5 years for the Healthy Ageing Service at St. Vincent's; a mental health service offering support for those in Nillumbik affected by mental health issues. The multi-disciplinary team and service is available to people over 65 (50 for First Nations People) and no referral is needed. Simply call St. Vincents and have a chat to determine what support or action is needed. Tanya will bring some brochures next meeting.

11. Tour of Hurstbridge Hub and demonstration of Magic Table (Tover Tafel)

The Committee toured the Hurstbridge Hub and its many meeting places and places of interest.

A highlight was the demonstration of the Magic Table (Tovertafel) – an interactive games system that involves moving images and objects projected onto a table or floor. The games are designed to promote physical movement, social interaction and cognitive stimulation and are particularly beneficial to those with dementia.

12. Roundtable

Sophie invited PAAC and friends to join the Nillumbik Chinese Seniors Association open day on Tuesday 28 October. As part of Seniors Festival the group invites people to experience Chinese culture and come and try various activities such as Tai Chi, Mahjong, dumpling making and ballroom dancing. Delicious food and refreshments will be served. Event is free but bookings essential at [Explore Chinese Culture/Activities in Eltham](#)

Marcel discussed a proposal that was detailed in the document that went out prior to the meeting, an initiative to empower individuals in Nillumbik to tap into their belief system and assist the Shire to minimise waste and recycle. His proposal is to train aged/retired people to go house to house and have conversions with residents, offering assistance to: -

- a) Minimise landfill
- b) Maximise recycling

This proposal requires upskilling those who are unaware of the details of current waste systems in place, and upskilling those who are keen to improve\ their marketing and communication skills.

After discussion among the committee, it was agreed that going house to house and engaging in discussion with the householder is not the answer with many agreeing this would pose logistical problems and annoy the householder. First step would be to understand the principles and processes already in place in Nillumbik for rubbish and recycling collection and disposal/reuse by inviting the Waste Management Team to PAAC.

Action: Positive Ageing Officer to invite Waste Management Team to upcoming PAAC meeting

Members of PAAC who attended the Seniors Festival lunch on Thursday 2 October highlighted what a fabulous event it was. The room was tastefully decorated, the entertainment enjoyable

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and the food was unexpected but delicious. All blended to create an event that exceeded expectations. Congratulations to all involved.

13. Meeting closed: 1.29pm

14. Next meeting: 10.30am Friday 5 December Council Chamber, Civic Drive, Greensborough



Enquiries: Stewart Broussard
Telephone: 9433 3108

19 September 2025

Positive Ageing Advisory Committee
C/O Narelle Hart
32 Civic Drive
GREENSBOROUGH VIC 3088

Dear Positive Ageing Advisory Committee

Re: Recommendation for free membership for over 80s residents

Thank you for your recommendation for Council to provide free membership to Nillumbik Leisure facilities for residents over the age of 80.

This recommendation was presented to Council at a Councillor Briefing on Tuesday 16 September 2025. Councillors considered the PAAC recommendation alongside information presented by Council Officers including;

- The existing wide range of free and heavily discounted access to programs and services available to residents over the age of 80.
- The Support Access Program that provides financial support for residents experiencing financial hardship to access Nillumbik Leisure facilities.
- The financial and contractual implications of supporting this recommendation.

After considering the above, Council has not supported the recommendation in line with Council Officers advice.

Nillumbik Leisure staff are committed to working closely with PAAC to ensure that information about programs and services is shared and communication is shaped to suit residents over the age of 80.

The Recreation and Leisure team will work closely with the Ageing Well team to coordinate the introduction of key Nillumbik Leisure staff to PAAC at its December meeting.

Kinds regards,

A handwritten signature in black ink, appearing to read "SB".

Stewart Broussard
Manager Recreation and Leisure

CM.141/25 **Council Plan Quarterly Performance Report 2025-2026 - Quarter 1**
Attachment 1. Council Plan Quarterly Performance Report 2025-2026 - Quarter 1

Nillumbik Shire Council: Quarter 1, 2025-2026 Council Plan Performance Report



Action	Directorate	Commentary	Status
Our People - Inclusive living and participation		We support and empower our diverse community by reducing barriers, strengthening connections, and creating a welcoming environment where everyone feels respected, included, and able to participate fully in community life	
Welcoming and inclusive communities			
Audit and assess Council infrastructure for accessibility in parks and open spaces and apply Equity Impact Assessments (EIAs) to new infrastructure projects (be it new, upgrade or renewal projects)	Operations	<p>Audits and assessments of 58 playgrounds across the Shire have been completed to determine the suitability of access to the playgrounds, seats, picnic tables, water fountains and shelters at those sites. Audits and assessments of 58 playgrounds across the Shire have been completed to determine the suitability of access to the playgrounds, seats, picnic tables, water fountains and shelters at those sites.</p> <p>The accessibility audit has revealed a mixed level of compliance with inclusive design standards. While several sites demonstrate excellent access to key amenities, others present multiple barriers that limit usability – particularly for individuals with mobility challenges.</p> <p>To improve accessibility and ensure equitable use of public spaces, key factors including pathway connectivity, surface improvements and furniture upgrades will be considered to prioritise projects and works required.</p> <p>By implementing these recommendations, Council can enhance the inclusivity of its open spaces and ensure that playgrounds are welcoming and usable for all members of the community.</p>	On Track
Finalise and implement Council's Reflect Reconciliation Action Plan	Communities	<p>Council's Reflect Reconciliation Action Plan (RAP) outlines Council's first formal commitment to strengthening relationships, respect and opportunities with First Peoples.</p> <p>Developed in collaboration with Nillumbik's Reconciliation Working Group, the draft Reflect RAP was reviewed by Reconciliation Australia and subsequently refined in response to their feedback.</p> <p>In August 2025, the Board of the Wurundjeri Woi-Wurrung Cultural Heritage Aboriginal Corporation endorsed the Reflect RAP, the Message from Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation and the Statement of Commitment.</p> <p>The Reflect RAP has been re-submitted to Reconciliation Australia and is awaiting final endorsement. Following endorsement, a detailed implementation plan will be developed to guide delivery, monitoring and reporting.</p> <p>The Reflect RAP will support cultural learning, relationship-building and inclusive practices across Council operations, laying the foundation for future reconciliation priorities.</p>	On Track
Community empowerment and participation			
Enhance environmental volunteering by supporting 'Friends of' groups, and reviewing and rationalising existing groups	Planning, Environment and Strategy	<p>Actions undertaken this quarter included:</p> <ul style="list-style-type: none"> Supported the start of a new Friends of Group (Friends of Scenic Crescent Reserve) to protect and improve the habitat of the reserve that supports a diversity of flora and fauna in the reserve and the adjacent Diamond Creek; Delivered National Tree Day activities across several sites, supporting the community and Friends of Groups; Continuing to support groups by advertising activities across multiple Council outlets; Started the Nature Restoration training program with Edendale Community Environment Farm. This training enables environmental volunteers to upskill, learn new skills and connect with other volunteers; and Provided training to volunteers to be able to install fauna cameras in Council's bushland reserves to gather more information about Council's reserves and also provide other avenues of volunteering for the community. 	On Track
Identify and assess the feasibility of a Parks Alive! Program	Communities	<p>Preliminary scoping work has commenced to determine the feasibility and potential scope of a "Parks Alive" program in Nillumbik.</p> <p>Initial benchmarking was undertaken against similar models (e.g. Manningham Council's Parks Alive program).</p> <p>Early discussions have occurred to explore possible alignment with existing programs and activation frameworks.</p>	On Track
Health, equity and community connection			
Research Council's role in food insecurity and advocate for funding to develop and implement a Food Systems Strategy	Communities	<p>Council has applied for funding through the Community Food Relief Program – Local Grants to support the development and implementation of a Food Systems Strategy.</p> <p>This strategy will guide a coordinated approach to improving food security across Nillumbik, enhancing collaboration with local food relief organisations, and supporting sustainable, equitable access to healthy food for all residents.</p>	On Track

CM.141/25 Council Plan Quarterly Performance Report 2025-2026 - Quarter 1
Attachment 1. Council Plan Quarterly Performance Report 2025-2026 - Quarter 1

Action	Directorate	Commentary	Status
Deliver inclusive educational programs across life stages in partnership with community facilities and services to meet the evolving needs of families, older adults, and creative communities	Communities	<p>Over the past quarter, Living and Learning have continued to expand and strengthen educational and social programs across all life stages.</p> <p>Early years programs and school holiday activities maintained strong participation, while secondary students and young people engaged in leadership and work experience opportunities. Grant-funded initiatives, including the Youth and Environmental Team and engagement programs for at-risk students, successfully supported youth connection and environmental awareness, lead by Edendale Community Environment Farm.</p> <p>Participation remained steady across creative, environmental and horticulture-based courses, fostering skill development and community connection. For older adults, planning commenced for the next annual calendar of educational and social sessions, aligned with the Health and Wellbeing Plan priorities and community feedback.</p> <p>The Community Development Team also delivered the 2025 Nillumbik Leaders Community Leadership Program, with 13 participants engaged.</p>	On Track
Implement actions in the Health & Wellbeing Plan 2025–2029	Communities	<p>Implementation of the Nillumbik Health and Wellbeing Plan 2025-2029 commenced across all six priority areas, with strong progress in community wellbeing, inclusion and strategic planning. Actions undertaken during the quarter include:</p> <ul style="list-style-type: none"> • Council adopted the Nillumbik Planning Scheme Review advancing strategic planning priorities, including calling for stronger State Government leadership in delivering affordable housing mechanisms; • Through Council's partnership with Aligned Leisure, more than 700 Nillumbik residents participated in the Street Team Fitness Program, while the Tiger PAW (Physical Activity and Wellbeing) Program engaged primary school students in physical activity, nutrition and respectful relationships education to develop healthy minds, bodies, skills and knowledge; • Council's Early Years Team continued to support families through the Best Start Partnership, with 15 children now accessing Early Start Kindergarten, representing an increase from previous years; and • Edendale Community Environment Farm staff have worked with the Wurundjeri Education Team to co-develop lesson plans promoting cultural learning. <p>These examples reflect only a small number of the actions currently underway across Council to deliver the Plan. Ongoing collaboration and partnerships will ensure the effective delivery of the Plan.</p>	On Track
Our Place - Liveable and connected communities		We create vibrant, inclusive neighbourhoods and rural townships through thoughtful planning, improved walking and transport links, diverse housing options, quality open spaces, and community infrastructure that reflect the needs of our community all while protecting Nillumbik's Green Wedge and unique character	
Vibrant, safe and liveable activity centres and neighbourhoods			
Refine, finalise and exhibit the Nillumbik Housing Strategy in response to the State Government's planning reforms	Planning, Environment and Strategy	Development of the Housing Strategy remains on hold, pending State Government Planning and Environment Act Review and Planning Reform Changes.	Minor Issues
Continue to develop a masterplan for community facilities in Diamond Creek, including recreation, social and cultural infrastructure	Planning, Environment and Strategy	<p>Further progress is expected in Q3, 2025-2026 (March 2026). A consultant has been appointed and has commenced initial development of the masterplan, starting with initial benchmarking activities and consultants report to Council officers in October (Deliverable 1).</p> <p>The internal Project Working Group has been established and will meet at each deliverable stage to provide crucial feedback to the consultant.</p> <p>The next step is for the consultant to deliver the preliminary design of the masterplan, due in February 2026. Public exhibition of the draft masterplan is expected to take place in mid-late 2026.</p>	On Track
Progress Planning Scheme Amendments for the Diamond Creek and Eltham Activity Centre Structure Plans	Planning, Environment and Strategy	<p>On 30 September 2025, Council resolved to adopt Planning Scheme Amendment C143nill Part 1 - Eltham Major Activity Centre, with Part 2 (the Industrial 3 Zone area) requiring further work.</p> <p>Council also resolved to refer Planning Scheme Amendment C144nill - Diamond Creek to an Independent Planning Panel to deal with submissions.</p>	On Track
Progress planning for pedestrian safety by developing a Road Safety Strategy and scoping of a future Safe Pedestrian Crossing and Shire-wide Walking and Pedestrian Strategy	Planning, Environment and Strategy	Development of the Road Safety Strategy is in progress, with actions undertaken including: <ul style="list-style-type: none"> • A consultant review of background material and data analysis (still in progress); • A stakeholder workshop to review outputs from background material and data analysis. The workshop was held in June 2025 with key stakeholders, VicPol, SES, CFA, DTP, adjoining councils and Council staff; and • finalising draft document and action plan council officer review is scheduled for Quarter 2, 2025-2026. 	On Track
Undertake a traffic and pedestrian safety audit of all primary and secondary schools in the Shire to identify and prioritise safety improvements for future capital works delivery	Planning, Environment and Strategy	<p>The school priority program is currently in its final phases.</p> <p>Works will be continuing throughout Quarter 2, 2025-2026 with commencement of design and auditing in Quarters 3 and 4, 2025-2026. Approximately 85% of schools in Nillumbik have been assessed to date.</p>	On Track

CM.141/25 Council Plan Quarterly Performance Report 2025-2026 - Quarter 1
Attachment 1. Council Plan Quarterly Performance Report 2025-2026 - Quarter 1

Action	Directorate	Commentary	Status
Rural character and communities Develop and deliver a public education campaign through the Domestic Animal Management Plan to promote respectful use of shared spaces	Governance, Communications and Community Safety	<p>At the September 2025 Council Meeting, Council resolved to endorse the Domestic Animal Management Plan 2025-2029.</p> <p>This was prepared in accordance with section 68A of the Domestic Animals Act 1994, along with associated Section 25 Order and Section 26 (2) Order and Animal Registration Refund Policy with changes to reflect a two year transition period for the new 24/7 cat confinement order and any actions impacted by this transition period be updated accordingly within the Plan.</p> <p>The Implementation Action Plan is underway to deliver year 1 actions, including education around promoting the Section 26 Order with regard to shared spaces.</p>	On Track
Protection of biodiversity Implement the Biodiversity Strategy 2024–2034	Planning, Environment and Strategy	<p>During this quarter, the following actions were undertaken:</p> <ul style="list-style-type: none"> Commenced the roadside habitat conservation values assessment project, engaging a consultant to undertake 1,200 km of roadside habitat assessments across the Shire; Council officers commenced the second year assessment of vegetation condition across 33 Council bushland reserves and started the newest round of Forest Health Monitoring; The three month Spring Outdoors program in collaboration with Manningham and Banyule kicked off in September with a range of events across nature engagement, cultural values and sustainable living; Delivered and supported National Tree Planting Day events at Eltham Lower Park (2,400 plants including 30 trees); Wrapped up friends group planting activities in quarter 1, with Quarter 2 activities focused on weeding and providing training; Edendale Community Environment Farm and Council's Environmental Works team commenced the nature restoration training series for the community at Edendale; and Completed three pollinator gardens at local primary schools in collaboration between Edendale, Gardens for Wildlife and environment teams. 	On Track
Develop a scoping document and advocate to the State Government for funding to pilot virtual wildlife fencing	Planning, Environment and Strategy	<p>Council has advocated to the State Government/Major Road Projects Victoria (MRPV) for the inclusion of virtual fencing as part of the Yan Yean Road Stage 2 duplication.</p> <p>It appears unlikely that this advocacy will be successful, however, MRPV is investigating incorporating a Victorian-first trial of an alternative wildlife awareness technology into the operational phase of the project, subject to the technology being advanced enough to trial.</p> <p>Concurrently, briefings are scheduled with Council's Executive Leadership Team in November 2025 and Councillors in December 2025 to discuss wildlife road safety options for the Shire's Council-managed roads, including scoping the feasibility of virtual fencing and examining other potential options.</p>	On Track
Open spaces and active places Collaborate with contracted leisure providers to review and enhance programs and services that increase participation and support community health and wellbeing	Operations	<p>A range of programs and services were completed to progress this action during this quarter, including:</p> <ul style="list-style-type: none"> Over 700 participants taking part in the Street Team program, which sees a range of group fitness classes delivered to people living in the rural areas of Nillumbik; Delivery of the Tiger PAW (Physical Activity and Wellbeing) program to a range of primary schools across the Shire including Christmas Hills Primary School. The Tiger PAW program involves a physical activity session where the students learn AFL skills, as well as a nutrition presentation and a respectful relationships presentation; and Community Events such as the R U OK Breakfast, Active Movers Eltham District Historical Society Talk, NAIDOC Week, Active Movers Christmas in July and Winter Warmers Drive. 	On Track
Deliver funded capital works projects	Operations	<p>Progress on delivery of funded capital works projects during the quarter included:</p> <ul style="list-style-type: none"> 17.8% of programmed works completed; and 43% of programmed capital budget committed. <p>The following major projects were completed in this quarter:</p> <ul style="list-style-type: none"> Panton Hill Tennis Courts Upgrade; and Eltham Bowls Club Retaining Wall Reconstruction. 	On Track
Prepare a feasibility study for a new trail section linking the Plenty River Trail to the Diamond Creek Trail along the Maroondah Aqueduct	Operations	<p>A draft project brief has been developed to outline the approach and required outcomes of a feasibility assessment for a new trail section linking the Plenty River Trail to the Diamond Creek Trail along the Maroondah Aqueduct. Currently being reviewed internally.</p> <p>An internal kick-off meeting to progress the feasibility study is scheduled to occur in Q2, 2025-2026.</p>	On Track

Action	Directorate	Commentary	Status
Distinctive and creative communities Deliver placemaking initiatives by empowering community groups to enhance public spaces and community identity across the Shire	Communities	Facilitation of the 2025 - 2026 Place Activation Grant program has commenced. Funds are now almost exhausted, but the grant is still open for applications. Funding for the 2025 Festive Grant program has now also been allocated. Council is continuing to support other community-led placemaking projects as appropriate, and where feasible.	On Track
Promote Nillumbik as a tourism destination and strengthen the local visitor economy through collaboration with Tourism East and regional partners	Planning, Environment and Strategy	Activities undertaken by Tourism East to promote Nillumbik during the quarter included: • 17 Nillumbik businesses promote across 14 consumer e-Newsletters; • 2 businesses highlighted in the "What's On" feature of the Nillumbik Business e-Newsletter; • 14 events, parks and playgrounds within Nillumbik were promoted through various mediums; • 5 businesses were promoted through consumer social media content; and • 26,800 views of Nillumbik related webpages from 20,800 individual visitors.	On Track
Our Future - Sustainable futures and healthy environments		We lead with practical, local action to reduce the environmental and financial impacts of climate change, grow and protect our tree canopy, cut waste, and support a thriving natural environment for current and future generations	
Local climate action Implement the Climate Action Plan 2022–2032	Planning, Environment and Strategy	During this quarter, Council: • Endorsed the Year 4 Climate Action Implementation Plan and its 53 actions; • Added the major upgrade of the Operations Centre's energy infrastructure (\$400,000) to the proposed capital works list for 2026-2027; • Hosted a Bushfire Safety Expo to support having a climate resilient, adaptive and safe community; • In a Council first, powered the sound stage at two community festivals using a fleet electric vehicle; • Engaged Ausnet to upgrade the electrical network supply at Diamond Creek Pool to enable its transition off gas (\$157,000); • Transitioned all remaining small Council sites and facilities to green electricity supply; • Conducted climate efficiency works at Hurstbridge Basketball Stadium, YarraWarra Preschool and Eltham Leisure Centre; • Delivered eleven community sustainability 'how to' events, including two Energy & Sustainable Living Advisory Service drop in sessions at libraries, and workshops on planning sustainable home upgrades, DIY low-cost window upgrades, kintsugi repair and Sachiko mending, energy literacy for women and gender diverse people, heat pump hot water systems, and a greener group session with Diamond Creek Men's Shed; and • Installed visitor bike parking at the Civic Centre in Greensborough.	On Track
Progress delivery of a Nillumbik Environmental Climate Action Hub at Edendale Community Environment Farm	Culture and Performance	Actions completed during the quarter included: • 3 x Edendale Repair Café's run, focussing on reducing waste to landfill; • Commenced developing new Nillumbik Pollinator booklet to support local biodiversity in a changing climate; • Edendale Youth Environment Team continues to develop with 8 team members regularly attending; • Continuing support ReThink Nillumbik events; • Diamond Valley College students attending the weekly Open House program for disengaged (or at risk) youth; • 3 x compost and worm farm workshop delivered to reduce organic waste to landfill; • 3,574 students participated in Edendale's Environmental Education program; and • 22,674 indigenous plants sold to support local biodiversity.	On Track
Develop a Circular Economy Framework	Culture and Performance	Preliminary work has commenced to inform the establishment of a Circular Economy Framework, which will guide Council and community action towards reducing waste, maximising resource recovery and supporting local circular industries. This work included a current state analysis, project charter design, scoping and benchmarking. The final project charter and scope will inform the timeline of the development of the Framework.	On Track

Action	Directorate	Commentary	Status
Promotion and enhancement of the tree canopy Implement the Urban Tree Canopy Strategy 2024–2040	Planning, Environment and Strategy	<p>During this quarter, Council has:</p> <ul style="list-style-type: none"> Incorporated tree canopy protection as an objective of the newly adopted Council Plan; Endorsed the Planning Scheme Review 2025, including recommendations to prepare and implement Nillumbik Planting Guidelines; and to review and update the Municipal Planning Strategy having regard for the Urban Tree Canopy Strategy; Delivered and supported National Tree Planting Day events at Eltham Lower Park (2,400 plants, including 30 trees); Planted 300 trees at Eltham Lower Park and 700 at Challenger Street Reserve - funded via North East Link grant; and Benchmarked Nillumbik's 2025 street tree planting program (247 trees) against other Local Government Areas. Interesting findings: Whitehorse 3,654 trees; Casey 6,500 trees; Hume 4,300 trees; Yarra Ranges 1,700 trees; Moonee Valley 2,500 trees; Port Phillip 1,035 trees; Bendigo 2,700 trees; and Whittlesea 3,700 trees (plus 4,100 handed over by developers). 	On Track
Develop an Indigenous seedling voucher program to support sustainable planting and habitat improvement on private land	Culture and Performance	<p>A process is underway to identify options and barriers to successful implementation of this program. Initial focus is on internal processes and technology required to support the implementation.</p> <p>Current timeframe is for the program to be launched in the 2026-2027 financial year.</p>	On Track
Future planning and sustainable development Continue partnering with Melbourne Water to progress flood modelling and mapping across the Shire	Operations	<p>Actions completed in this quarter included:</p> <ul style="list-style-type: none"> Melbourne Water's consultant continued to progress the flood modelling; Melbourne Water and Council continued to meet regularly at Project Control Group and Project Working Group meetings to guide and support the project; and Melbourne Water completed the initial community engagement and received feedback from 20 Nillumbik residents. 	On Track
Deliver targeted programs, workshops and incentives to support sustainable agriculture and food systems	Planning, Environment and Strategy	<p>Council has undertaken the following initiatives during the quarter:</p> <ul style="list-style-type: none"> Collaborated with a local facilitator to deliver a farmer workshop funded by Agriculture Victoria, which explored technical advice and wellbeing initiatives for farmers impacted by drought; and 'Produced in Nillumbik', showing the wares of our agricultural producers, was promoted at the Hurstbridge Wattle Festival. <p>Other organisational activities included implementing the Land Management Incentive Program, providing grants to assist with pest plant and animal control on private land.</p>	On Track
Our Council - Responsible governance and community leadership	We strengthen governance and community leadership to ensure transparent, inclusive decision-making processes that engage all residents, build trust, and create sustainable solutions for Nillumbik's future.		
Good governance, communication and engagement Develop a new Communications Strategy to strengthen community understanding of Council's role, enhance transparency, and support meaningful engagement	Governance, Communications and Community Safety	<p>An initial meeting to commence the development of the Communications Strategy has been held.</p> <p>The previous Communications Strategy and any community feedback received is being evaluated to inform the new Strategy.</p>	On Track
Strengthening advocacy Develop an advocacy framework and supporting action plan to guide Council's efforts in securing funding and influencing legislative reform	Governance, Communications and Community Safety	<p>An advocacy framework and four year action plan was endorsed by Council at the September 2025 Council Meeting.</p> <p>Implementation of actions within the framework and action plan has commenced.</p>	On Track
Implement the Advocacy Action Plan	Governance, Communications and Community Safety	The Advocacy Action Plan was endorsed by Council at the September 2025 Council Meeting, with progress on implementation to be reported on in Quarter 2, 2025-2026.	On Track

Action	Directorate	Commentary	Status
Responsive and efficient services			
Enhance customer experience by strengthening complaints handling practices, building staff capability, and using feedback data to drive continuous improvement	Culture and Performance	<p>Council continues to strengthen how complaints are handled and how feedback is used to improve services.</p> <p>Council has updated its Complaint Handling Policy which was endorsed by Council at the September 2025 Council Meeting. This update aligns with the Victorian Ombudsman's updated guidance on managing complaints (Good Practice Guide to Complaint Handling, April 2025) to ensure councils provide a fair, consistent and transparent approach that is easy for customers to navigate.</p> <p>Insights from Council's newly completed data dashboards and performance information suite identified opportunities for improvement, with the first project focussed on how traffic-related customer enquiries are managed, including updates to ensure customers receive clearer and quicker communication from Council.</p> <p>Over the coming months, Council staff will take part in capability building to strengthen understanding of the updated policy, with education focused on complaint reporting and escalation management. This work will continue the focus on consistent, customer focused complaint management across Council.</p>	On Track
Support the responsible use of emerging technologies that improve service delivery and reduce costs	Culture and Performance	<p>Council recognises the potential for emerging technologies, including Artificial Intelligence (AI), to enhance service delivery and improve operational efficiency. Over time, opportunities will be explored to better understand how such technologies could support improved processes, reduce wastage, and deliver better outcomes for the community.</p> <p>Council has established a collaborative working group, to share insights and assess the suitability of new tools and approaches. Emphasis will be placed on responsible and transparent use of technology, ensuring that any adoption aligns with organisational priorities, governance requirements, and community expectations.</p> <p>Continuous improvement will remain an ongoing focus, with Council seeking to identify practical ways to enhance systems and processes that support both customer experience and cost-effectiveness.</p>	On Track
Risk management and emergency preparedness			
Deliver emergency preparedness programs in partnership with key agencies	Governance, Communications and Community Safety	<p>The key action in this quarter was the successful recruitment to the Emergency Management and Engagement officer vacant position.</p> <p>This position will deliver a series of preparedness pop-ups using the feedback sought from the Community Bushfire Expo 2025.</p>	On Track
Undertake a strategic risk review to ensure emerging risks are identified, assessed, and appropriately managed	Culture and Performance	<p>Following the adoption of the Council Plan 2025-2029 which sets the priorities for Council over the next four years, Council has engaged its insurance broker to assist with an independent review and update of its Strategic Risk Register.</p> <p>Workshops will commence with management and executives in the second quarter, with an updated register to be completed in Quarter 3, 2025-2026.</p>	On Track
Continue to collaborate with emergency services and agencies to implement mitigation strategies outlined in Council's emergency and risk management plans	Governance, Communications and Community Safety	<p>A key action this quarter was a review undertaken of the Community Emergency Risk Assessment (CERA), which will inform our Municipal Emergency Management Plan review in the coming months.</p>	On Track

Agenda Item 5: Local Law Amendment

Responsible Officer: Chief Executive Officer

Author: Jane Cowell

Attachment: Draft Meeting Procedure (Amendment) Local Law 2018

REPORT

SUMMARY

In August 2018, the Board was asked to consider In Principle agreement to a policy change out of session to meet a media opportunity. The Board then directed YPRL to investigate amending the Meeting Procedure (Amendment) Local Law 2013 to allow the Board to make resolutions out of session in extraordinary circumstances or to meet major opportunities.

REPORT

Hunt & Hunt Lawyers were requested to review the amendment for compliance with the Library's legislative obligations.

A copy of the draft Meeting Procedure (Amendment) Local Law 2018 is attached.

As per legal requirements, the draft of the proposed amendment was published in the Government Gazette on 1 November 2018 and in the Leader Newspaper, Diamond Valley, Heidelberg and Whittlesea editions, in the week beginning 29 November 2018. The proposed document was also advertised on YPRL's website and displayed in Branch libraries of each Member Council.

Members of the public who wished to make a submission could do so in writing by 6 December 2018. No submissions were received.

The Regional Library Agreement states that a resolution of the Board to adopt or amend a Local Law must not be passed unless and until the proposed Local Law has been ratified by each Member Council. The next steps to adopt this amendment will require each Member Council to consider the amendment and ratify the requested change. The Board will then be able to adopt the new Meeting Procedure (Amendment) Local Law 2018.

CONSULTATION

Nil

LINKS TO STRATEGIC PLAN

Focus Area 6 Finance and Governance

Goal: Optimise public value through sustainable financial management and governance
Strategy: Continually monitoring and optimising our processes for efficiency

DECLARATIONS OF CONFLICTS OF INTEREST

Under section 80C of the Local Government Act 1989 officers providing advice to the Library must disclose any interests, including type of interest.

The Responsible Officer reviewing this report, having made enquiries with the relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

CONCLUSION

To ensure continuity of business and for YPRL to quickly respond to beneficial opportunities the Board does need a mechanism to make decisions out of session. The proposed amendment received no public submission after advertising online and in regional and state wide media which would indicate that there is no public concern with the proposal. YPRL recommends that the Board take the next step in the process to adopt the amended Meeting Procedure (Amendment) Local Law 2018 as proposed by Hunt and Hunt.

RECOMMENDATION

THAT the Board resolves to refer the Meeting Procedure (Amendment) Local Law 2018 to Member Councils for ratification

M: _____

S: _____

Attachment 2

YARRA PLENTY REGIONAL LIBRARY SERVICE

MEETING PROCEDURE (AMENDMENT) LOCAL LAW 2018
No. 1 of 2018

PART 1 - INTRODUCTION

1. Title

This Local Law is known as the Meeting Procedure (Amendment) Local Law 2018.

2. Purpose of Local Law

The purpose of this Local Law is to regulate proceedings at meetings of the Library Board.

3. Authorising Provisions:

This Local Law is made under Part 5 of the Act.

4. Period of Operation

This Local Law comes into operation at the beginning of the day on which it is gazetted and ceases to operate on the same day as the day on which the Principal Local Law ceases to operate.

5. Definitions

In this Local Law:

'Act' means the *Local Government Act 1989*;

'Library Board' means the Yarra Plenty Regional Library Service Board; and

'Principal Local Law' means the Yarra Plenty Regional Library Meeting Procedure Local Law 2012 as amended.

PART 2

6. Amendment

Add new clause 6A to the Principal Local Law as follows:

6A. Out-of-Session Resolutions

(i) An out-of-session resolution may be circulated in writing via mail or email to all Library Board Representatives.

- (ii) The out-of-session resolution is deemed to have passed when a majority of the Library Board Representatives entitled to vote on the resolution respond in favour of the resolution.
- (iii) The date the out-of-session resolution is deemed to have passed is the date of the last response resulting in a majority vote.
- (iv) The outcome of the out-of-session resolution will be notified to the Library Board by the Chief Executive Officer. The result of the resolution will be noted in the minutes at the next Library Board meeting.

Resolution for commencing the process to make this Local Law agreed to by the Board of the Yarra Plenty Regional Library Corporation on the 6th day of September 2018.

Notice of the confirmation of this Local Law was inserted in the *Victoria Government Gazette* dated the day of 2018 at page no .

Resolution for making this Local Law passed by the Board of the Yarra Plenty Regional Library Corporation on the day of 2018.

A copy of the Local Law was sent to the Minister responsible for administering the *Local Government Act 1989* on the day of 2018.

The text of this Local Law should be:

- (1) *Published on Yarra Plenty Regional Library's website along with the notice provided as Attachment 1 in Hunt & Hunt's letter of 17 October 2018; and*
- (2) *Made available at each of Yarra Plenty Regional Library's branches for staff to print and provide to interested persons requesting a copy during the Notice Period referred to in Hunt & Hunt's letter of 17 October 2018.*

YARRA PLENTY REGIONAL LIBRARY SERVICE

DRAFT MEETINGS PROCEDURE LOCAL LAW 2025

NO. 1 OF 2025

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YARRA PLENTY REGIONAL LIBRARY SERVICE
DRAFT MEETINGS PROCEDURE LOCAL LAW 2025
NO. 1 OF 2025

PART 1 - INTRODUCTION

1. Title

This Local Law is known as the Meetings Procedure Local Law 2025.

2. Purpose of Local Law

The purpose of this Local Law is to regulate -

- a) proceedings at meetings of the Library Board and Committees;
- b) proceedings for the election of the Chair and Deputy Chair; and
- c) usage of the common seal of the Library Board.

3. Authorising Provisions

This Local Law is made under section 330 of the Act, which preserves the application of Parts 5 and 6 of the Local Government Act 1989 (Vic) as they apply to regional libraries.

4. Period of Operation

This Local Law shall come into operation at the beginning of the day on which it is gazetted and ceases to operate on the day which is ten (10) years after the day which is the earliest day on which any provision of this Local Law came into operation, unless revoked earlier.

5. Definitions

In this Local Law -

'Absolute Majority' means more than half of the number of appointed Representatives to the Board, regardless of whether those Representatives are present at the time the vote is taken

'Act' means the Local Government Act 2020 (Vic), which amended the Local Government Act 1989 (Vic)

'Authorised Officer' means a person authorised under this Local Law or pursuant to

Section 224 of the Local Government Act 1989 (Vic)

'Board' means the Yarra Plenty Regional Library Service Board

'Board Member' means a member of the Board

'Branch Library' means a library branch that is part of the Yarra Plenty Regional Library

'Chair' means the chairperson of the Board

'Committee' means a committee appointed by the Board

'Majority' means more than half of the appointed Representatives present at the time the vote is taken

'Notice of Motion' means written notification by a Representative that they intend to propose a specific motion

'Ordinary Meeting' means a regularly scheduled meeting of the Board

'Penalty Unit' means that monetary amount set down in the Sentencing Act 1991 (Vic)

'Proxy' means an officer of a council being a member of the Board who holds authority to vote and otherwise act on behalf of the relevant Representative at a meeting of the Board

'Representative' means a councillor appointed by a member council as its delegate.

PART 2 - MEETINGS PROCEDURE

6. Quorum

- i) Subject to sub-clause (iii), a Representative may participate at a meeting of the Board or Committee by electronic means of communication.
- ii) A quorum at a meeting of the Board or Committee consists of a majority of the members of the Board physically present or participating by electronic means of communication, provided that at least one Representative from each council is physically present or participating by electronic means of communication.
- iii) A quorum for any other type of Committee is a majority of the members of the Committee physically present.
- iv) The provisions of section 79 of the Act will apply to any meetings of the Board or Committee with any necessary adaptations.

6A. Out-of-Session Resolutions

- i) An out-of-session resolution may be circulated in writing via mail or email to all Board Members. The out-of-session resolution is deemed to have passed when a

majority of the Board Members entitled to vote on the resolution respond in favour of the resolution.

- ii) The out-of-session resolution is deemed to have passed on the date of the last response resulting in a Majority vote.
- iii) The outcome of the out-of-session resolution will be notified to the Board by the Chief Executive Officer. The result of the resolution will be noted in the minutes at the next Board meeting.

7. Adjournment of Meetings

- i) If at any meeting of the Board the number of Representatives required to form a quorum is not physically present or ready to participate by electronic means of communication within half an hour after the time appointed for such meeting , the Chief Executive Officer may adjourn such meeting to any time not later than seven days from the date of that adjournment.
- ii) If at any time during any meeting of the Board the number of Representatives required to form a quorum is not physically present or participating by electronic means of communication, the Chief Executive Officer may adjourn the meeting to any time not later than seven days from the date of that adjournment.

8. Business at Ordinary Meetings

No business may be conducted at an Ordinary Meeting of the Board unless it is business of which notice has been given either by inclusion in the agenda or any report accompanying the agenda or in a Notice of Motion.

9. Agenda

- i) The agenda for an Ordinary Meeting must be delivered to every Representative not less than 48 hours before the meeting.
- ii) The agenda for an Ordinary Meeting must be available at each Branch Library for the public not less than 48 hours before the meeting.

10. Order of Business

The business of an Ordinary Meeting must be conducted in the following order unless the Board otherwise resolves:

- Welcome and apologies

- Acknowledgement of Traditional Custodians
- Disclosures of interest, declaration of pecuniary and conflict of interest
- Confirmation of previous meeting minutes
- Actions arising
- Presentation of General Reports
- Consideration of and action on petitions and joint letters
- General business
- Reports from delegates appointed by the Board to other bodies
- Urgent business

11. Confirmation of Minutes

- i) At every Ordinary Meeting of the Board the minutes of the preceding meeting must be dealt with as follows:
 - a) if the minutes have been delivered to each Representative at least 48 hours before the meeting, a motion must be passed for confirmation of the minutes; or
 - b) if the minutes have not been so delivered, the minutes must be read and a motion must be passed for confirmation of the minutes.
- ii) No discussion is permitted on the minutes except as to their accuracy as a record of proceedings.
- iii) Once the minutes are confirmed, they must be signed by the Chair.

12. Correspondence

The Chief Executive Officer shall determine what correspondence should be placed before the Board or a Committee for its decision or information.

13. Petitions

- i) A petition or a joint letter:
 - a) shall be in any legible and permanent form of writing, typing or printing;
 - b) shall not be defamatory, indecent, abusive or objectionable in language or substance, and
 - c) shall not relate to a matter beyond the powers of the Board.
- ii) Every page of a petition or joint letter shall bear the wording of the whole of the petition or request.

- iii) Any signature appearing on a page which does not bear the wording of the whole of the petition or request shall not be considered by the Board.
- iv) Every page of a petition or joint letter shall be a single piece of paper and shall not be pasted, stapled, pinned or otherwise affixed to any piece of paper other than another page of the petition.
- v) Any person appending to a petition or joint letter a signature purporting to be that of any other person or in the name of any other person is guilty of an offence.
- vi) No motion for an address or petition shall be entertained unless the mover at some previous meeting has submitted a draft of same.
- vii) No motion, except for that of receiving same, shall be made on any petition, memorial or like application until the next Ordinary Meeting of the Board after that at which it has been presented, provided that this restriction shall not apply where the Board determines by a Majority vote of those present that the matter is one of urgency and should be dealt with at the meeting at which it is presented.
- viii) No petition shall be presented after the Board has proceeded to the Orders of the Day.
- ix) Every Representative presenting a petition to the Board shall state the names of the persons from whom it comes, the number of signatures attached to it, the material allegations contained in it and the prayer thereof, and the Representative may also speak to the petition.

14. Procedure for Moving Motions and Amendments

- i) The mover must state the nature of the motion.
- ii) The Chair must call for a seconder unless the motion is a call to enforce a point of order.
- iii) If there is no seconder, the motion lapses.
- iv) If there is a seconder then the Chair must call the mover to address the meeting.
- v) After the mover has addressed the meeting, the seconder may address the meeting.
- vi) After the seconder has addressed the meeting (or after the mover has addressed the meeting if the seconder does not address the meeting), the Chair must call upon any Representative who wishes to speak against the motion.
- vii) If no Representative speaks against the motion then the Chair may put the motion.
- viii) Any Representative except the mover or the seconder of the original motion may

move or second an amendment.

- ix) A Representative may speak once on the motion and once on any amendment and the mover of the original motion (not of an amendment) has a right of reply prior to the motion (or amendment) being put to a vote.
- x) A Representative may be permitted by the Chair to speak more than once to explain that the Representative has been misrepresented or misunderstood.
- xi) A Representative calling the attention of the Chair to a point of order is not regarded as speaking to a motion or an amendment.
- xii) No motion or amendment may be withdrawn without the consent of the mover or seconder of any motion or amendment and without the further consent of the meeting.
- xiii) Amendments must be dealt with one at a time.
- xiv) Any subsequent amendments must not be consequently dealt with until the original amendment is decided upon.

15. Proxies

In the case where both Representatives of a member council are not present at a Board or Committee meeting, a staff member of that member council may act as Proxy and move or second resolutions and vote on resolutions on behalf of the relevant council.

16. Parliamentary Application

In all cases not otherwise provided for in this Local Law, the Board will determine its own procedures.

17. Conduct of Debate

Representatives must designate each other by their official titles.

18. Voting

When called upon by the Chair, the Representatives present must vote in accordance with the Act.

19. Divisions

- i) If a division is called by a Representative, the vote must be taken by Representatives voting in the affirmative first holding up their hands and then those

voting in the negative holding up their hands. The Chair must declare the result.

- ii) The Chief Executive Officer must record in the minutes the names of Representatives and whether they voted for or against.

20. Motions

- i) Motions must be clear and unambiguous and not be defamatory or objectionable in language or nature.
- ii) The Chair may require motions to be put in writing.
- iii) The Chair may reject a motion if it is:
 - a) defamatory;
 - b) objectionable in language or nature;
 - c) vague or unclear in intention; or
 - d) outside the powers of the Board.

21. Debate

- i) A Representative must address the Chair to move a motion, amendment or take part in debate.
- ii) Once acknowledged by the Chair, the Representative has the floor and must not be interrupted unless called to order or time has expired.

22. Points of Order

- i) The Chair is the final arbiter of all points of order.
- ii) A point of order may be taken on the grounds that the matter is:
 - a) contrary to this Local Law;
 - b) defamatory;
 - c) irrelevant;
 - d) outside the Board's power; or
 - e) improper.
- iii) No Representative shall digress from the subject matter of the motion and discussion or comment upon the words used by any other Representative in a previous debate; and all imputations of improper motives and/or personal reflections on Representatives shall be deemed disorderly and contrary to Clause 30(a).
- iv) No discussion shall be allowed on any motion for adjournment of the meeting; but if the motion is negated upon being put, the subject then under consideration or the

next on the notice paper or any other that may be allowed precedence shall be discussed before any subsequent motion for adjournment may be made.

23. Time Limits

No Representative may speak longer than the time set out below unless granted an extension by the meeting:

The mover of a motion	5 minutes
Any other Representative	3 minutes
The mover of a motion exercising a right of reply	2 minutes

24. Notices of Motion

i) Notices of Motion must be given in writing to the Chief Executive Officer at least 7 days prior to the meeting to permit the Chief Executive Officer to give notice in the manner and time required for the meeting.

ii) The Chief Executive Officer must date and number all notices of motion in the order received.

iii) The Chief Executive Officer may reject a Notice of Motion if it is:

- a) contrary to this Local Law;
- b) defamatory;
- c) irrelevant;
- d) outside the Board's power; or
- e) improper

subject to the Chief Executive Officer first being required to provide the Representative lodging the Notice of Motion the opportunity to amend it.

iv) No Representative shall propose a motion initiating a subject for discussion at an Ordinary Meeting of the Board without having first complied with sub-clause (i).

v) Should a Representative who has given notice of a motion -

- a) be absent from the meeting; or
- b) fail to move the motion when called upon by the Chair;

then any other Representative may move the motion forthwith or move to defer its consideration.

vi) Except by leave of the Board, motions shall be moved in the order in which they have been received and recorded by the Chief Executive Officer in the Notice of Motion Book and, if not so moved or postponed, shall be struck out.

25. Revocation or Alteration of Previous Resolutions

- i) A Notice of Motion to revoke or alter a previous resolution -
 - a) must be given to the Chief Executive Officer at least 7 days prior to the meeting to enable them to give two clear days' notice to all Representatives;
 - b) must be deemed withdrawn if not moved at the next meeting at which such business may be transacted;
 - c) if it is a second or subsequent notice to revoke or alter an earlier resolution, must not be accepted by the Chief Executive Officer until a period of two months has elapsed after the date of the meeting at which the first or last motion or revocation or alteration was dealt with.
- ii) For a revocation or alteration of a previous resolution to be effective, there must be an Absolute Majority vote in favour of such revocation or alteration.

26. Suspension of Procedures

Any of the procedures in this Local Law may be suspended for a special purpose on motion upon notice duly given and shall not otherwise be suspended except by a Majority vote of the meeting.

27. Urgent Business

Any resolution proposing that a matter be dealt with as urgent business must be passed by Majority vote of the meeting.

28. Suspension from Meeting

The Board may by resolution suspend from the balance of a meeting any Representative whose actions have disrupted the business of the Board and impeded its orderly conduct.

29. Removal from Chamber

The Chair, or the Board in the case of a suspension, may ask any authorised officer or member of the police force to remove from the chamber any person who has committed an offence against this Local Law.

30. Offences

It is an offence -

a) for a Representative to not withdraw an expression, considered by the Chair to be offensive or disorderly, and satisfactorily apologise when called upon twice by the Chair to do so;

Penalty: 2 penalty units.

b) for any person, not being a Board Member, who is guilty of any improper or disorderly conduct, does not leave when requested by the Chair to do so;

Penalty: 5 penalty units.

c) for any person to fail to obey a direction of the Chair in relation to the conduct of the meeting and the maintenance of order;

Penalty: 2 penalty units

d) for a Board Member to refuse to leave the chamber on suspension.

Penalty: 5 penalty units.

PART 3 - ELECTION OF CHAIR

31. Chief Executive Officer to Preside

The Chief Executive Officer is to preside at any election of the Chair or Deputy Chair.

32. Candidates and Voting

i) Candidates for the position of Chair and Deputy Chair will be the Representatives from the Member Councils nominated as holding these positions in the relevant year in Annexure B of the Supplementary Agreement.

ii) If at any election of the Chair or Deputy Chair there is an equality of votes, it shall be decided by lot which of the Candidates Representatives having an equal number of votes shall be such Chair or Deputy Chair.

PART 4 - COMMON SEAL

33. When is the Common Seal Used?

The common seal may be used only on the authority of the Board.

34. Who keeps the Common Seal?

The Chief Executive Officer must keep the common seal in safe custody.

35. Signatures to accompany the Common Seal

Every document to which the common seal is affixed must be signed by one Representative and the Chief Executive Officer. For the avoidance of doubt, electronic signatures have the same legal effect as physical signatures.

36. Unauthorised use of the Common Seal

No person may use the common seal or any device resembling the common seal without the authority of the Board.

Penalty: 20 penalty units.

Resolution for making this Local Law agreed to by the Board of the Yarra Plenty Regional Library Service on the day of , 2025.

..... Representative
..... Chief Executive Officer

Notice of the confirmation of this Local Law was inserted in the Victoria Government Gazette dated the day of 2025 at page No.

A copy of this Local Law was sent to the Minister responsible for Local Government on the day of 2025.



Banyule City Council (Banyule)
Nillumbik Shire Council (Nillumbik)
Whittlesea City Council (Whittlesea)

Supplemental Agreement 2020

Level 5, 114 William Street, Melbourne VIC 3000 | GPO Box 1533, Melbourne VIC 3001
DX 252 Melbourne | T +61 3 8602 9200 | F +61 3 8602 9299
Ref: MXN:237483497v1_

Supplemental Agreement 2020

Parties

Banyule City Council
275 Upper Heidelberg Road, Ivanhoe, Victoria 3079 (“**Banyule**”)

Nillumbik Shire Council
Civic Drive, Greensborough, Victoria 3088 (“**Nillumbik**”)

Whittlesea City Council
25 Ferres Boulevard, South Morang, Victoria 3752 (“**Whittlesea**”)

Background

- A. Banyule, Nillumbik and Whittlesea are parties to an Agreement To Form Yarra Plenty Regional Library Service, made on **14 December 1995** and subsequently amended by Supplemental Agreements made in 2010 and 2015 (the Primary Agreement).
- B. The Primary Agreement was approved by the Minister administering the *Local Government Act 1989*, by a notice published in the *Victoria Government Gazette* on **21 December 1995**.
- C. Clause 14.1 of the Primary Agreement requires that the parties and the Board of the Yarra Plenty Regional Library Corporation review the operation of the Primary Agreement at least once in every five years.
- D. Banyule, Nillumbik and Whittlesea have, together with the Board of the Yarra Plenty Regional Library Corporation, reviewed the Primary Agreement in 2020 and have determined to amend the Primary Agreement in the manner set out in this Supplemental Agreement.

Operative Provisions

1. Definitions and interpretation

1.1 Definitions

In this Supplemental Agreement, unless the context or subject-matter indicates otherwise:

“**the Minister**” means he Minister Administering the *Local Government Act 1989*; and

“**the Primary Agreement**” means the Agreement To Form Yarra Plenty Regional Library Service, made on 14 December 1995 including the subsequent Supplemental Agreements made in 2010 and 2015.

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Supplemental Agreement 2020

2. Amendments

- 2.1** The text of Schedule 1 to the Primary Agreement is deleted and replaced by the text of Annexure A to this Supplemental Agreement.
- 2.2** The text of Schedule 3 to the Primary Agreement is deleted and replaced by the text of Annexure B to this Supplemental Agreement.

3. Conditional Precedent

This Supplemental Agreement has no effect until it is approved by the Minister in accordance with section 196(8) of the *Local Government Act 1989*.

Executed on

2020

237483497v1_MXN

Page 3
Supplemental Agreement 2020

Signing Page

Executed by the parties as a deed on the date earlier specified.

**THE COMMON SEAL of BANYULE CITY
COUNCIL** was hereunto affixed in the
presence of:

Councillor:

Chief Executive Officer:

**THE COMMON SEAL of NILLUMBIK SHIRE
COUNCIL** was hereunto affixed in the presence
of:

Councillor:

Chief Executive Officer:

**THE COMMON SEAL of WHITTLESEA CITY
COUNCIL** was hereunto affixed in the presence
of:

Councillor:

Chief Executive Officer:

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Annexure A

SCHEDULE 1

STATEMENT OF COUNCIL AND REGIONAL LIBRARY ASSETS

Part A

Council Assets provided for Regional Library Use:

All building fixtures and fittings as purchased by a Council

All structural elements of each library building, including plumbing, heating and air conditioning systems, hot water supply

Located at:

Banyule City Council

- (a) Ivanhoe Library and Cultural Hub (ILCH)
275 Upper Heidelberg Road
Ivanhoe 3079
- (b) Rosanna Branch Library
72 Turnham Avenue
Rosanna 3084
- (c) Watsonia Branch Library
4-6 Ibbottson Street
Watsonia 3087

City of Whittlesea Council

- (a) Lalor Branch Library
2A May Road
Lalor 3075
- (b) Mill Park Branch Library
394 Plenty Road
Mill Park 3082
- (c) Thomastown Branch Library
52 Main Street
Thomastown 3074
- (d) Whittlesea Branch Library
Whittlesea Community Activity Centre
57-61 Laurel Street
Whittlesea 3757

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Supplemental Agreement 2020

Nillumbik Shire Council

- (a) Diamond Valley Branch Library
Civic Drive
Greensborough 3088
- (b) Eltham Branch Library
Panther Place
Eltham 3095

Part B

Regional Library Assets:

- Loose furniture including shelving
- Books and other library materials
- Computer hardware
- All other Regional Library assets, as defined by the Library asset register

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Supplemental Agreement 2020

Annexure B

SCHEDULE 3 ROTATION OF CHAIR

For the twelve month period commencing:

2021

Chair: City of Whittlesea
Deputy Chair: Shire of Nillumbik

2022

Chair: Shire of Nillumbik
Deputy Chair: City of Banyule

2023

Chair: City of Banyule
Deputy Chair: City of Whittlesea

2024

Chair: City of Whittlesea
Deputy Chair: Shire of Nillumbik

2025

Chair: Shire of Nillumbik
Deputy Chair: City of Banyule

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Banyule City Council (Banyule)
Nillumbik Shire Council (Nillumbik)
City of Whittlesea Council (Whittlesea)

Supplemental Agreement 2025

Level 5, 114 William Street, Melbourne VIC 3000 | GPO Box 1533, Melbourne VIC 3001
T +61 3 8602 9200 | F +61 3 8602 9299
Ref: AKTS:9634096

Supplemental Agreement 2025

Parties

Banyule City Council
1 Flintoff Street, Greensborough, Victoria 3088 ("Banyule")

Nillumbik Shire Council
Civic Drive, Greensborough, Victoria 3088 ("Nillumbik")

City of Whittlesea Council
25 Ferres Boulevard, South Morang, Victoria 3752 ("Whittlesea")

Background

- A. Banyule, Nillumbik and Whittlesea are parties to an Agreement To Form Yarra Plenty Regional Library Service, made on **14 December 1995, revised in 2005**, and subsequently amended by Supplemental Agreements made in 2010, 2015 and 2020 (the Primary Agreement).
- B. The Primary Agreement was approved by the Minister administering the *Local Government Act 1989*, by a notice published in the *Victoria Government Gazette*.
- C. Clause 14.1 of the Primary Agreement requires that the parties and the Board of the Yarra Plenty Regional Library Corporation review the operation of the Primary Agreement at least once in every five years.
- D. Banyule, Nillumbik and Whittlesea have, together with the Board of the Yarra Plenty Regional Library Corporation, reviewed the Primary Agreement and have determined to amend the Primary Agreement in the manner set out in this Supplemental Agreement 2025.

Operative Provisions

1. Definitions and interpretation

1.1 Definitions

In this Supplemental Agreement, unless the context or subject-matter indicates otherwise:

"**the Minister**" means the Minister Administering the *Local Government Act 1989*; and

"**the Primary Agreement**" means the Agreement To Form Yarra Plenty Regional Library Service, made on 14 December 1995, revised in 2005, including the subsequent Supplemental Agreements made in 2010, 2015 and 2020.

Page 2
Document Title

2. Amendments

- 2.1** This Supplemental Agreement expires on 1 July 2031 in accordance with section 197G of the *Local Government Act 1989*, being 10 years after the commencement of section 110 of the *Local Government Act 2020*. This Supplemental Agreement will be reviewed 12 months prior to its expiry.
- 2.2** The text of Schedule 1 to the Primary Agreement is deleted and replaced by the text of Annexure A to this Supplemental Agreement.
- 2.3** Part C has been inserted into Annexure A as a new section.
- 2.4** The text of Schedule 3 to the Primary Agreement is deleted and replaced by the text of Annexure C to this Supplemental Agreement.
- 2.5** The Board has exclusive jurisdiction to amend the Annexures in this Supplemental Agreement.

3. Conditional Precedent

This Supplemental Agreement has no effect until it is approved by the Minister in accordance with section 196(8) of the *Local Government Act 1989*.

Executed on

2025

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Page 3
Document Title

Signing Page

Executed by the parties as a deed on the date earlier specified.

Executed for and on behalf of **BANYULE CITY COUNCIL** by authority of the Chief Executive Officer or Director

Name:

Title:

Chief Executive Officer or Director:

THE COMMON SEAL of the **NILLUMBIK SHIRE COUNCIL** was affixed hereto on the day

...../...../ 2025

on the authority of the Council and signed by:

Councillor:

Chief Executive Officer:

THE COMMON SEAL of **CITY OF WHITTLESEA COUNCIL** is affixed in the presence of:

Councillor:

Chief Executive Officer:

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Annexure A

STATEMENT OF COUNCIL AND REGIONAL LIBRARY ASSETS

Part A

Council Assets provided for Regional Library Use:

All building fixtures and fittings as purchased by a Council

All structural elements of each library building, including plumbing, heating and air conditioning systems, hot water supply

Located at:

Banyule City Council

- (a) Ivanhoe Library and Cultural Hub (ILCH)
275 Upper Heidelberg Road
Ivanhoe 3079
- (b) Rosanna Branch Library
72 Turnham Avenue
Rosanna 3084
- (c) Watsonia Branch Library
4-6 Ibbotson Street
Watsonia 3087
- (d) West Heidelberg Library (Mini Branch)
15 Alamein Road
Heidelberg West 3081
- (e) Bellfield Community Hub Click & Collect Service
15 Daphne Crescent
Bellfield 3081

City of Whittlesea

- (a) Lalor Branch Library
2A May Road
Lalor 3075
- (b) Mill Park Branch Library
394 Plenty Road
Mill Park 3082
- (c) Thomastown Branch Library
52 Main Street
Thomastown 3074
- (d) Whittlesea Branch Library
Whittlesea Community Activity Centre
57-61 Laurel Street
Whittlesea 3757

Page 5
Document Title

- (e) Galada Community Centre Hub Click & Collect Service
10A Forum Way
Epping 3076
- (f) Kirrip Hub Click & Collect Service
135 De Rossi Boulevard
Wollert 3750
- (g) Mernda Library (Mini Branch)
180 Riverdale Boulevard
Mernda 3754
- (h) Murnong Library (Mini Branch)
183 Olivine Boulevard
Donnybrook 3064

Nillumbik Shire Council

- (a) Diamond Valley Branch Library
Civic Drive
Greensborough 3088
- (b) Eltham Branch Library
Panther Place
Eltham 3095
- (c) Hurstbridge Hub Click & Collect Service
50 Graysharps Road
Hurstbridge 3099

Part B

Regional Library Assets:

Assets acquired by the Regional Library, as defined in the register of Regional Library assets referred to in clause 6.1.3 of the Primary Agreement.

Part C

Service Model Hierarchy:

A Service Model Hierarchy provides a framework in which libraries for different communities and catchments can be scaled:

Three destination libraries – one for each member Council region:

- (d) Ivanhoe Library and Cultural Hub;
- (e) Mill Park Library; and
- (f) Eltham Library,

providing services to the wider regions with extended opening hours. These destination libraries are large libraries and are architecturally significant civic buildings.

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Branch Libraries – suburban and town-based libraries providing a range of community-focussed services. Computers, printing and public wi-fi are offered in conjunction with regular programming and weekend and evening hours on offer.

Mini Branch Libraries – providing a local service that is complemented by services in larger nearby branches. Mini Branch Libraries are fully staffed for a minimum of five days per week, offer computers, printing and public wi-fi. Opening hours can vary and may not include weekend opening. Collection size will be less than 15,000 items and will be curated to be relevant to local communities. Mini Branch Libraries can be co-located within other community service centres or a leased shopfront.

Click and Collect Service – integrated within community activity centres (hubs). The Click and Collect Community Library Hub provides access to collections, reservations with a place-based program delivered. Limited staff hours are allocated for the hubs to manage the collection and deliver a limited program designed for local needs. No evening or weekend hours are provided.

Mobile Libraries – providing services to remote and rural communities. This includes the Mobile Library and the Outreach Library which serves retirement villages and nursing homes.

eLibrary Services – providing website access to all online library resources 24/7.

Annexure B

ROTATION OF CHAIR

For the twelve month period commencing:

2026

Chair:	City of Banyule
Deputy Chair:	City of Whittlesea

2027

Chair:	City of Whittlesea
Deputy Chair:	Shire of Nillumbik

2028

Chair:	Shire of Nillumbik
Deputy Chair:	City of Banyule

2029

Chair:	City of Banyule
Deputy Chair:	City of Whittlesea

2030

Chair:	City of Whittlesea
Deputy Chair:	Shire of Nillumbik

2031

Chair:	Shire of Nillumbik
Deputy Chair:	Banyule

Annexure C

NET COST APPORTIONMENT

This net cost apportionment Annexure is based upon the following principles:

- **a discrete net cost shall be assigned to each Branch Library, and**
- **each Council shall contribute to the Regional Library in proportion to the use made of each Branch Library by its residents.**

The apportionment process shall be:

Part A

Expenditures

Each Council's annual financial contribution will be established:

First by forecasting the expenditures to be made in respect of each Branch Library on the basis defined below, and

Second by allocating to Councils the forecast expenditures of each Branch Library on the basis defined below:

- (1) The following expenditures will be attributed to each Branch Library:
 - (a) Direct expenditures made in respect of each Branch Library
 - (b) Indirect expenditures will be appointed to Branch Libraries on the following basis:
 - (i) Collection costs (including salaries of relevant Library Support Staff ("LSS")) are allocated in the proportion which the collection size of each Branch Library bears to the total collection size of all Branch Libraries in the region collectively comprising the municipal districts of Banyule, Nillumbik and Whittlesea ("the region").
 - (ii) Computer expenditure (including all capital and operational expense related to the provision of IT services and salaries of relevant LSS) is allocated by the number of PCs per location.
 - (iii) Organisational Development expenditure (including all training, WorkCover and OH&S and salaries of relevant LSS) is allocated by the number of Equivalent Full Time positions per location.
 - (iv) Community Engagement expenditure (including costs of programs, activities and promotions at each branch and delivery of items across the region and salaries of relevant LSS) is allocated by total attendance at library programs conducted at each branch.
 - (v) Branch-run courier costs are allocated by the number of branches in each municipality.
 - (vi) Mobile Library expenditure is allocated by the number of hours of service in each municipality.

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(vii) Capital expenditure is allocated back to the relevant department and allocated accordingly.

(viii) Administrative costs (including advertising, legal, stationery, phones and the like and salaries of relevant LSS) which are regional expenses are allocated by the number of branches in the municipality.

(ix) Salaries expenditure (including all oncosts) of Executive Management staff is allocated according to usage.

(2) Forecast expenditures of each Branch Library will then be allocated to Councils in accordance with the following principles:

(a) allocation will depend upon usage, so that forecast expenditures will be allocated to each Council based on the usage of each Branch Library by the residents in their municipality in proportion to the total usage of all member Council residents of each Branch Library (so that, for example, where a Banyule resident utilises a Whittlesea or Nillumbik branch, that usage accrues back to Banyule and the associated proportional costs detailed above are charged accordingly). Usage will be determined as follows:

(i) 50% being referable to loans of physical collection items;

(ii) 25% being referable to attendance at library programs; and

(iii) 25% being referable to the number of computer and wifi sessions; and

(b) the usage of each Branch Library will be the average annual amount over the immediately preceding three calendar years (so that, for example, usage for the 2026/2027 Financial Year will be determined in January 2026 based on the average of annualised usage data from January 2023 to December 2025 inclusive).

Part B

Income

Each Council's annual financial contribution will be reduced by the amount of income it receives by way of State Government library subsidies and grants, and by the amount of income forecast to be earned by Branch Libraries and the Regional Library.

All income received from the State Government library subsidies and grants and referable to a particular Council will be deducted from that Council's cost of using the library service.

Each Council's share of other income will reflect the extent to which the Council contributes to the cost of earning that income, and:

(1) If the cost of earning the income is a Direct Expenditure, then the income earned from that expenditure will be apportioned to the Branch Library in accordance with Part A (1)(a) above and will reduce the forecast expenditures of the Branch Library (income in this category includes photocopy charges, public telephone charges and merchandise sales).

- (2) If the cost of earning the income is an Indirect Expenditure, then the income earned from that expenditure will be apportioned to Councils in the proportion which each Council contributes to that expenditure (income in this category includes overdue charges and damaged book charges).
- (3) Interest income earned by the Regional Library will be apportioned to Councils in proportion to the forecast contribution to be made by each Council to the Regional Library.

Non-Resident Usage

The Councils recognise that use of the expenditure sharing principles defined in this Annexure may financially disadvantage a Council which makes a large number of loans to residents of municipalities which are not parties to this Agreement. If non-resident usage becomes significant the Councils agree:

- (1) actively to seek appropriate financial contributions from those municipalities whose residents use the Branch Library, and if this is unsuccessful,
- (2) to renegotiate the expenditure sharing principles of this Agreement.

Decisions Relating to Direct Expenditures

Each Council which, during the preceding financial year, contributed to more than 20% of the Direct Expenditures of a Branch Library must be consulted before Direct Expenditure commitments are made in respect of that Branch Library.

Any Council which, during the preceding financial year, contributed to more than 20% of the Direct Expenditures of a Branch Library has the right to veto direct Expenditure proposals in respect of that Branch Library.

If Direct Expenditures are made contrary to the provisions of this Agreement, the affected Council is under no obligation to contribute to the particular Direct Expenditure.

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NEIGHBOURHOOD SAFER PLACES / BUSHFIRE PLACES OF LAST RESORT PLAN

Nillumbik Shire Council

Endorsed 10 December 2024

Document Reviewed August 2025

Introduction and Background

In its Interim Report, the 2009 Victorian Bushfires Royal Commission recommended that Neighbourhood Safer Places (NSP) be identified and established to provide persons in bushfire affected areas with a place of last resort during a bushfire.¹ In October 2015, Emergency Management Victoria, under the direction of the Commissioner Emergency Management developed the Neighbourhood Safer Places - Bushfire Place of Last Resort Signage Manual. In this manual, the term 'Neighbourhood Safer Place - Place of Last Resort' was changed and is now referred to as a 'Bushfire Place of Last Resort' (BPLR) for the purpose of the manual. Neighbourhood Safer Places and Bushfire Place of Last Resort will be referred to as '**NSP-BPLR**' throughout this Plan.

In response to this recommendation, the Victorian Government has introduced the *Emergency Services Legislation Amendment Act 2009* (Vic) ('**ESLA Act**') which amends the *Country Fire Authority Act 1958* (Vic) ('**CFA Act**') and the *Emergency Management Act 1986* (Vic) ('**EM Act**'). The effect of these amendments will be to require the Country Fire Authority ('**CFA**') to certify NSP-BPLR against the CFA's Fire Rating Criteria, and Victoria's councils to identify, designate, establish and maintain suitable places as NSP-BPLR in their municipal districts.

NSP-BPLR are not community fire refuges or emergency relief centres. NSP-BPLR are **places of last resort** during the passage of a bushfire, and are intended to be used by persons whose primary bushfire plans have failed. NSP-BPLR are places of relative safety only. They do not guarantee the survival of those who assemble there. Furthermore, there may be serious risks to safety encountered in travelling, and seeking access, to NSP-BPLR during bushfire events. Depending on the direction of a particular fire, it may not be a safer place to assemble than other places within the municipal district.

NSP-BPLR will be assessed by the CFA as providing some protection from immediate risk of direct fire attack, but not necessarily from other risks, such as flying embers. Where a potential NSP-BPLR which is used for an operational purpose at many times meets the CFA's criteria, then the CFA considers that those operational activities will be able to continue (to the extent practicable in the circumstances) while the place is being used as an NSP-BPLR.

This Plan is a neighbourhood safer places plan for the purposes of the legislation, and contains guidelines which have been developed by the Municipal Association of Victoria ('**MAV**') to assist the Council in:

- identifying;
- designating;
- establishing;
- maintaining; and
- decommissioning

places as NSP-BPLR within its municipal district.

This Plan also identifies other matters that should be taken into account in identifying, designating, establishing and maintaining NSP-BPLR within the municipality.

¹ Recommendation 8.5, 2009 Victorian Bushfires Royal Commission Interim Report

This Plan contains a step-by-step methodology for the Council to follow in identifying, designating, establishing, maintaining and decommissioning NSP-BPLR. The Council must consider each of the factors set out in this Plan. It should also consider other factors which are specific to the Council's circumstances, including the resources available to the Council.

Once this Plan has been adopted, Council must make it, and any documents incorporated into it, available at the Council's municipal offices for public inspection during normal office hours free of charge under section 50F(4)(b) of the CFA Act. It must also be published on Council's website under section 50F(4)(a) of the CFA Act.

Structure of this Plan

This Plan has been divided up into five distinct sections.

Section 1 contains a flow chart which summarises the process for councils to adopt in identifying, designating, establishing and maintaining NSP-BPLR within their municipal district.

Section 2 contains a more detailed summary of the steps summarised in the flow chart found in Section 1.

Section 3 contains a summary of the factors for Council to consider in assessing potential NSP-BPLR locations, prior to designation.

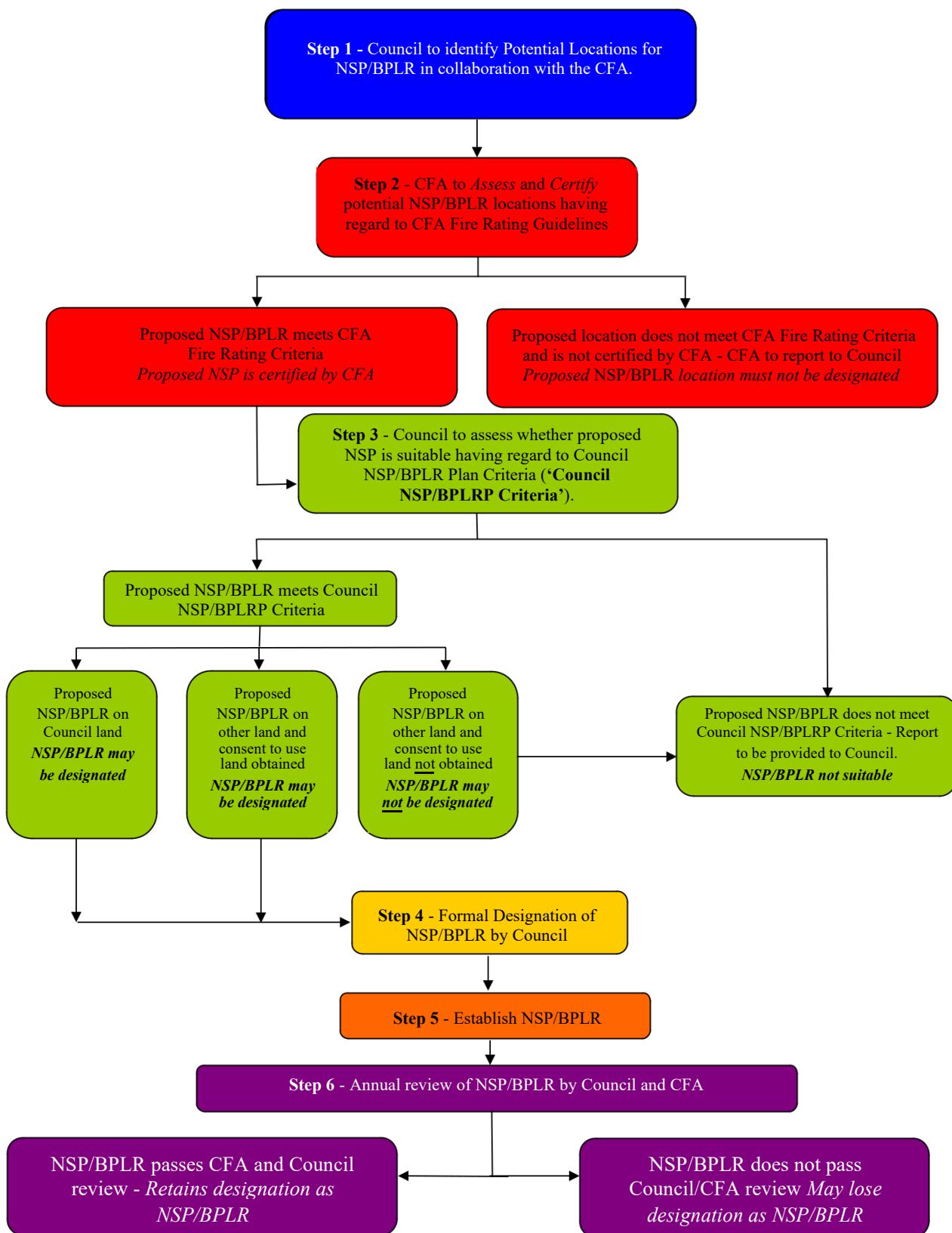
Section 4 contains details of content of signage that Council is required to erect at designated NSP-BPLR locations.

Section 5 contains NSP-BPLR locations.

Section 1

Flow chart Showing Process for Identifying,
Designating, Establishing and Maintaining NSP-BPLR

Overview of the process for establishing and maintaining NSPs after adoption of this Plan by Council



Section 2

Detailed summary of steps for establishing NSP-BPLR

Overview of the steps associated with establishing and maintaining NSP-BPLR

1. Identification of Potential NSP-BPLR Locations

1.1 *Who is responsible for identifying places as potential NSP-BPLR?*

Nillumbik Shire Council will be responsible for identifying potential places as NSP-BPLR within its municipal district. Section 50G of the CFA Act requires Council to identify potential NSP-BPLR locations.

1.2 *When do potential NSP-BPLR need to be identified?*

Nillumbik Shire Council needs to identify potential additional places as NSP-BPLR by 30 June each year. This should allow sufficient time for:

- a) **(CFA Certification)** first, assessment and certification of the potential NSP-BPLR by the CFA;
- b) **(Council Designation)** secondly, designation of the potential NSP-BPLR location by the Council; and
- c) **(Establishment)** thirdly, and subject to the outcome of the assessment and designation process, establishing the NSP-BPLR, including the erection of signage and other steps by Council.

The process of NSP-BPLR identification is ongoing. Following each fire season, Council should assess whether any additional potentially suitable NSP-BPLR locations can be identified within the municipal district.

1.3 *What factors should be considered when identifying potential NSP-BPLR locations?*

When identifying potential NSP-BPLR locations, Council should consider matters such as:

- a) The environment surrounding the potential NSP-BPLR;
- b) What other uses are made of the potential NSP-BPLR, and whether or not those uses could be inconsistent with its designation as an NSP-BPLR;
- c) Whether the land on which the potential NSP-BPLR is located is Council-owned or non-Council owned land;
- d) Whether there are clear means of access and egress to and from the potential NSP-BPLR; and
- e) Whether the potential NSP-BPLR is in close proximity to population centres: and

(f) For those Councils whose municipal district falls within both a CFA region and the Fire Rescue Victoria (FRV) area, or borders the FRV but is within the CFA region:

- (i) The risks involved in people staying in the area being considered for an NSP, versus leaving the area and travelling to a nearby urban area; and
- (ii) the adequacy of egress routes out of the area being considered for an NSP (including number of egress routes, whether major or minor

roadway, type and amount of vegetation along key egress routes; capacity of egress routes to accommodate potentially large numbers of vehicles and to accommodate potential vehicle breakdowns).

1.4 Who should undertake the identification of potential NSPs?

Under the CFA Act, all Councils whose municipal district is located wholly or partly in the 'country area' of Victoria are required to identify and designate NSPs.

Council should ensure that the following actions are completed prior to making any determinations regarding the assessment, designation and certification of NSPs:

- (a) A risk assessment considering the matters outlined in section 1.3 (above) must be undertaken by Council's Municipal Emergency Management Officer ("MEMO") and Municipal Fire Prevention Officer ("MFPO") (which may be initiated through the Municipal Fire Prevention Committee or the Municipal Fire Management Planning Committee as a sub-committee of the Municipal Emergency Management Planning Committee ("MEMPC"), using appropriate available information such as Integrated Fire Management Planning data and/or Victorian Fire Risk Register data and any applicable Township Protection Plans;
- (b) The MEMPC must review the results of the risk assessment, as summarised in the MERO's and MFPO's report prepared under section 1.4(a) (above), and submit a written report to Council with a recommendation as to whether CFA assessment and Council designation of the potential NSP is warranted in the area under consideration.
- (c) Council should formally review the MEMPC report. Council should only decide that NSP assessment and designation is not warranted in the area under consideration where Council is satisfied that:
 - (i) The risk assessment undertaken by the MERO and MFPO has addressed the matters raised in sections 1.3 of this NSP-BPLR Plan; and
 - (ii) The MEMPC has recommended that assessment and designation of the NSP is not warranted.

1.5 Who is responsible for assessing potential NSP-BPLR against guidelines issued by the CFA ('CFA Fire Rating Guidelines')?

Under section 50G (5) of the CFA Act, the CFA is responsible for assessing potential NSP-BPLR locations against the CFA Fire Rating Guidelines.² This will be done by appropriately qualified and experienced CFA personnel.

Council is not responsible for the assessment and certification of potential NSP-BPLR by the CFA.

² The CFA Act refers to "Country Fire Authority Assessment Guidelines". For ease of reference in the context of this MNSP Plan, these guidelines are referred to as the CFA Fire Rating Guidelines.

1.6 *What criteria must the CFA take into account in assessing potential NSP locations?*

In assessing potential NSP-BPLR locations which have been identified by the CFA, or by Councils, the CFA must consider the criteria and other considerations as set out in the CFA's Fire Rating Guidelines as issued from time to time by the CFA.

The key matters to be considered by the CFA under the current CFA Fire Rating Criteria are:

- - (a) For Open Spaces
 - (i) the appropriate separation distance between the outer edge of the potential NSP and the nearest fire hazard ('**Buffer Zone**')³ should be at least 310 metres; or
 - (ii) An alternative Buffer Zone distance may be prescribed by the CFA, which will ensure that the maximum potential radiant heat impacting on the site is no more than 2 kw/m^2 .
 - - (b) For Buildings
 - (i) The Buffer Zone between the outer edge of the building and the nearest fire hazard should be at least 140 metres; or
 - (ii) An alternative Buffer Zone distance may be prescribed by the CFA, which will ensure that the maximum potential radiant heat impacting on the building is no more than 10 kw/m^2 .

1.7 *When does the CFA assess potential NSP-BPLR locations?*

Following identification of a place which may be suitable as an NSP-BPLR, the potential NSP-BPLR is assessed by the CFA as soon as practicable. This is likely to occur shortly after identification.

1.8 *When does the CFA assess potential NSP-BPLR locations?*

Once the assessment of a potential NSP is completed by the CFA, the CFA will certify the potential NSP if the place meets the CFA Fire Rating Criteria. The CFA will provide a copy of the CFA certification in relation to a potential NSP to Council upon completion of certification, and a summary of the criteria and assumptions upon which the assessment is based.

Council should ensure that the boundaries of both the potential NSP as certified by the CFA, and any Buffer Zone surrounding it, are clearly defined in the CFA assessment.

³The CFA Guidelines refer to "separation distances". However, for ease of understanding, the term "Buffer Zone" is used throughout this MNSP Plan.

2. Council Assessment of NSPs Following CFA Certification

2.1 ***What factors should be applied by Councils in assessing the suitability of a place as a potential NSP-BPLR location?***

Following certification of a place as an NSP-BPLR by the CFA, and once Council has received the CFA assessment and any criteria and CFA assumptions which underpin the assessment, Council must assess the place in accordance with the factors outlined below to determine whether it is suitable to be designated as an NSP-BPLR. Unless a potential NSP-BPLR satisfies each of the criteria outlined below, it should not be designated by Council as an NSP-BPLR.

Council's assessment of CFA-certified potential NSP-BPLR may, if reasonably practicable, be conducted by the Municipal Emergency Management Planning Committee ('MEMPC'), with a preliminary assessment to be provided to the MEMPC by the MEMO and the MFPO.

The factors to determine the suitability of the place as an NSP-BPLR are as follows: ('Nillumbik Shire Council NSP-BPLR Criteria'):

(a) Consents and rights of access

There must be appropriate land access and tenure arrangements so that Council has the right to:

- use the place as an NSP-BPLR;
- access the site and surrounding areas for maintenance; and
- erect appropriate signage at the NSP-BPLR, including the OESC signage and additional NSP-BPLR information signage.

If the potential NSP-BPLR is on land owned or controlled by Council, appropriate rights of land access and tenure are unlikely to be an issue. However, Council will need to ensure that where Council land is leased or licensed to a third party, it must be possible to put in place appropriate arrangements on reasonably satisfactory and acceptable terms with the tenant or licensee permitting Council to use the land as a potential NSP-BPLR. In taking these matters into account, Council should consider what alternative uses may be made, whether temporarily or semi-permanently, of land under Council control or management.

If the potential NSP-BPLR is on Crown land not owned or controlled by Council, then the consent of the Crown land manager is likely to be required. If the land has been leased or licensed to a third party, such as a caravan park operator, then the consent of the tenant or licensee to use the place as a potential NSP-BPLR will also be required. In obtaining the consent of the relevant Crown land manager, it will be necessary to consider whether or not the Crown Grant or reservation authorises the place to be used as a potential NSP-BPLR.

Where it is proposed that a place on privately-owned land is to be used as an NSP-BPLR, then the consent of the relevant landowner (and, where applicable, occupier) for the place to be designated and used as an NSP-BPLR is required. If the landowner (or occupier) does not consent to the place being designated and used as an NSP-BPLR on terms which are reasonably satisfactory and acceptable to the Council, it must not be so designated and used.

Where a potential NSP-BPLR is located on non-Council land, with the result that consent and rights of access need to be negotiated with the owner and (where necessary) occupier, Council officers responsible for negotiating such consent and rights of access should provide a draft form of consent to the owner/occupier for their consideration. The form of consent will be required to be approved either by Council (through a formal resolution), or by the CEO acting under delegation.

Any amendments to the form of consent which may be requested by the landowner or occupier would need to be thoroughly considered before they are agreed to by Council. If it is not possible or appropriate for Council to agree on amendments that may be requested to the consent document, then the proposed NSP-BPLR should not be designated by Council.

(b) Access and Egress

Council must assess whether there is sufficient access to the potential NSP-BPLR which will allow:

anticipated potential numbers of people to move to and from the place; and

the CFA and other emergency services to attend the place for asset and personnel protection activities and operations.

Council must assess potential access and egress routes, bearing in mind the fact that NSP-BPLR are **places of last resort**.

As people may be seeking access to an NSP-BPLR in a rushed or panicked state, a number of people could be seeking access in a relatively short time and visibility could be affected by smoke, easily navigable routes to and from an NSP-BPLR are crucial.

In considering whether access and egress routes are adequate, consideration should be given to issues such as:

- (i) The condition of the road surface;
- (ii) The proximity of the NSP-BPLR to major roadways and population centres;
- (iii) The type and amount of vegetation along any access routes, and whether that vegetation could be affected by fire and pose a risk of harm to those seeking access to the potential NSP-BPLR, or otherwise block access to the NSP-BPLR;
- (iv) The capacity of access routes to accommodate potentially large numbers of vehicles, and to accommodate potential vehicle break-downs;
- (v) Parking at the site, taking into account that a separate area or adequate space may need to be available to ensure pedestrians can move away from areas where vehicles may enter or park;
- (vi) Any hazards that may exist for persons accessing the place by foot, including in the buffer zone;
- (vii) Any relevant matter contained in Council's Road Management Plan prepared pursuant to the *Road Management Act 2004* (Vic).

If appropriate and satisfactory access and egress routes are not available, then the proposed NSP-BPLR should not be designated by Council.

(c) Maintenance of potential NSP-BPLR in accordance with CFA assessment criteria

Council must ensure that the potential NSP-BPLR can be maintained in accordance with the criteria taken into account by the CFA in arriving at its fire rating assessment.

If additional information is required from the CFA to understand the criteria they have considered in arriving at their fire rating assessment, Council should seek this information from the CFA. If necessary, Council may request the CFA to undertake a further assessment to provide Council with additional information.

(d) Opening of the NSP-BPLR

Council must consider:

- (i) Whether it will be possible or practicable to open the potential NSP-BPLR or otherwise make it available for use on a 24 hour basis during the declared fire danger period;
- (ii) The potential for damage to the place during times that it is open and available for use, but is not being used as an NSP-BPLR;
- (iii) The potential costs to Council associated with (i) and (ii) above; and
- (iv) The possibility that a potential NSP-BPLR could be used for unintended purposes, such as an emergency relief centre.

(e) Defendable space and fire suppression activities

CFA have advised that there is no guarantee that fire units will attend an NSP-BPLR, and that individuals who use NSP-BPLRs are doing so at their own risk. There should be no expectation that fire units or other emergency services personnel will attend an NSP-BPLR during a bushfire.

Despite this, the potential NSP-BPLR should be surrounded by sufficient open space to enable the CFA and other fire services to conduct asset protection and fire suppression operations around the place.

Any open space should be reasonably free of obstacles which could hinder fire suppression activities. Obstacles may include, amongst other things:

Fences;

Buildings and sheds;

Steep inclines in close proximity to the potential NSP-

BPLR; Vegetation, particularly large trees;

Other land formations, including rocks, boulders or knolls which could substantially hinder fire suppression operations.

If necessary, advice should be sought from the CFA about their defendable space and fire vehicle access requirements.

When assessing the defendable space factor, Council must consider whether or not approval to clear or disturb flora and/or fauna could be required, whether under legislation such as the *Environment Protection and Biodiversity Conservation Act 1999*

(Cwlth) ('EPBC Act'), *Flora and Fauna Guarantee Act 1988* (Vic) ('FFG Act') or the *Planning and Environment Act 1987* (Vic) ('PE Act'). If such approval is required, then it must be obtained before the potential NSP-BPLR location is designated.

If the proposed NSP-BPLR does not have adequate defendable space around it, or if approval to clear or disturb flora and/or fauna is required but cannot be obtained before the NSP-BPLR is required to be established, or cannot be obtained on reasonably satisfactory conditions, it should not be designated as an NSP-BPLR by Council.

(f) Defendability of Buildings

If the potential NSP-BPLR is a building, Council must consider whether or not it is likely to be subject to risk from ember attack.

As the CFA is not required to assess the risk of ember attack to a building in undertaking the CFA fire rating assessment when certifying NSP-BPLRs, the Council should consider this issue. In considering this issue, Council may need to seek expert advice from appropriately-qualified CFA personnel.

If there is an appreciable risk of the proposed NSP-BPLR being compromised by ember attack which cannot be satisfactorily defended, then the building is unlikely to be suitable as an NSP-BPLR and should not be designated by Council.

(g) Signage

Council must assess whether it will be possible to have signage at the entry to, and in the vicinity of, the potential NSP-BPLR. Such signage must generally be in accordance with the Signage Template, which is at **Section 4** of this Plan.

Council must refer to the Signage Template when considering whether or not appropriate signage can be erected.

If signage must be placed on private land, then the consent of the landowner will be required.

(h) Maintenance and maintainability

Council must assess whether ongoing maintenance of the proposed NSP-BPLR, and the surrounding area, is both possible and practical, having regard to the resources reasonably available to the Council. This factor should be considered by the Council not only in relation to the suitability of a proposed NSP-BPLR, but also as to the total number of proposed NSP-BPLRs that can be reasonably maintained within the municipal district. This is needed to ensure that the place remains suitable for use as an NSP-BPLR during each fire season.

Specifically, the place must be capable of being maintained so as to ensure continuing compliance with the CFA Fire Rating Criteria and the Council NSP-BPLR Criteria. It is Council policy that if it is not possible to maintain a potential NSP-BPLR, then it must not be designated as such.

When assessing the maintainability of the potential NSP-BPLR, both the NSP-BPLR and the Buffer Zone may require various maintenance activities to be undertaken on a periodic basis. The potential introduction of hazards into the Buffer Zone, such as structures, animals and vehicles, should be taken into account.

There may be cases where maintenance activities can only be undertaken by, or with the consent of, an adjoining landowner. This may, in turn, require assurances from

such landowners that the place, and areas surrounding it, will be maintained to a satisfactory level.

When assessing the maintainability of a potential NSP-BPLR, Council must consider whether or not approval to clear or disturb flora and/or fauna could be required, whether under legislation such as the EPBC Act, FFG Act or the PE Act. If such approval is required, then it must be obtained before the potential NSP-BPLR location is designated.

If the proposed NSP-BPLR is not capable of being satisfactorily maintained, then it should not be designated by Council.

(i) Disabled access

Council must consider whether or not there are clear means of access for disabled and mobility-impaired persons to the potential NSP-BPLR.

In considering this issue, regard should be had to such matters as whether or not it would be necessary for cars or other vehicles to enter the NSP-BPLR area to allow persons with disabilities to be dropped off within the place.

(j) Alternative Uses of potential NSP-BPLR

Council must consider what other uses may be made of the potential NSP-BPLR which could impact upon its ability to properly function as an NSP-BPLR.

Where a potential NSP-BPLR which is used for an operational purpose at many times has been assessed by the CFA as meeting the criteria in the CFA Fire Rating Guidelines, and has been certified by the CFA, then the CFA has advised that those operational activities will be able to continue (to the extent practicable in the circumstances) while the place is being used as an NSP-BPLR.

If the place is used for other uses which could compromise its ability to be used as an NSP-BPLR, then it should not be designated as an NSP-BPLR by Council.

(k) Communication with the community

Council must be able to communicate the location of the potential NSP-BPLR to the community. There should be good community awareness of the location of the place, together with the risks that relate to the use of the potential NSP-BPLR, and the risks associated with travelling to the potential NSP-BPLR in the event of a bushfire.

(l) Public liability insurance

As a matter of prudent risk management, Council should have regard to:

- i. Any additional factors which are relevant to Council's maintenance of insurance coverage for legal claims relating to the identification, designation, establishment, maintenance and decommissioning of a place as an NSP-BPLR, as well as travel to an NSP-BPLR; and
- ii. Any statutory defences to claims.

2.2 Who is responsible for undertaking the Council assessment of potential NSP-BPLRs?

A report prepared by the MEMO and MFPO detailing whether or not the potential NSP-BPLR meets the above criteria should be prepared and provided to:

- a) The MEMPC, where it is practicable for the MEMPC to be involved in the Council assessment process; and
- b) The Council.

The MEMPC must assess the potential NSP-BPLR, taking into account the MEMO's report, and make a recommendation to Council as to whether or not to designate the potential NSP-BPLR.

2.3 *When are potential NSP-BPLR locations required to be assessed by Council?*

Any potential NSP-BPLRs certified by the CFA should be assessed by Council no later than 30 June each year, so as to allow time for the places to be designated and established as NSP-BPLRs by Council, and for any appropriate amendments to be made to the MEMP and MFPP prior to the commencement of the bushfire season.

This timing is obviously subject to the CFA assessing and certifying the potential NSP-BPLR location in a timely manner.

3. Council Designation of NSP-BPLRs

3.1 *Who is responsible for Council designation of NSP-BPLRs?*

Council must formally determine whether or not to designate a place as an NSP-BPLR. Council should not designate a place as an NSP-BPLR unless it is satisfied that the place is suitable, having regard to the Council NSP-BPLR Criteria.

A NSP-BPLR may only be designated by a resolution of the Council.

3.2 *When should Council consider the designation of a potential NSP-BPLR?*

Following preparation of an assessment of a potential NSP-BPLR by the MEMPC, Council should determine whether or not to designate a potential NSP-BPLR location by no later than 31 July. This will enable any necessary establishment works to be undertaken.

3.3 *What must the MFPO do once a potential NSP-BPLR is designated by Council?*

Once the Council has designated a place as an NSP-BPLR, the MFPO must provide an updated list of all designated NSP-BPLRs within the municipality to the CFA under section 50K of the CFA Act. This updated list must be provided by no later than 30 September in each year.

4. Establishment and Maintenance of NSP-BPLRs following Designation

4.1 Who is responsible for establishing NSPs?

Following designation, Council will establish all designated NSPs within the municipal district.

4.2 What must be done when establishing NSP-BPLRs?

To establish a NSP-BPLR after its designation, Council must:

Erect appropriate signage at and near the NSP-BPLR;

Undertake any necessary preparatory works, including the construction or establishment of any required infrastructure and the clearance of vegetation, so as to enable the area to be used as an NSP-BPLR;

Publish the location of the NSP-BPLR on the Council website; and

Update Council's Municipal Emergency Management Plan and Municipal Fire Prevention Plan to include the location of the NSP-BPLR.

The MFPO must provide an up-to-date list of NSP-BPLRs to the CFA no later than 30 September each year under section 50K of the CFA Act.

4.3 When must NSP-BPLRs be established?

NSP-BPLRs should be established no later than **30 October** each year.

4.4 Maintenance of NSP-BPLRs

NSP-BPLRs within the municipality need to be maintained by Council. Maintenance activities must include vegetation management, hazardous tree removal and the maintenance of infrastructure required for the satisfactory functioning of the place as an NSP-BPLR. If additional works have been required to establish the NSP-BPLR, then those works should be subject to periodic review.

The fuel load in the vicinity of the NSP-BPLR must not increase so as to affect the fire rating of the NSP-BPLR.

Council must ensure that defendable spaces, the Buffer Zone and access and egress routes are appropriately maintained.

Council must inspect the NSP-BPLR, Buffer Zone and access and egress routes on a periodic basis, and in any event not less than once every month during the declared fire danger period, to ensure that the NSP-BPLR continues to be capable of functioning as an NSP-BPLR. If Council identifies issues that may impact upon the functioning of the place as an NSP-BPLR, then Council must:

(a) Address the issue;

(b) Take reasonable steps to have the issue addressed, such as requesting the owner of the land on which the NSP-BPLR or Buffer Zone is located to address the issue; or

(c) Consider decommissioning the NSP-BPLR and revoking the designation of the place as an NSP-BPLR.

5. Annual inspections of NSP-BPLRs

5.1 ***Who is responsible for the annual review of NSP-BPLRs?***

Council must undertake an annual review of all designated NSP-BPLRs within the municipality.

Council must also request the CFA to undertake an assessment against the CFA Fire Rating Criteria of each NSP-BPLR within the municipality on an annual basis.

These reviews are intended to ensure that each NSP-BPLR remains suitable for use as an NSP-BPLR during the up-coming fire season.

5.2 ***What must be considered when undertaking inspections?***

NSP-BPLRs should be assessed annually against the Council NSP-BPLR Criteria. The CFA will assess NSP-BPLRs against the CFA Fire Rating Criteria.

If an NSP-BPLR no longer meets:

- (a) The CFA Fire Rating Criteria, then it must be decommissioned; and
- (b) The Council NSP-BPLR Criteria, then Council must determine whether or not it wishes to address any of the identified non-compliances. If it does not, then the NSP-BPLR must be decommissioned.

5.3 ***When must NSP-BPLR locations be inspected?***

NSP-BPLRs must be inspected prior to 31 August each year under section 50J of the CFA Act.

Section 3

Summary of factors for Council to consider in assessing potential NSP-BPLR locations prior to designation

Factors to consider in assessing potential NSP-BPLRs

Council NSPP Criteria	Issues to consider	Council comments	Satisfied? Yes/No
Consents and rights of access <i>See section 3.2(a)</i>	If the potential NSP-BPLR is located on Council-owned land, can Council use the land as an NSP-BPLR if required? Consider whether or not Council allows the land to be used for potentially inconsistent purposes, such as for farmers' markets, fetes, circuses etc.		
	If the potential NSP-BPLR is on private land, or public land under the control of a Crown Land Manager (other than Council), can Council enter into arrangements which allow it to use the land as a potential NSP-BPLR on reasonably satisfactory terms? Also consider whether Council has the right to: access the site and surrounding areas for maintenance; and Erect appropriate signage at the NSP-BPLR.		
Access and egress <i>See section 3.2(b)</i>	Do access routes to the potential NSP-BPLR allow for: the anticipated potential number of people to move to and from the place; and The CFA and other emergency services to attend the place for asset and personnel protection activities?		
	Are access routes easily navigable, bearing in mind they could be affected by smoke? Consider the condition of the road surface, proximity to population centres and major roads, capacity of access routes to accommodate large numbers of vehicles, the availability of car parking at the place and any other relevant matters.		
Maintenance of NSP-BPLR in accordance with CFA assessment <i>See section 3.2(c)</i>	Can Council maintain the potential NSP-BPLR in accordance with the criteria taken into account by the CFA in arriving at its fire rating assessment? <i>If the CFA have not provided sufficient information in relation to the criteria it has taken into account in arriving at its fire rating assessment, it may be necessary for Council to seek further information from the CFA.</i>		
Opening of the NSP_BPLR <i>See section 3.2(d)</i>	Will it be possible and practicable to make the potential NSP-BPLR available for use on a 24 hour basis during the declared fire danger period? This is a particular issue where the potential NSP-BPLR is a building. Consider the potential for damage to the NSP-BPLR which could result during times that it is open and available for use, but is not being used as an NSP-BPLR.		
	What costs could be incurred by Council in making the potential NSP-BPLR available on a 24 hour basis during the declared fire danger period? Are these costs reasonable, and capable of being borne by Council?		
	Could the potential NSP-BPLR be used for an unintended purpose which could impact upon its use as an NSP-BPLR (such as an emergency relief centre)?		

Council NSPP Criteria	Issues to consider	Council comments	Satisfied? Yes/No
Defendable space and fire suppression activities <i>See section 3.2(e)</i>	<p>Is the potential NSP-BPLR surrounded by sufficient open space to enable the CFA to conduct asset protection and fire suppression operations? Is that open space reasonably free of obstacles (such as fences, buildings, steep gradients, vegetation and other land formations)?</p> <p><i>Council should seek CFA advice concerning the Defendability of the potential NSP and the Buffer Zone, including in relation to fire vehicle access requirements.</i></p>		
	<p>Will approval be required under legislation such as the <i>Environment Protection and Biodiversity Conservation Act 1999 (Cwlth)</i>, <i>Flora and Fauna Guarantee Act 1988 (Vic)</i> and the <i>Planning and Environment Act 1987 (Vic)</i>? Can such approval be obtained before the NSP-BPLR is established?</p>		
Defendability of buildings <i>See section 3.2(f)</i>	<p>If the potential NSP-BPLR is a building, has Council sought expert advice from the CFA to determine whether the NSP is likely to be subject to risk from ember attack? If it is subject to such a risk, can that risk be safely managed?</p>		
Signage <i>See section 3.2(g)</i>	<p>Can appropriate signage be erected at the entry to the potential NSP-BPLR, and in its vicinity?</p>		
	<p>If signage needs to be placed on private land, can Council obtained the consent of the relevant landowner to the erection of the signage?</p>		
Maintenance and maintainability <i>See section 3.2(h)</i>	<p>Is the potential NSP-BPLR capable of being maintained to ensure continuing compliance with the CFA Fire Rating Criteria and the Council NSPP Criteria? Where relevant, consider whether adjoining land owners and occupiers will provide Council with an assurance that both the potential NSP-BPLR and the Buffer Zone can be maintained to a satisfactory level.</p>		
Disabled access <i>See section 3.2(i)</i>	<p>Are there are means of access for disabled and mobility-impaired persons to the potential NSP-BPLR, including vehicle access to drop off people with disabilities?</p>		
Alternative uses of potential NSP-BPLR <i>See section 3.2(j)</i>	<p>Can Council manage alternative uses which may be made of the potential NSP-BPLR so as to ensure that those uses will not compromise the function of the place as a potential NSP-BPLR?</p> <p><i>The CFA has advised that where a potential NSP-BPLR which is used for an operational purpose at many times meets the CFA Fire Rating Criteria, then the CFA considers that those operational activities will be able to continue (to the extent practicable in the circumstances) while the place is being used as an NSP-BPLR.</i></p>		
Community Communication <i>See section 3.2(k)</i>	<p>Will it be possible to ensure that there will be good community awareness of the location of the potential NSP-BPLR, and the risks associated with using the potential NSP-BPLR?</p>		

Section 4

NSP-BPLR Signage

NSP-BPLR Signage

Country Fire Authority Act 1958, s50H requires municipal councils to identify designated NSP-BPLR with approved standard NSP-BPLR signage.

Emergency Management Victoria in consultation with the Country Fire Authority and the Municipal Association of Victoria, developed standard signage for designated NSP-BPLR. A copy of the Neighbourhood Safer Places - Bushfire Place of Last Resort Signage Manual can be located on the Emergency Management Victoria website – www.emv.vic.gov.au.

Approved NSP-BPLR site and entry signage:



Approved NSP-BPLR road signage:



Reference: Neighbourhood Safer Places – Bushfire Place of Last Report, Signage Manual; October 2015, Emergency Management Victoria.

In addition to the above signage, Nillumbik Shire Council provides further on-site signage at three locations where buildings can be remotely accessed in the event of a bushfire. These buildings are accessible via a phone/intercom that links directly to Victoria Police who have the ability to remotely open the building. It is noted that this phone box is locked outside the Fire Danger Period. Below is an example of the signage and phone/intercom found at these buildings – refer to Section 5 for NSP-BPLR locations.



Section 5

NSP-BPLR Locations

Designated NSP-BPLR sites within the Nillumbik municipality**Designated NSP-BPLR buildings that can be remotely opened on-site:**

- Diamond Creek Community Centre, Diamond Creek (Melways Ref 12 A6)
- Yarrambat Golf Course Clubrooms, Yarrambat (Melways Ref 12 A6)
- Hurstbridge Basketball Stadium, Hurstbridge (Melways Ref 185 J9)

Designated open space NSP-BPLR:

- Diamond Hills Reserve Oval, Plenty River Drive, Greensborough (Melways Ref 11 B9)
- Kirrip Park, Civic Drive, Greensborough (Melways Ref 11 A10)
- Car park between Arthur and Dudley Streets, Eltham (Melways 21 K 5)
- Collendina Reserve, Collendina Cr Greensborough (Melways Ref 10 F10)

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Informal Meeting of Councillors Record

The Meeting commenced at 4.32pm

MEETING DETAILS:	Title:	Councillor Briefing
	Date:	Tuesday 21 October 2025
	Location:	Council Chamber
PRESENT:	Councillors:	Cr Grant Brooker, Cr Naomi Joiner, Cr Kelly Joy, Cr Peter Perkins (virtual attendance), Cr Kim Cope, Cr Kate McKay and Cr John Dumesq
	Council Staff:	Carl Cowie, Blaga Naumoski, Jeremy Livingston, Frank Vassilacos, Bulet Oz, Michele Purtle, Katia Croce, Emma Christensen, Nichole Johnson, Steven Blight, Mike Dean, Chris Gipps, Anna Maio, Allira Haeusler, Steve Blight, Alex Stewart
	Other:	VLGA Facilitator – Kendrea Pope
APOLOGIES:		

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Strategic Communications update to Councillors	No disclosures were made
2	Allwood Neighbourhood House - Financial Sustainability Report	No disclosures were made
3	2025/2026 Council Year - Advisory Committee and external organisation appointments and meeting schedule	No disclosures were made
4	Local Sport Infrastructure Fund grant applications	No disclosures were made
5	Alan Marshall Reserve Community Engagement	No disclosures were made
6	Diamond Creek Outdoor Pool - Tree Damage - Root Cause Analysis and Process Improvements	No disclosures were made
7	Verbal Update - Challenger street BMX consultation	No disclosures were made
8	Councillor training	No disclosures were made

The Meeting concluded at 9.35pm

RECORD COMPLETED BY:	Officer Name: Officer Title:	Blaga Naumoski Director Governance Communications and Community Safety
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Informal Meeting of Councillors Record

The Meeting commenced at 5.32pm

MEETING DETAILS:	Title:	Council Meeting Pre-Meet
	Date:	Tuesday 28 October 2025
	Location:	Council Chamber
PRESENT:	Councillors:	Cr Grant Brooker, Cr Naomi Joiner, Cr Kelly Joy, Cr Peter Perkins, Cr Kim Cope, Cr Kate McKay and Cr John Dumaresq
	Council Staff:	Carl Cowie, Blaga Naumoski, Nichole Johnson, Jeremy Livingston, Craig King, James Hartigan, Anna Maio, Steven Blight, Michele Purtle, Tania Treasure, Bulent Oz, Katia Croce
	Other:	
APOLOGIES:		

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Strategic Communications update to Councillors	No disclosures were made
2	Confirmation of Minutes Council Meeting held Tuesday 30 September 2025	No disclosures were made
3	Petition for Removal / Replacement of four Trees	No disclosures were made
4	Support for Local BMX Jumps in Swipers Gully (North) Research	No disclosures were made
5	Advisory Committee Report 28 October 2025	No disclosures were made
6	September Quarter Financial Report	No disclosures were made
7	Annual Report 2024-2025	No disclosures were made
8	Nillumbik Festival and Event Triennial Program 2026-2029	No disclosures were made
9	Replacement member for the Economic Development Advisory Committee	No disclosures were made
10	Outcome EOI Process Health and Wellbeing Advisory Committee 2025-2027	No disclosures were made
11	Reynolds Road, Eltham - Special Charge Scheme	No disclosures were made
12	Instrument of Appointment and Authorisation (Planning and Environment Act 1987)	No disclosures were made
13	Fossil Fuel Non-Proliferation Treaty	No disclosures were made
14	Update on Bourchiers Road Special Charge Scheme	No disclosures were made

The Meeting concluded at 6.34pm



RECORD COMPLETED BY:	Officer Name: Officer Title:	Katia Croce Manager Governance and Property
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Informal Meeting of Councillors Record

The Meeting commenced at 4.33pm

MEETING DETAILS:	Title:	Councillor Briefing
	Date:	Tuesday 5 November 2025
	Location:	Council Chamber
PRESENT:	Councillors:	Cr Grant Brooker, Cr Naomi Joiner, Cr Kelly Joy, Cr Peter Perkins, Cr Kim Cope, Cr Kate McKay and Cr John Dumaresq
	Council Staff:	Carl Cowie, Blaga Naumoski, Corrienne Nichols, Jeremy Livingston, Frank Vassilacos, Bulent Oz, Narelle Hart, Phonda Allen, Hilary Duns-McKay
	Other:	Clem Gillings - Interim CEO YPRL Georgie Ward – Macquarie Local Government Lawyers
APOLOGIES:		

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Strategic Communications update to Councillors	No disclosures were made
2	Yarra Plenty Regional Library Service Meetings Procedure Local Law 2025	No disclosures were made
3	Yarra Plenty Regional Library Service - Supplemental Agreement 2025	No disclosures were made
4	Kindergarten Infrastructure Services Plan Update	No disclosures were made
5	Discontinuation of Living & Learning Advisory Committee	No disclosures were made
6	CEO Performance Plan Quarterly presentation	No disclosures were made
7	Councillor Training – Professional Development Yr 1	No disclosures were made

The Meeting concluded at 9.15pm

RECORD COMPLETED BY:	Officer Name: Officer Title:	Blaga Naumoski Director Governance Communications and Community Safety
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Informal Meeting of Councillors Record

The Meeting commenced at 5.02pm

MEETING DETAILS:	Title:	Planning and Consultation Committee Pre-Meet
	Date:	Tuesday 11 November 2025
	Location:	Council Chamber
PRESENT:	Councillors:	Cr Grant Brooker, Cr Naomi Joiner, Cr Kelly Joy, Cr Peter Perkins (5.10pm), Cr Kim Cope, Cr Kate McKay and Cr John Dumaresq (virtual)
	Council Staff:	Carl Cowie (virtual 5.22pm), Sally Johnson, Corrienne Nichols, Jeremy Livingston, Frank Vassilacos, Michele Purtle, Steward Broussard, Nichole Johnson, Daniel Tarquinio, Alex Stewart, Bulent Oz, Chris Gipps, Katia Croce
	Other:	
APOLOGIES:		

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Strategic Communications update to Councillors	No disclosures were made
2	Diamond Creek BMX Jumps and Recreation Park - Community Consultation	No disclosures were made
3	Community Engagement Policy	No disclosures were made
4	Triennial Funding	No disclosures were made

The Meeting concluded at 5.30pm

RECORD COMPLETED BY:	Officer Name: Officer Title:	Katia Croce Manager Governance and Property
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