

# **Council Meeting**

to be held at the Council Chamber, 32 Civic Drive, Greensborough  
on Tuesday 9 December 2025 commencing at 7:00 PM.

## **Agenda**

**Carl Cowie  
Chief Executive Officer**

Thursday 4 December 2025

Distribution: Public

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# Council Chamber Council Meeting seating plan

**Cr Peter Perkins**  
Ellis Ward

**Cr Kelly Joy**  
Edendale Ward

**Cr Grant Brooker**  
Blue Lake Ward

**Katia Croce**  
Manager  
Governance and  
Property

**Blaga Naumoski**  
Director Governance  
Communications and  
Community Safety

**Cr Naomi Joiner**  
Bunjil Ward  
**(Mayor)**

**Carl Cowie**  
Chief  
Executive  
Officer

**Cr Kim Cope**  
Sugarloaf Ward

**Cr Kate McKay**  
Swipers Gully Ward  
**(Deputy Mayor)**

**Cr John Dumaresq**  
Wingrove Ward

## Nillumbik Shire Council

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**Nillumbik Shire Council****Agenda of the Meeting of Nillumbik Shire Council to be held  
Tuesday 9 December 2025 commencing at 7:00pm**

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**1. Welcome**

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

**2. Acknowledgement of Country**

Nillumbik Shire Council respectfully acknowledges and recognises the Wurundjeri Woi-wurrung as the Traditional Owner of the land on which Nillumbik is located. We pay tribute to all First Peoples living in the Nillumbik Shire, give respect to Elders past, present and emerging, and extend our respect to all First Peoples. We acknowledge that sovereignty was never ceded.

**3. Good Governance Pledge**

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

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

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

**4. Prayer**

A prayer will be read.

**5. Apologies/Leave of Absence**

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

**6. Declarations of conflict of interest**

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

**7. Presentations****Sporting Grants**

**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.

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 25 November 2025**

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Confirmation of the Minutes of the Council Meeting held on Tuesday 25 November 2025.

**Recommendation**

**That** Council confirms the Minutes of the Council Meeting held on Tuesday 25 November 2025 (**Attachment 1**).

**Attachments**

1  Confirmation of Minutes Council Meeting held Tuesday 25 November 2025

**8. Confirmation of Minutes**

**COM.001/25 Confirmation of Minutes Council Meeting held Tuesday 25 November 2025**

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**9. Petitions**

**10. Questions from the gallery**

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**11. Reports of Advisory Committees**

**AC.010/25      Advisory Committee Report 9 December 2025**

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**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. Arts & Cultural Advisory Committee meeting held 25 August 2025.

**Attachments**

1  Advisory Committee meeting Minutes reported 9 December 2025

**Recommendation**

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

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**12. Officers' reports****CM.148/25 Risk and Safety Quarterly Report - September 2025****Distribution:** Public**Manager:** Jeremy Livingston, Acting Chief Operating Officer**Author:** David Taylor, Risk and Safety Lead**Summary**

This report provides a summary of Council's Risk and Safety Report for the quarter ending June 2025.

The report is presented in accordance with the *Local Government (Planning and Reporting) Regulations 2020*, which requires the presentation of a report to Council at least every six months, detailing the strategic risks, operational risks, the consequences and likelihood of occurrence, and risk mitigation strategies.

Risk and Safety reporting to Council is tabled each quarter following consideration by Council's Audit and Risk Committee, which occurred on 17 November 2025.

The full confidential Risk and Safety Report for September 2025 is attached to this report (**Attachment 1**) and provides detailed information for Council's consideration.

**Recommendation****That** Council:

1. Notes the summary of the confidential Risk and Safety Report for the quarter ending September 2025.
2. Resolves that the Quarterly Risk and Safety Report – September 2025 (**Attachment 1**) remains confidential in accordance with section 3(1)(a) and (f) of the *Local Government Act 2020*.

**Attachments**

1. Risk and Safety Quarterly Report - September 2025- CONFIDENTIAL

**Discussion**

1. Council's commitment to risk management is outlined in the Risk Management Policy, with the following objectives:
  - The Risk Management Program protects the organisation, its employees and the broader community from a broad range of influences which could negatively impact Council financially, reputationally, operationally or in its sustainability.
  - Ensure that all risks that could affect the achievement of Council's goals, strategies and actions are identified, assessed and treated to a commercially and professionally acceptable level of risk
  - Integrate risk management into Council's decision-making processes and embedding it into the organisational culture

**12. Officers' reports****CM.148/25 Risk and Safety Quarterly Report - September 2025**

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- Ensure necessary resources are allocated in support of the Policy and supporting Risk Management Framework
- Maintain stakeholders' trust and due diligence
- Align all risk practices across all systems and to promote and support a consistent corporate approach to risk that can be clearly understood
- Ensure that risk management is seen as the responsibility of all staff, i.e. – *risk management is everyone's business*.

2. In addition to the Risk Management Policy, Council's Risk Management Framework communicates and describes the risk management principles and processes that are used to identify, analyse, evaluate, treat, monitor and communicate key risks, including management reporting.

3. The context of the Risk Management Policy and Framework takes into account that local government presents a distinct risk character and profile that needs to be taken into account when considering risk management. Many assets and services are available 24 hours a day, seven days a week in an unsupervised way, some are managed or provided by volunteers or committees of management or are managed by contractors, others are regulated by compliance legislation.

4. This Risk and Safety report broadly reports on:

- Risk management
- Business continuity
- (Anti) Fraud and corruption control
- Insurance premiums
- Incident management and insurance claims
- Strategies and initiatives
- Occupational health and safety.

5. The Quarterly Risk and Safety Report has been prepared in accordance with Council's Risk Management Policy and Framework, and is consistent with the Australian Standard AS/NZS 31000:2018 Risk Management.

6. The following tables summarise recorded incidents by type for matters involving Council. Note that these tables show all reported incidents, rather than all claims, as not every incident results in a claim being made.

## 12. Officers' reports

## CM.148/25 Risk and Safety Quarterly Report - September 2025

All Incidents by Type	Oct - Dec 24	Jan - Mar 25	Apr - Jun 25	Jul - Sep 25	Total Oct 24 - Sept 25	Total Oct 23 - Sep 24
Property	15	23	13	24	75	36
Motor Vehicle	7	13	13	11	44	41
Professional Indemnity	0	0	0	0	1	1
Public Liability	5	16	24	27	72	125
Occupational Health & Safety	36	37	29	28	130	98
<b>Total All Incidents</b>	<b>63</b>	<b>89</b>	<b>79</b>	<b>90</b>	<b>321</b>	<b>301</b>

7. There were 90 incidents recorded in the September 2025 quarter. The total number of incidents for the year ending September 2025 (321) was higher compared to the previous year's (September 2024) corresponding number of 301.

8. The following table summarises all incidents by directorate.

Incidents by Directorate	Oct - Dec 24	Jan - Mar 25	Apr - Jun 25	Jul - Sep 25	Total Oct 24 - Sep 25	Total Oct 23 - Sep 24
Culture & Performance	8	10	7	6	31	30
Governance, Communications & Community Safety	13	8	6	6	33	34
Planning, Environment & Strategy	0	1	0	5	6	15
Communities	5	9	5	1	20	34
Operations	37	61	61	72	227	188
<b>Total</b>	<b>63</b>	<b>89</b>	<b>79</b>	<b>90</b>	<b>321</b>	<b>301</b>

9. A high proportion of reported incidents during the September 2025 quarter are generated within the normal course of business in the Operations directorate (70%), and represents a reduction compared to the previous quarter (76%).

10. All incidents relate to major classes of asset or maintenance type incidents for Council buildings, recreational facilities, playgrounds, trees, drainage, footpath, road damage and major plant.

11. Tree related risks are mitigated through the:

- Tree Management Policy
- Reactive tree maintenance program
- Proactive electric power line clearance program
- Proactive box clearance program
- Proactive inspections of high risk trees

**12. Officers' reports****CM.148/25 Risk and Safety Quarterly Report - September 2025**

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- Meeting the objectives of the Municipal Emergency Management Plan and Municipal Fire Management Plan.

12. Road, footpath, drainage and roadside related risks are mitigated through the:

- Road Management Plan
- Road Asset Management Plans
- Proactive and reactive maintenance programs.

13. Property incidents typically reported are property theft, break-ins, storm damage vandalism and accidental damage to Council buildings or fixed equipment such as in playgrounds and recreational facilities. Risks are mitigated through maintenance programs and insurance.

14. There were 24 property incidents reported during the September 2025 quarter. This is the highest figure across a quarter over the past 12 months. Council will closely monitor some of these incidents, as some of them relate to vandalism and theft.

15. Motor vehicle incidents include accidental damage involving Council's light and heavy fleet, including incidents caused by third parties. Risks are mitigated through maintenance, education and insurance.

16. There were 11 motor vehicle incidents during the September 2025 quarter. The total number of motor vehicle related incidents for the year ending September 2025 (44), was marginally higher compared to year ending June 2024 (41).

17. Professional indemnity relates to incidents and claims for alleged negligence or breach of duty arising from an act, error or omission in the performance of Council services. No new professional indemnity incidents were received this quarter, and no such incidents have been reported over the past 12 months.

18. Public liability incidents are reported where the third party is seeking compensation for personal injury, property damage and economic loss. Note that compensation claims are only paid where Council has been negligent or there is a clear legal liability. Claims are managed by an external claims manager or Council's insurer. Typical incidents primarily relate to vehicle road damage, property damage, tree related or trip and fall incidents.

19. There were 27 public liability incidents reported during the September 2025 quarter and 72 for the year ending September 2025. That is a significant fewer number of public liability incidents reported in the year ending September 2024 (125). Of the reported incidents this quarter, seven related to tree falling / overhanging and seven relate to third party property damage.

20. Council's four major leisure facilities recorded 110 incidents in the quarter. Predominate injuries were bruises, sprains and strains, pain and dizziness. Further information has been sought regarding incident causation and remediation strategies put in place.

21. Occupational health and safety incidents during the quarter (28) were a combination of incidents, hazards and near misses. These incidents are managed through the Occupational Health & Safety Management System. There were 32 more OHS incident reported for the year ending September 2025 compared to year end September 2024.

**12. Officers' reports****CM.148/25 Risk and Safety Quarterly Report - September 2025**

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This increase is most likely attributable to the organisation actively promoting a culture of reporting, so that causal factors can be fully considered and addressed rather than being disregarded and potentially repeated.

22. Incident costs, including under excess claim costs and insurance excesses, are managed within existing budgets. Where appropriate, repairs are undertaken via the safest and most cost-effective method, with all matters being reported to the Police.

**Related Council decisions**

23. This summary, along with the confidential Quarterly Risk and Safety Report, has been provided to meet the requirements of the *Local Government (Planning and Reporting) Regulations 2020* and consolidation of management reporting.

24. Ongoing reporting to Council on risk and safety matters is presented quarterly following each meeting of Council's Audit and Risk Committee.

**Council plans and policies**

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

- Strengthen organisational resilience through proactive identification, assessment and management of strategic risk.

**Access, Equity and Inclusion**

26. Not applicable to this report.

**Sustainability implications**

27. Trend data from this report is used to inform management processes for the mitigation of risks associated with property, motor vehicle, professional indemnity, public liability and safety as they relate to Council's strategic and operational risks.

28. Council's risk profile includes environmental risks and climate change, as a consequence of failure to adequately mitigate those risks.

**Community engagement**

29. Not applicable.

**Innovation and continuous improvement**

30. Trend data from this report is used to inform management processes and gap analysis to identify continuous improvement opportunities associated with property, motor vehicle, professional indemnity, public liability and occupational health and safety.

**Collaboration**

31. Not applicable.

**Budget considerations**

32. The resources for managing and reporting risk management and safety are accommodated within existing operational budgets.

**Relevant law**

33. The following legislation is applicable to this report:

- *Occupational Health and Safety Act 2004*

**12. Officers' reports**

**CM.148/25 Risk and Safety Quarterly Report - September 2025**

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- *Occupational Health and Safety Regulations 2017*
- *Local Government Act 2020.*

**Regional, state and national plans and policies**

34. Not applicable.

**Conflicts of interest**

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

**12. Officers' reports**

**CM.149/25      Audit and Risk Committee Minutes (November 2025), Audit and Risk Committee Charter and Annual Self Assessment**

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**Distribution:** Public

**Manager:** Jeremy Livingston, Acting Chief Operating Officer

**Author:** Bulent Oz, Chief Financial Officer

**Summary**

In accordance with section 53 of the *Local Government Act 2020* and good governance principles, councils must have an Audit and Risk Committee.

As resolved at the 25 June 2024 Ordinary Council Meeting, the minutes of an Audit and Risk Committee meeting are to be reported and presented to a subsequent Council Meeting.

The Audit and Risk Committee met on 17 November 2025, and the minutes for that meeting are shown in **Attachment 1**.

As requested at the 1 September 2025 Committee meeting, the Audit and Risk Committee Charter has been updated to reinforce that Committee members must not upload, share, or input any confidential Committee papers or materials into Artificial Intelligence (AI) tools or platforms for any purpose. The updated Audit and Risk Committee Charter (**Attachment 2**) was received and noted by the Audit and Risk Committee, with a recommendation for Council to adopt.

As required by Section 54(3)(a), the Audit and Risk Committee must undertake an annual assessment of its performance against the Audit and Risk Committee Charter. This assessment has recently been completed (**Attachment 3**). The outcomes have been used to inform and update the Committee's Annual Work Plan for the next year.

**Recommendation**

**That Council:**

- 1) Notes the Minutes of the Audit and Risk Committee meeting held on 17 November 2025 (**Attachment 1**).
- 2) Endorses the updated Audit and Risk Charter (**Attachment 2**).
- 3) Notes the Audit and Risk Committee Annual Self-Assessment (**Attachment 3**).

**Attachments**

- 1 Audit and Risk Committee Meeting Minutes - November 2025
- 2 Audit and Risk Committee Charter (October 2025)
- 3 Audit and Risk Committee Self-Assessment - 2025

12. Officers' reports

**CM.149/25 Audit and Risk Committee Minutes (November 2025), Audit and Risk Committee Charter and Annual Self Assessment**

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**Discussion**

1. The minutes of the Audit and Risk Committee (ARC) are submitted to Council after each meeting. To provide timely feedback, these are unconfirmed minutes.
2. Minutes of the ARC Meeting held on the 17 November 2025 have been adopted by the Committee as a circular motion and will be presented at its next meeting (**Attachment 1**).
3. The key items considered by the ARC were:
  - Review of the ARC Charter
  - Annual Procurement Report
  - Cyber Security Dashboard
  - Councillor and Staff Gift Registers
  - Internal Audit Report
  - Quarterly Risk and Safety report
  - Council Expenses Policy
  - Councillor Expenses report
  - Quarterly Financial Report
  - Annual Material Change Review 2025 valuations report
  - Rates in Arrears report
  - ARC Annual Self-Assessment Report
  - ARC Annual Work Plan.
4. The next ARC meeting is scheduled to take place on Monday 2 March 2026.
5. As requested at the 1 September 2025 Committee meeting, the Audit and Risk Committee Charter has been updated to reinforce that Committee members must not upload, share, or input any confidential Committee papers or materials into Artificial Intelligence (AI) tools or platforms for any purpose, including analysis, drafting, summarising, or translating.
6. This restriction is required because Committee members access documents outside the organisation's secure network. Once confidential or sensitive information is placed into third-party AI systems, the organisation cannot guarantee its confidentiality, security, or integrity.
7. The updated Audit and Risk Committee Charter (**Attachment 2**) was received and noted by the Audit and Risk Committee, with a recommendation for Council to adopt.
8. As required by Section 54(3)(a), the Audit and Risk Committee must undertake an annual assessment of its performance against the Audit and Risk Committee Charter. This assessment was recently completed (**Attachment 3**), the outcomes have been used to inform and update the Committee's Annual Work Plan for the year ahead.

**12. Officers' reports**

**CM.149/25      Audit and Risk Committee Minutes (November 2025), Audit and Risk Committee Charter and Annual Self Assessment**

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**Related Council decisions**

9. As resolved at the 25 June 2024 Ordinary Council Meeting, the minutes of an ARC meeting are to be reported and presented to a subsequent Council Meeting.

**Options**

10. The ARC's function is to assist Council in the effective conduct of its responsibilities for financial reporting, management of risk, maintaining a reliable system of internal controls and facilitating good and ethical governance.
11. The ARC meets four times a year. The Internal Auditor, Chief Executive Officer and Chief Financial Officer attend all Audit and Risk Committee meetings. Other management representatives attend as required to present reports. The external auditors attend in May and September each year to present the Audit Plan and independent audit report.

**Council plans and policies**

12. This report directly supports the achievement of the Council Plan 2025-2029 strategy:
  - Ensure transparent communication of Council's role and decisions, reflecting community values and priorities, to build trust and alignment with Council's purpose.

**Access, Equity and Inclusion**

13. Where applicable, the ARC considers Gender Access, Equity and Inclusion.

**Sustainability implications**

14. The ARC plays a significant role in Council's governance framework. It provides external expert advice to Council on key areas of risk. Risk in this case is interpreted broadly and covers risk to Council's sustainability, reputation, fraud control and effectiveness, as well as financial risk.

**Community engagement**

15. Not applicable.

**Innovation and continuous improvement**

16. Not applicable.

**Collaboration**

17. The ARC meeting on 17 November 2025 was attended by the internal auditor from Aster Advisory, as well as the CEO and CFO. Mayor Cr John Dumaresq attended as a Councillor representative, with Deputy Mayor Naomi Joiner an apology for the meeting.

**Budget considerations**

18. The associated costs are contained within Council's 2025-2026 Budget.

**Relevant law**

19. Section 53 of the *Local Government Act 2020* requires that Council must establish an Audit and Risk Committee.

**12. Officers' reports**

**CM.149/25      Audit and Risk Committee Minutes (November 2025), Audit and Risk Committee Charter and Annual Self Assessment**

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**Regional, state and national plans and policies**

20. Not applicable.

**Conflicts of interest**

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

**12. Officers' reports****CM.150/25 Community Engagement Policy**

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**Distribution:** Public**Manager:** Blaga Naumoski, Director Governance, Communications and Community Safety**Author:** Michele Purtle, Manager Advocacy Communications and Engagement**Summary**

Nillumbik's Community Engagement Policy is Council's commitment to engaging the Nillumbik community in planning and decision-making using appropriate, effective and inclusive practices.

Two phases of community engagement were conducted in 2020 to develop the Community Engagement Policy, and it was formally adopted at a Council Meeting in February 2021.

The Advocacy, Communications and Engagement team has reviewed the Community Engagement Policy (**Attachment 1**) and made changes to support consistent, effective engagement that gives our community a voice in shaping Council decisions.

The review has taken onboard internal and external commentary and the evolution of community involvement throughout the life of 2021-2025 policy. The revised policy reflects these and strengthens our commitment to meaningful, inclusive, and transparent engagement.

On 26 August 2025, Council authorised the Draft Community Engagement Policy 2025 (Draft CE Policy) to be placed on community consultation from 1-30 September 2025 and for engagement initiatives to be undertaken to receive community feedback.

Following completion of the consultation period, the feedback confirms that the amendments made accurately reflect community expectations, sentiment and contemporary engagement practice. A report on the community engagement findings can be found at **Attachment 2**, with a summary page at **Attachment 3**.

The review considered feedback from both internal and external stakeholders, as well as the evolution of community participation during the life of the 2021–2025 Policy.

The revised Policy strengthens Council's commitment to meaningful, inclusive, and transparent engagement.

**Recommendation****That Council:**

1. Adopts the Community Engagement Policy 2025 (**Attachment 1**).
2. Authorises the Director Governance, Communications and Community Safety to make any further minor changes to the Community Engagement Policy 2025 that may be necessary and are inconsequential in nature.
3. Makes the adopted Community Engagement Policy 2025 publicly available on Council's website.
4. Thanks submitters and advises them of the outcome of the consultation process.

**12. Officers' reports****CM.150/25      Community Engagement Policy**

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**Attachments**

- 1  Final Community Engagement Policy 2025
- 2  Community Engagement Findings
- 3  Community Engagement Findings - one page summary

**Discussion**

1. The Community Engagement Policy is a formal commitment to engage with the Nillumbik community in the planning and decision-making through the use of effective and inclusive practice.
2. Community expectations around engagement have evolved — people want more transparency, earlier involvement, and inclusive opportunities to shape Council decisions.
3. Engagement is a key enabler of trust, good governance, and better project outcomes
4. The volume and complexity of engagement across Council has continued to grow. This review ensures that our teams are appropriately resourced and structured to support this increased demand.
5. On average, Council undertakes 15 engagement projects a year. The level of activity varies throughout the year, with some periods experiencing a higher concentration of projects. Engagement is generally paused during the Christmas and New Year holiday period to respect community availability and ensure meaningful participation.
6. In 2022, there were 18,433 site visits to Participate Nillumbik compared to 24,176 in 2025. This increase of nearly 6,000 visits reflects a noticeable shift in how our community engages with Council.
7. The review of the Community Engagement Policy has taken into consideration:
  - The policy's usability by staff across departments.
  - Equity and inclusiveness in engagement practices.
  - Roles and responsibilities across the organisation.
  - Links to other strategies and frameworks (e.g. Reconciliation Action Plan, Accessibility Framework, Council Plan).

**12. Officers' reports****CM.150/25 Community Engagement Policy**

8. The table below provides a summary of the key changes that were incorporated into the updated Community Engagement Policy 2025 (**Attachment 1**).

Greater focus on inclusive engagement	Expanded detail on how Council will identify and reduce barriers to participation, ensuring engagement opportunities are accessible to all members of the community.
Clarification on hearing of submissions	Clearer guidance on how the community can formally present their views to Council as part of statutory consultation processes.
Commitment to accessible information	Emphasis on providing information in formats that are easy to understand and accessible to diverse audiences.
Improved reporting	A stronger commitment to reporting back to both the community and Council on the outcomes of engagement activities.
Alignment with the Council Plan	A clearer explanation of how community engagement supports the delivery of Council Plan priorities.
Updated definitions	Revised and expanded definitions to reflect current engagement practices and terminology.

9. These changes are designed to:

- Strengthen the organisation's approach to engagement
- Identify resourcing or capability gaps
- Embed engagement earlier in project lifecycles
- Update language to reflect best practice and internal feedback
- Build stronger feedback loops between Council and the community

10. The Community Engagement team conducted internal staff consultations and a public-facing engagement process from 1 – 30 September 2025. This included:

- the Participate Nillumbik website which provided key information about the project and hosted an online survey.
- Council officers conducted drop-in sessions and roamed the Hurstbridge Wattle Festival, Diamond Creek Rotary Festival, Edendale Community Environment Farm.
- Attended the Positive Ageing Advisory Committee.
- held two internal staff meetings/drop-in sessions.

11. Over 100 people engaged with the project information and resources provided. With the predominant amount from consulting the community via roaming at Hurstbridge Wattle Festival and the Diamond Creek Rotary event.

12. 10 community members completed the online survey.

**12. Officers' reports****CM.150/25 Community Engagement Policy**

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13. Communication methods used to notify the community of the engagement were:

- Website – Participate Nillumbik
- Posters
- Postcards
- Social Media post
- Social media reel
- Social media advertisement with a reach of 6.5k and 13.4k impressions.
- Newsletters
- Enews
- Nillumbik News article
- News Release
- Website news release

14. The feedback confirms the changes made in the Draft Community Engagement Policy 2025 align with community expectations, sentiment, and contemporary engagement practices. Key findings include:

**Participation Insights**

- Majority of participants do not face barriers to engagement.
- Some felt their feedback wouldn't influence decisions or were unaware of opportunities to contribute.

**Encouraging Feedback**

- Residents are more likely to engage when they feel heard and see tangible improvements in their community.
- Building trust through visible outcomes and positive engagement experiences is key.

**Maintain diverse engagement methods**

- Combine digital tools with in-person sessions, printed materials, and direct contact with Councillors to ensure accessibility for all.

**Close the loop**

- Provide timely updates to the community to avoid long gaps between consultations and demonstrate how feedback is used.

**Strengthen relationships**

- Use informal engagement settings to foster approachability and better connect with underrepresented groups, including First Nations people and younger residents.

**12. Officers' reports****CM.150/25      Community Engagement Policy**

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**Related Council decisions**

15. At its February 2021 Council Meeting, Council formally adopted the Community Engagement Policy 2021-2025.
16. On 26 August 2025, Council authorised the Draft Community Engagement Policy 2025 (**Draft CE Policy**) to be placed on community consultation from 1-30 September 2025.

**Options****Option 1: Adopt the Policy with no changes - (recommended option)**

Council adopts the final Community Engagement Policy 2025 following the community consultation period and the public hearing of submissions, with no further changes. This option is preferred as it reflects the community feedback gathered through the consultation and hearing of submission process, ensuring the final draft is balanced, considered and responsive. Endorsing the Policy now provides certainty for both Council and the organisation, allowing implementation to commence without further delay. It also ensures Council meets its obligations under the Local Government Act by having an up-to-date and formally endorsed Community Engagement Policy in place.

**Option 2: Adopt the Policy with Minor Amendments**

Council adopts the Policy subject to a defined set of minor changes that do not materially alter intent but improve clarity, alignment or usability.

**Option 3: Do Not Adopt the Policy**

Council may choose not to adopt the Policy where Council believes there are substantive or complex issues that warrant deeper exploration before finalising the Policy.

Taking this approach will delay adoption and require additional staff time and resources to complete the further work. If the resulting changes are significant, the Policy may need to be re-exhibited to meet legislative and good-governance expectations.

**Council plans and policies**

17. This report directly supports the achievement of the Council Plan 2025-2029 strategy:
  - Build strong community relationships through clear, consistent communication and meaningful engagement.

**Access, Equity and Inclusion**

18. An Equity Impact Assessment has been completed.

**Sustainability implications**

19. Not Applicable.

**Community engagement**

20. In 2020, Council undertook two phases of consultation to inform the Community Engagement Policy. Community Engagement Policy was subsequently adopted in February 2021.

**12. Officers' reports****CM.150/25 Community Engagement Policy**

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21. The community engagement approach on the draft Community Engagement Policy in September 2025 was supported by a blended model of online and face-to-face consultation methods, tailored to reach both internal and external stakeholders effectively. This approach allowed us to gather diverse perspectives in a way that is accessible, inclusive, and responsive to how people want to engage.
22. The Community Engagement team conducted internal staff consultations and a public-facing engagement process from 1 – 30 September 2025. This included:
  - The Participate Nillumbik website which provided key information about the project and hosted an online survey;
  - Council officers conducting drop-in sessions and roamed the Hurstbridge Wattle Festival, Diamond Creek Rotary Festival, Edendale Community Environment Farm;
  - Attending the Positive Ageing Advisory Committee; and
  - Two internal staff meetings/drop-in sessions.
23. Council provided an opportunity for the public to speak at the Planning and Consultation Committee Meeting on 11 November 2025.
24. Officers are now seeking Council endorsement of the Community Engagement Policy 2025, incorporating community input.

**Innovation and continuous improvement**

25. Engagement evaluations conducted from June 2024 to now will inform our forward planning, ensuring insights and learnings are embedded into future engagement design. This includes analysing feedback gathered during the September 2025 consultation process to identify emerging community expectations, highlight what's working, and refine our future engagement planning accordingly.

**Engagement Approach at Community Events**

- For this round of community engagement, a new approach was trialled at larger public events. Rather than setting up a traditional marquee, Council officers opted for a roaming engagement method. This decision was informed by previous feedback indicating that marquees often failed to attract sufficient community interest and limited spontaneous interaction.
- To facilitate this new approach, key consultation questions were printed on corflute boards. Officers then moved through the event spaces, initiating conversations with attendees and inviting them to respond to short and easy-to-answer questions.
- This method proved highly effective, significantly increasing participation and boosting survey response numbers. The informal and mobile nature of the engagement allowed for more dynamic interactions and greater reach across diverse community members.

**12. Officers' reports****CM.150/25      Community Engagement Policy**

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**Collaboration**

26. As part of the policy review process, informal discussions were held with engagement officers from other councils to gain insights into their approaches to reviewing community engagement policies. These conversations provided valuable perspectives on best practices, challenges, and innovative methods being trialled across the sector, contributing to a broader understanding of engagement trends and opportunities for improvement.

**Budget considerations**

27. The review of the Community Engagement Policy has been accommodated within existing operational budget.

**Relevant law**

28. Section 55 of the *Local Government Act 2020* sets out the obligations regarding the Community Engagement Policy.
29. Every council must adopt and maintain a Community Engagement Policy under Section 55(1) of the Act.
30. The Policy must be developed in accordance with the community engagement principles outlined in Section 56. These include transparency, accessibility, inclusion, and responsiveness.
31. While the Act does not specify a fixed timeframe for reviewing the policy (example every 4 years), it is implied under good governance obligations and continuous improvement that councils should review the policy regularly.

**Regional, state and national plans and policies**

32. Not applicable.

**Conflicts of interest**

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

**12. Officers' reports**

**CM.150/25      Community Engagement Policy**

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**12. Officers' reports****CM.151/25 Eltham Town Activity Centre Special Rate Levy (2026 - 2029)****Distribution:** Public**Manager:** Frank Vassilacos, Director Planning, Environment and Strategy**Author:** Tania Treasure, Economic Development & Tourism Lead**Summary**

The purpose of this report is to seek Council endorsement to Declare the intention to raise a Special Rate Levy (SRL) for Eltham Town Activity Centre and to commence the statutory process to raise the levy. Money collected through the SRL will be provided to the Eltham Chamber of Commerce and Industry (ECCI) who have an existing SRL in place with an annual value of \$143,000. The SRL is used to fund events, marketing campaigns, business development and digital activities to promote Eltham as an attractive place to visit, shop and dine.

The current 5-year scheme will expire on 30 June 2026. Consultation undertaken by ECCI with businesses affected by the SRL resulted in 38 respondents, of which 76% supported the SRL renewal. ECCI has formally requested (**Attachment 1**) Council commence the process to renew the SRL for a 3-year period, from 1 July 2026 until 30 June 2029.

This report recommends to progress the statutory process for Council to declare its intention to raise a SRL of \$143,000 per year for the Eltham Town Activity Centre, commencing 1 July 2026 for a 3-year period.

**Recommendation****That** Council:

1. Pursuant to section 163 of the *Local Government Act 1989* gives notice of its Intention to Declare a Special Rate Levy for the Eltham Town Activity Centre for a three year period commencing on 1 July 2026 and concluding on 30 June 2029.
2. Resolves the Special Rate Levy is to be used for the purpose of defraying marketing, promotion and other incidental expenses associated with the encouragement of commerce in the Eltham Town Activity Centre, which:
  - a) Council considers will be a special benefit to those persons required to pay the special levy; and
  - b) Arises out of Council's function of encouraging commerce and employment within its municipal district.
3. Resolves that the properties affected by the Special Rate Levy known as the Eltham Town Activity Centre are all rateable properties located within and including:
  - a) 9 – 20 Arthur Street inclusive
  - b) 8 – 80 Commercial Place inclusive
  - c) 1 – 23 Dudley Street inclusive
  - d) 900 – 1050 Main Road inclusive
  - e) 1 – 6 Pryor Street inclusive
  - f) 2 – 20 Luck Street inclusive.

**12. Officers' reports****CM.151/25 Eltham Town Activity Centre Special Rate Levy (2026 - 2029)**

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4. Resolves that the Eltham Town Activity Centre Special Rate Levy will raise an annual value of \$143,000. A percentage of the annual value will proportionally be applied to each property in **Attachments 2 and 3** based on the Net Annual Value and Property Square Meter Area. With 70% of the Net Annual Value and 30% of the Property Square Meter Area for each rateable land.
5. Resolves the total cost of performing the function of the Special Rate Levy described in Recommendation 2 between 1 July 2026 and 30 June 2029, and the total cost of the special rate levied in this period will be \$429,000, with no increase during this period.
6. Resolves for the purposes of Recommendation 4, the Net Annual Value of each rateable land is the Net Annual Value of that parcel of land at the time of levying the special rate (so that the Net Annual Value may alter during the period in which the special charge is in force, reflecting any revaluations and supplementary valuations which take place).
7. Resolves in instances of non-payment of the Special Rate Levy, interest may accrue in accordance with section 172 of the Local Government Act 1989 and standard Shire practice on non-payment of rates and charges will apply.
8. Authorises the Chief Executive Officer to publicly advertise the required Public Notice of Council's intention to declare the Special Rate Levy as required by section 163 of the Local Government Act 1989.
9. Authorises the Economic Development and Tourism Lead to send individual letters with a copy of the public notice to all property owners and property occupiers who will be made liable for the Special Rate Levy.
10. Hears and considers submissions at its Planning and Consultation Committee meeting to be held in early/mid 2026.
11. Following the hearing of submissions received Council will decide whether to adopt as proposed or to modify, defer or abandon the Special Rate Levy at its meeting in mid 2026.

**Attachments**

1. Eltham Chamber of Commerce and Industry (ECCI) Formal Request Letter
2. Map of Eltham Special Rate Levy Properties
3. Estimated Value of Eltham SRL By Property (Year 1) - **CONFIDENTIAL**

**12. Officers' reports****CM.151/25 Eltham Town Activity Centre Special Rate Levy (2026 - 2029)****Discussion**

1. A Special Rate Levy (SRL) involves Council collecting an additional levy on rateable properties within a designated area. The SRL enables a special benefit to be delivered to those obligated to pay the levy.
2. Special Rate Levy's to promote town centres are used by a number of Councils in Victoria, predominantly at the request of a local traders association. These SRL's are different to those Council traditionally uses for infrastructure purposes, in that Council collect a pool of funds to be provided to a traders association to market and promote the township on behalf of businesses. Nillumbik Shire Council currently have 2 Special Rate Levies (Eltham and Diamond Creek) and 1 Special Rate Charge (Hurstbridge) in place to support the trader associations.
3. Eltham Town Activity Centre has had a SRL in place since 1 July 2016. The current SRL for Eltham Town Activity Centre commenced on 1 July 2021 for a period of 5 years and will expire on 30 June 2026.
4. The Special Rate has been successful in delivering a range of activities that have attracted visitation and commercial activity to Eltham Town Activity Centre. These include but not limited to:
  - a) Various live music and entertainment events in Eltham Town Square such as Eltham Green Grooves
  - b) Special day activities such as Mother's Day and Halloween promotions
  - c) Eltham Christmas Craft Market and other Christmas activations and decorations
  - d) Major events such as Melbourne Food and Wine Longest Lunch and Eltham After Dark
  - e) Dedicated website including business directory, promotion of events and trader highlights
  - f) Active social media presence and activity with 3,458 Instagram followers and over 9,200 Facebook followers.
  - g) Financial support to other Eltham events such as Eltham Jazz Food and Wine Festival; and
  - h) Signage and promotional materials within Eltham town.
5. Eltham Chamber of Commerce and Industry (ECCI) have consulted with businesses to seek support in renewing their SRL. Thirty-eight (38) businesses responded to a formal survey with 76% indicating their support for the levy.
6. On 17 September 2025, ECCI formally requested Council to commence the statutory process to renew the SRL from 1 July 2026, for a period of 3 years, expiring on 30 June 2029. (**Attachment 1**)
7. Affected properties for the SRL are identified in **Attachment 2**, these properties are located within the Activity Centre Zone of Eltham Town Activity Centre and are used for commercial, retail and professional purposes. The properties affected by the Special Rate Levy are all rateable properties located within and inclusive of:
  - a) 9 – 20 Arthur Street;

**12. Officers' reports****CM.151/25 Eltham Town Activity Centre Special Rate Levy (2026 - 2029)**

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- b) 8 – 80 Commercial Place;
- c) 1 – 23 Dudley Street;
- d) 900 – 1050 Main Road;
- e) 1 – 6 Pryor Street; and
- f) 2 – 20 Luck Street.

8. ECCI have proposed the SRL remain at the current value of \$143,000 per annum for the 3 years of the new SRL with no increase. ECCI has requested a different basis for raising the Levy from their previous scheme. For this new scheme ECCI has proposed that each affected property will contribute a proportional annual amount based on the formula: 70% of Net Annual Value (NAV) and 30% of the property Square Meter Area (SQM).

9. Estimated special rate levy values for each property in year 1 are shown in **Attachment 3**. The first year estimated values are based on property evaluations as at 1 July 2025. The value of the first year special rate levy for each property is subject to change based on the property evaluation as of 1 July 2026.

10. The Net Annual Value of the property may alter during the period in which the special rate levy is in place, reflecting any revaluations and supplementary valuations which take place. Therefore the amount of the special rate levy for each property may differ each year through the period of the scheme.

11. The special benefit of the proposed levy outlined in this report is to market and promote visitation and commercial activity in Eltham Town Activity Centre through the delivery of events, campaigns, social media and other digital tools. This includes:

- a) An annual calendar of key events including music, activations and markets
- b) Professional website
- c) Engaging social media presence
- d) Business networking events.

12. The SRL will also fund the engagement of a marketing co-ordinator to support ECCI to carry out marketing and promotional activities.

13. Without a SRL, ECCI would be unable to continue delivering activities that promote local shopping and encourage visitation to Eltham. ECCI would become heavily reliant on successfully applying for grant funding to deliver a reduced calendar of events and promotional initiatives. Website visibility and social media presence would also be greatly impacted.

14. Council officers maintain a positive, supportive relationship with ECCI to ensure the SRL is spent on appropriate activities, and that comprehensive and accurate reporting is received before releasing bi-annual instalment payments. This includes the development of an annual activity plan that is consistent with the special benefits of the SRL and delivers on the objectives of ECCI's 3-year Business Plan.

15. If the SRL is declared, Council will enter into a formal agreement with ECCI outlining ECCI's and Council's responsibilities, reporting requirements and payment instalments for the timeframe of the SRL.

**12. Officers' reports****CM.151/25 Eltham Town Activity Centre Special Rate Levy (2026 - 2029)****Related Council decisions**

16. Previous Special Rate declarations for Eltham Town have been made at the Ordinary Council Meeting 21 June 2016. The current levy was declared at the Ordinary Council Meeting on 23 March 2021.

**Options**

17. Council has an option to accept ECCI's formal request (**Attachment 1**) to commence the statutory process to Declare an Intention to impose a special rate levy on Eltham properties outlined in **Attachments 2 and 3**.
18. Council has an option to make amendments to ECCI's formal request (**Attachment 1**) to commence the statutory process to Declare an Intention to impose a special rate levy on Eltham properties outlined in **Attachments 2 and 3**. Based on the consultation ECCI have undertaken with businesses and research the ECCI Committee have undertaken to request a renewal of the scheme, this option was not considered by officers.
19. Council has an option to decline ECCI's formal request (**Attachment 1**) to commence the statutory process to renew the SRL. If Council choose to decline the request, ECCI's ability to undertake marketing and promotional activities to support the businesses will be significantly impacted due to a lack of financial resources.

**Council plans and policies**

20. This report directly supports the achievement of the Council Plan 2025-2029:
  - Strengthen Nillumbik's local economy by supporting businesses, growing local industries, attracting investment, and promoting vibrant events.

**Access, Equity and Inclusion**

21. ECCI have undertaken business consultation through face-to-face and digital engagement to ensure an accessible, inclusive and equitable approach.

**Sustainability implications**

22. Renewal of the SRL will give ECCI the ability to continue to promote Eltham Town Activity Centre as an attractive place to shop, dine and visit. The awareness generated through promotional and business development activities supports existing businesses and highlights investment opportunities to attract new businesses to Eltham.

**Community engagement**

23. ECCI have engaged with businesses who will be affected by the SRL through face-to-face discussions and digital surveys.
24. Thirty eight (38) businesses formally responded to the consultation process and 76% of engaged businesses expressed their support for the renewal of the SRL.
25. If Council decide to give notice of their Intention to Declare a SRL, a formal letter will be sent to each property owner and tenant to advise of Council's intention to declare a Special Rate Levy. Instructions on how to provide submissions in support or against the proposed SRL will be provided in this correspondence. In addition, a public notice will be advertised in either The Age or Herald Sun newspaper.

**12. Officers' reports****CM.151/25 Eltham Town Activity Centre Special Rate Levy (2026 - 2029)**

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26. Formal submissions may be heard at a Planning and Consultation Committee (PCC) in early/mid 2026.

**Innovation and continuous improvement**

27. The SRL aims to support the continued economic development and commercial activities of Eltham Town Activity Centre. This support is carried out through initiatives such as improved website design, innovative social media and engaging events.

**Collaboration**

28. Officers have engaged with other Councils on the management of their Special Rates and Charge Scheme used for trader associations. Engagement has also taken place with Council's Rates and Valuations Unit

**Budget considerations**

29. The Levy is collected through Council's rate process. 100% of the funds collected are passed to ECCI to execute marketing and promotion activities for Eltham Town Activity Centre in accordance with their business plan.

30. Administrative costs will be incurred for the renewal of the Special Rate Levy. If Council choose to Declare their Intention to raise the SRL, officers will coordinate the mailing of letters to all property owners and tenants affected by the SRL and manage future correspondence in response to submissions received, and the cost of the Public Notice.

31. The estimated mailing costs, advertising costs and officer's time to be valued at \$20,000. These costs are covered from the existing Economic Development and Tourism operational budget.

**Relevant law**

32. A Special Rate Levy may be declared by Council under section 163 of the *Local Government Act 1989*. In declaring a Special Rate, Council must consider:

- That the proposal relates to the performance of a function authorised by the Act.
- That there will be a special benefit to the persons liable to pay the Special Rate.
- That there is a proportional distribution of the rate amongst those persons liable to pay the Special Rate.
- The total cost of the Special Rate including the annual amount.

**12. Officers' reports****CM.151/25 Eltham Town Activity Centre Special Rate Levy (2026 - 2029)**

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33. The Act provides that Council must calculate the value raised by the levy in accordance with the following formula: **R x C = S**.

**R** is the 'benefit ratio' which is the proportion of total benefit of the scheme for those liable to pay the levy.

**C** is the total cost of the scheme.

**S** is the maximum amount that can be levied.

34. It is considered that all the properties within the proposed SRL area (**Attachments 2 and 3**) will receive a special benefit through increased economic activity. It is also considered that there are no separate 'community benefits' that can be measured which might accrue from the existence of the scheme. The benefit ratio (R) is therefore 100%.

35. The total annual cost of the SRL (C) is the maximum amount to be levied of \$143,000 per year.

36. The maximum amount (S) that can be levied over the 3 year period that the proposed SRL will be in place for is \$429,000.

37. The Act requires Council to give public notice of its Intention to Declare a Special Rate Levy and write to all people who will be liable to contribute. A public notice will be advertised in either The Age or Herald Sun newspaper and a formal letter will be sent to each property owner and tenant to advise of Council's intention to declare a Special Rate.

**Regional, state and national plans and policies**

38. Not applicable.

**Conflicts of interest**

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

**12. Officers' reports**

**CM.151/25      Eltham Town Activity Centre Special Rate Levy (2026 - 2029)**

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12. Officers' reports

CM.152/25 Community Assessment Panel

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**Distribution:** Public

**Manager:** Corrienne Nichols, Director Communities

**Author:** Nichole Johnson, Manager Community Partnerships

**Summary**

This report presents Council with the seven recommended nominees for appointment to the Community Assessment Panel for a one-year term (**Attachment 1**).

The Terms of Reference (**Attachment 2**) were endorsed by Council on 29 July 2025.

Expressions of Interest for the Community Assessment Panel were open for eleven weeks during which eight submissions were received, noting one later withdrew. The seven remaining nominees were assessed against selection criteria (**Attachment 1**) by an internal assessment panel.

**Recommendation**

That Council:

1. Endorses the seven applicants listed (**Attachment 1**) onto the Community Assessment Panel:
  - a) Applicant 1 \_\_\_\_\_ for their role as a Community Assessment Panel member
  - b) Applicant 2 \_\_\_\_\_ for their role as a Community Assessment Panel member
  - c) Applicant 3 \_\_\_\_\_ for their role as a Community Assessment Panel member
  - d) Applicant 4 \_\_\_\_\_ for their role as a Community Assessment Panel member
  - e) Applicant 5 \_\_\_\_\_ for their role as a Community Assessment Panel member
  - f) Applicant 6 \_\_\_\_\_ for their role as a Community Assessment Panel member
  - g) Applicant 7 \_\_\_\_\_ for their role as a Community Assessment Panel member
2. Resolves that the Nominee 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*.
3. Resolves that the successful applicants be named.

12. Officers' reports

CM.152/25 Community Assessment Panel

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Attachments

1. Assessment Panel Summary- **CONFIDENTIAL**
2.  Community Assessment Panel Terms of Reference
3.  Community Grants Policy

Discussion

1. In line with the current Community Grants Policy (**Attachment 3**), it is recommended that Council engage an external Community Assessment Panel to support the assessment of applications under Council's community grant programs. In accordance with this Policy, applications for grants programs offering funding equal to and above \$5,000 are required to be assessed by an assessment panel of community representatives and/or experts drawn from existing advisory committees and/or stakeholder groups.
2. The Terms of Reference were endorsed prior to recruitment commencing (**Attachment 2**), to minimise risk, ensure the Panel operates fairly and transparently, and is as effective as possible, the following conditions are highlighted within the Terms of Reference:
  - a) **Code of Conduct:** Effective Panel assessments need to be conducted so that all participants have an opportunity to express their views and listen to the views of others in a respectful way. Conduct obligations and good governance principles consistent with and complimentary to the Code of Conduct contained within Council's Governance Rule - Meeting Procedures will apply to all panel members.
  - b) **Conflicts of interest:** Panel members and Council staff will also follow Conflicts of Interest procedures for disclosure in the Governance Rule – Decision-making Policy. Panel members will be required to declare any connections they have with applicants and applications prior to each assessment.
  - c) **Confidentiality and Privacy:** Panel members must treat both the material that they review, and any discussions related to their assessment, as confidential. Panel members must comply with the requirements of the *Privacy and Data Protection Act 2014* and Council's Information Privacy Policy while undertaking this role.
3. Panel members will be required to complete and submit an Assessor Code of Conduct declaration form adhering to these conditions, which are further outlined in **Attachment 1**.
4. Expressions of Interest for membership were sought for a period of eleven weeks from Friday 1 August to Sunday 19 October 2025.
5. Council staff members assessed the seven nominees by their merit, skills and expertise, considering a diverse representation of views and backgrounds. (**Attachment 1**).

**12. Officers' reports****CM.152/25 Community Assessment Panel**

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6. The Panel is a voluntary specific purpose group which will be selected on an annual basis and appointed for a one-year term to assess and provide objective advice and recommendations related to applications and nominations for a range of community programs.
7. It is important to note that the Panel is not a decision-making body. Officers will consider the recommendations made by the panel and final recommended outcomes for community programs will be made by the appropriate delegate/s from Nillumbik Shire Council.

**Related Council decisions**

8. On 29 July 2025 Council endorsed the Terms of Reference and the commencement of the expression of interest process for the Community Assessment Panel.

**Options**

9. Based on scoring and suitability all seven nominees are recommended to Council for endorsement.
10. A copy of the Assessment Panel Summary is attached (**Attachment 1**).

**Council plans and policies**

11. This report directly supports the achievement of the Council Plan 2025-2029 strategy:
  - Make transparent, well-informed decisions that prioritise the community's best interests through practising good governance.

**Access, Equity and Inclusion**

12. The Community Assessment Panel aims to improve the access, equity and inclusion of assessment of Councils community grant programs.
13. Diverse panel members can bring lived experiences and insights that reflect the unique needs and challenges of the community, resulting in more equitable decisions.

**Sustainability implications**

14. Not applicable.

**Community engagement**

15. Community members offer on-the-ground knowledge and an understanding of local priorities, which can lead to funding decisions that better align with the community's needs and aspirations.
16. Further, recruiting and training of community members to serve on panels builds their capacity to participate in governance and decision-making processes. This can foster civic leadership and a stronger, more engaged community.
17. Community assessment panels can also help spread awareness of council grant programs as panel members often share their knowledge with their networks. This can lead to broader participation and stronger applications in future funding rounds.

**12. Officers' reports**

**CM.152/25      Community Assessment Panel**

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**Innovation and continuous improvement**

18. The formation of the Community Assessment Panel and the Terms of Reference 2026 (**Attachment 2**) support continuous improvement in responding to the findings of the VAGO Fraud Control over Local Governments Report.

**Collaboration**

19. Not applicable.

**Budget considerations**

20. Not applicable.

**Relevant law**

21. Not applicable.

**Regional, state and national plans and policies**

22. Not applicable.

**Conflicts of interest**

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

**12. Officers' reports****CM.153/25 Council Expenses Policy 2025****Distribution:** Public**Manager:** Jeremy Livingston, Acting Chief Operating Officer**Author:** Bulet Oz, Chief Financial Officer**Summary**

This report presents the Council Expenses Policy 2025 for Council's adoption.

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

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

This policy replaces and updates the Council Expenses Policy 2020.

**Recommendation**

That Council adopts the Council Expenses Policy 2025 (**Attachment 1**).

**Attachments**

1  Council Expenses Policy 2025

**Discussion**

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

**12. Officers' reports****CM.153/25 Council Expenses Policy 2025**

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h) Related policies and legislation.

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

**Related Council decisions**

10. This policy replaces and updates the Council Expenses Policy 2020, which was endorsed by Council at the August 2020 Council Meeting.

**Options**

11. The Council Expenses Policy has been drafted in compliance with the *Local Government Act 2020* and is presented to Council for formal adoption.

**Council plans and policies**

12. This report directly supports the achievement of the Council Plan 2025-2029 strategy:
  - Ensure transparent communication of Council's role and decisions, reflecting community values and priorities, to build trust and alignment with Council's purpose.

**Access, Equity and Inclusion**

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

**Sustainability implications**

14. Not applicable.

**Community engagement**

15. Not applicable.

**Innovation and continuous improvement**

16. Not applicable.

**Collaboration**

17. This policy has been updated in consultation with the current 2024-2028 Councillor group through a Councillor briefing session on 2 September 2025.
18. This updated policy was also presented to the Audit and Risk Committee in November 2025 for consideration by the Committee.

**12. Officers' reports**

**CM.153/25      Council Expenses Policy 2025**

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**Budget considerations**

19. The associated costs are contained within Council's 2025-2026 Budget.

**Relevant law**

20. Section 41 of the *Local Government Act 2020* applies to the Council Expenses Policy.

**Regional, state and national plans and policies**

21. Not applicable.

**Conflicts of interest**

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

**12. Officers' reports**

**CM.153/25      Council Expenses Policy 2025**

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**12. Officers' reports****CM.154/25 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 (**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.

On 28 October, the Triennial Festival and Event Program 2026-2029 report was presented to Council for endorsement. Council voted to defer the report to the 9 December Council meeting, so they had enough time to further review the report.

**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**).

12. Officers' reports

CM.154/25 Nillumbik Festival and Event Triennial Program 2026-2029

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- 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)**.
- 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*.

**Attachments**

1. Triennial Festival and Event Program 2026-2029 - Assessment Outcomes - **CONFIDENTIAL**  

2. Nillumbik Festival and Event Triennial Program 2026-2029 Guidelines  

3. Nillumbik Events Policy  

4. Community Grants Policy  


**Discussion**

1. The EOI process for the Program 2026-2029 opened for eight weeks on Monday 6 May 2025 and closed on Sunday 30 June 2025, offering annual funding of \$10,000 to \$65,000 per event from a total pool of \$320,000 per annum. The Program supports large-scale festivals and events that strengthen community connection, celebrate local identity, and contribute to the cultural and economic vibrancy of Nillumbik.
2. Community groups and organisations that live, work, study, volunteer or play in Nillumbik were invited to apply for three-year funding. The program was guided by the Nillumbik Festival and Event Triennial Program 2026-2029 Guidelines, **(Attachment 2)** developed in alignment with the Nillumbik Events Policy **(Attachment 3)** and Community Grants Policy **(Attachment 4)**.
3. To support applicants, two information sessions were delivered through April, including a virtual option outside business hours. Additional one-on-one support was provided by the Events team.

## 12. Officers' reports

## CM.154/25 Nillumbik Festival and Event Triennial Program 2026-2029

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4. A Community Assessment Panel was convened to evaluate applications, comprising six members from the Nillumbik Community. Panel members were selected for their diverse expertise, lived experience, and involvement in Council advisory committees and community leadership program.
5. The panel assessed applications against the published criteria, with support from Council officers through training, regular check-ins, and technical assistance.
6. A total of 15 applications were received, requesting \$672,813.00 in annual funding. Of these, eight applications are recommended for funding. Two are recommended for full funding, six for partial funding, three are not recommended, and three were deemed ineligible. Applications were considered ineligible or not recommended due to factors such as misalignment with program objectives, low application quality, delivery risks, or budget constraints.
7. In May 2022 VAGO (Victorian Auditor General's Office) issued a report regarding Fraud Control over Local Government Grants. Nine recommendations were made about strengthening and improving their guidance and training for grants addressing the risk of fraud.  
<https://www.audit.vic.gov.au/report/fraud-control-over-local-government-grants>
8. A theme of the VAGO report strongly recommended that assessment of grant applications be informed by a transparent and unbiased process, where decision-making and grant assessments are kept separate.
9. This recommendation underpins the decision by Council to move away from Councillors participating on assessment panels and reinforces their role to endorse or amend the recommendations. Furthermore, the decision to separate Councillors from sitting on grant assessment panels is grounded in good governance practice and the need to maintain both the integrity and perception of fairness in decision-making.
10. As outlined in our Community Grants Policy (**Attachment 4**) to ensure an accountable and transparent assessment process, applications for grants programs offering funding equal to and above \$5,000 will be vetted internally against eligibility criteria before being assessed by an assessment panel of community representatives or experts drawn from existing advisory committees and/or stakeholder groups.
11. This approach also aligns with the findings of the recent Parliamentary Inquiry into Fraud and Corruption, which highlighted the need for stronger controls to mitigate risks of perceived or actual conflicts of interest in local government decision-making.
12. The Triennial Festival and Event Program 2026-2029 Assessment Outcomes (**Attachment 1**) provides a comprehensive evaluation of community-led festival and event funding applications across Nillumbik Shire. It outlines proposed funding allocations based on community panel scores, strategic alignment, local benefit, and financial viability. The document includes officer recommendations for full, partial, or no funding across 15 applications, supporting a balanced investment of \$320,000 over three years. It aims to enhance cultural vibrancy, community engagement, and tourism while encouraging innovation, sustainability, and collaboration.
13. Unsuccessful applicants will be offered feedback and referred to other internal and external funding opportunities, including the Nillumbik Community Fund and Quick Response Grants.

**12. Officers' reports**

**CM.154/25 Nillumbik Festival and Event Triennial Program 2026-2029**

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**12. Officers' reports****CM.154/25 Nillumbik Festival and Event Triennial Program 2026-2029****Related Council decisions**

14. On 25 October 2025, the Triennial Festival and Event Program 2026-2029 report was presented to Council for endorsement. Council voted to defer the report to the 9 December Council meeting so they had enough time to further review the report.
15. On the 27 September 2022, Council endorsed that an Expression of Interest (EOI) process to take place every three years inviting new and existing events and festival organisers for the Events and Festivals Funding (Triennial Funding) 2023 onwards. The Festivals and Events Triennial Program Guidelines and Events Policy were also endorsed.
16. The *Triennial Event and Festival Program 2026–2029 Guidelines*, which outline the program's objectives, eligibility criteria, and assessment framework, were presented to Councillors at the briefing held on 18 February 2025. These guidelines have since informed the assessment of community led event applications, ensuring alignment with Council priorities and enabling a strategic and balanced funding approach across the shire.

**Options**

17. The purpose of this report is to provide Councillors with the outcomes of the Triennial Event and Festival Program 2026–2029 Expression of Interest (EOI) process, including proposed funding allocations and assessment methodology (see **Attachment 1**).

**Council plans and policies**

18. This report directly supports the achievement of the Council Plan 2025-2029 strategy:
  - Support volunteering and community involvement to build strong connections, improve wellbeing, and create welcoming, active places for everyone.

**Access, Equity and Inclusion**

19. An Equity Impact Assessment (EIA) was conducted on 5 June 2024 as part of the development process for the Triennial Event and Festival Program 2026–2029 Guidelines. Insights from the EIA directly informed the creation of inclusive and accessible application materials, including a simplified EOI template and question structure designed to reduce barriers to entry. The use of a community assessment panel further embedded diverse perspectives into the evaluation process, ensuring the program reflects Council's commitment to equity, inclusion, and community representation.

**Sustainability implications**

20. Not Applicable.

**Community engagement**

21. In line with the Community Grants Policy (**Attachment 4**), the assessment panel was drawn from the Nillumbik community, ensuring community voice and representation in decision-making. This approach builds trust, transparency, and shared ownership of Council's grant programs.

**12. Officers' reports****CM.154/25 Nillumbik Festival and Event Triennial Program 2026-2029**

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**Innovation and continuous improvement**

22. The 2026–2029 program reflects a shift toward a more competitive and transparent model, with improvements in applicant support, assessment training, and community involvement. Feedback from the 2023–2026 round informed refinements to the guidelines and process.

**Collaboration**

23. Applications were initially reviewed by Council officers from Events, Economic Development, Arts and Culture, Community Development, and Social Inclusion. Their insights helped inform the assessment process and provided valuable context for the external panel.

**Budget considerations**

24. The program is funded through an annual allocation of \$320,000 in the operational budget. A review of funding levels is recommended every three years to account for CPI and program growth.

**Relevant law**

25. Not Applicable.

**Regional, state and national plans and policies**

26. Not Applicable.

**Conflicts of interest**

27. All officers and the community assessment panel involved in the preparation of this report have declared no conflicts of interest.

**12. Officers' reports**

**CM.154/25 Nillumbik Festival and Event Triennial Program 2026-2029**

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**12. Officers' reports****CM.155/25 Jayson Avenue Special Charge Scheme, Eltham - Intention to Declare****Distribution:** Public**Manager:** Jeremy Livingston, Acting Chief Operating Officer**Author:** Steven Blight, Manager Capital and Infrastructure**Summary**

Council received a petition on 24 November 2022 from property owners in Jayson Avenue, Eltham, requesting that the road be sealed.

After preparing a concept design and cost estimate and conducting a questionnaire, it was determined that 5 of 8 (62.5%) of property owners supported road sealing. Consequently, Council resolved on 25 March 2025 to proceed with the development process for the Jayson Avenue Special Charge Scheme, Eltham (Item CM.023/25). This process has now been completed.

This report commences the statutory process to declare and levy the special charge. Council must first give notice of its intention to declare a special charge, and subsequently hear any submissions and/or objections to the special charge scheme. Following this, Council may resolve to declare, vary or abandon the scheme.

**Recommendation****That** Council:

1. Gives public notice of its intention to declare a special charge in accordance with Section 163(1) of the *Local Government Act 1989* for the purposes of defraying the expenses to be incurred by Council for the sealing and upgrade of Jayson Avenue, Eltham, subject to the following conditions:
  - a) The works include sealing of the road with a thin asphalt layer at a typical width of 4 metres, with increased width at the bend on Jayson Avenue, and upgrades to the drainage and vehicle crossovers along the road and the intersection at Homestead Road.
  - b) The Special Charge Scheme shall apply to the eight properties at 2, 3, 4, 5, 6, 24 and 26 Jayson Avenue and 15 Homestead Road in Eltham (refer to **Attachment 1**), which will receive access and amenity benefits.
  - c) The estimated total project cost is \$389,000 and the amount levied between the eight properties is \$320,623.79 (**Attachment 2**). The Council contribution for the Crown Land at 560 Main Road is \$68,376.21.
  - d) The total estimated cost to each property may be paid as a lump sum within 30 days of invoice, or by quarterly instalments over a ten year period with interest as provided by Section 163(1)(b) of the *Local Government Act 1989*.
  - e) The Special Charge Scheme for Jayson Avenue, Eltham, shall remain in force for ten years.
2. Notes that Council officers will send a copy of the intention to declare notice to each person who will be liable to pay the special charge.

**12. Officers' reports****CM.155/25 Jayson Avenue Special Charge Scheme, Eltham - Intention to Declare****Attachments**

- 1  Jayson Avenue Scheme Area
- 2  Jayson Avenue Scheme - Cost Apportionment

**Discussion**

1. On 24 November 2022, Council received a petition signed by property owners in Jayson Avenue, Eltham requesting that the road be sealed.
2. An initial questionnaire was sent to the eight property owners in Jayson Avenue (refer to **Attachment 1**) in March 2023 to determine the level of interest to investigate sealing of the road.
3. The result of the initial questionnaire demonstrated that 87.5% (7 of 8 property owners) were in favour to proceed with a Special Charge Scheme to seal Jayson Avenue.
4. Council officers held an information session with property owners on 29 February 2024. General information was discussed relating to the construction standard, cost apportionment, scheme procedure, statutory process and reconciliation of the scheme.
5. On 31 July 2024, a formal questionnaire with estimated liabilities for each property based on a cost estimate range for the project of \$327,813.75 to \$393,376.50 were sent to all property owners to ascertain the level of support for sealing the road.
6. The result of the formal questionnaire demonstrated that 62.5% (5 of 8 property owners) were in favour to proceed with a Special Charge Scheme to seal Jayson Avenue. A sufficient level of support was achieved to proceed with further development of the scheme.
7. Task group meetings were held at Jayson Avenue on 14 April 2025 and 21 July 2025 to inform the development of the project design.
8. A seven-day traffic count undertaken in mid-2024 indicated that there is insufficient through traffic use along Jayson Avenue to trigger a Council contribution for broader community benefit.
9. The estimated total project cost is \$389,000, which is within the initially advised cost estimate range. Council is liable for the contribution of the Crown Land (Hohnes Hill Reserve) at 560 Main Road, which is estimated at \$68,376.21. The remaining amount of \$320,623.79 is levied between the eight properties as shown in **Attachment 2**.
10. A final information session for property owners involved in the scheme was held on 27 October 2025, with attendance from property owners representing seven properties involved in the scheme.

**Related Council decisions**

11. At the March 2025 Council Meeting (Item CM.023/25), Council resolved to proceed with the development of a Special Charge Scheme for the sealing of Jayson Avenue, Eltham.

**12. Officers' reports****CM.155/25 Jayson Avenue Special Charge Scheme, Eltham - Intention to Declare****Options**

12. To proceed as per the recommendation of this report reflective of the consultation undertaken with property owners.

**Council plans and policies**

13. This report directly supports the achievement of the Council Plan 2025-2029 strategy:

- Improve local road infrastructure to meet community needs while respecting neighbourhood character.

14. The scheme is consistent with the policies and objectives of the Nillumbik Planning Scheme, including the protection of neighbourhood character and environment.

**Access, Equity and Inclusion**

15. Not applicable.

**Sustainability implications**

16. Council is committed to using environmentally sustainable materials in the construction of the scheme where available and appropriate.

**Community engagement**

17. Consultation was carried out in accordance with Council's Special Rate and Special Charge Policy and Guidelines (June 2024).

**Innovation and continuous improvement**

18. Not applicable.

**Collaboration**

19. Not applicable.

**Budget considerations**

20. All internal costs associated with the scheme's investigation and design are accommodated within existing operational budgets.

21. Council is liable for \$68,376.21 of the total cost of the Scheme, which represents the contribution for a crown land property at 560 Main Road (Hohnes Hill Reserve).

**Relevant law**

22. The Special Charge Scheme legislation is under Parts 8 and 11 of the *Local Government Act 1989*.

**Regional, state and national plans and policies**

23. Not applicable.

**Conflicts of interest**

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

**12. Officers' reports**

**CM.155/25      Jayson Avenue Special Charge Scheme, Eltham - Intention to Declare**

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**12. Officers' reports****CM.156/25 Kindergarten Infrastructure Services Plan Update**

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**Distribution:** Public**Manager:** Corrienne Nichols, Director Communities**Author:** Narelle Hart, Manager Community Programs**Summary**

The provision of infrastructure is a key component to delivering the State Government's Best Start Best Life (BSBL) reforms and will require an increase and expansion of kindergarten facilities across the State.

Kindergarten Infrastructure and Services Plans (KISP), which are developed by the Victorian School Building Authority (VSBA), Victorian Department of Education (DE) and the individual Local Government, indicate where and when new infrastructure will be required to support both reform implementation and population growth within the local government area (LGA).

KISPs are intended to support service planning and identify if there is a need for future capital works. Information included in a Council's KISP includes:

- Current and future supply and demand for funded kindergarten
- Any planned infrastructure projects to meet future demand for kindergarten places
- Forecasting of any 'unmet demand' for kindergarten statistical areas (SA2) within the municipality
- Information specific to the local government area and its early childhood education and care landscape – the 'Local Context'.

KISPs are intended to support planning. They are not funding documents and do not commit any party to addressing the unmet demand identified.

The State Government expects that any future investment or funding requests through Building Blocks funding would align with any unmet demand that has been identified in the Council's KISP (**Attachment 1**).

Since reporting to Council on 5 November 2025, Council officers met with the VSBA and DE's regional office on 11 November 2025 to discuss Councillor and Officer concerns being that the KISP data suggests a low level of unmet demand across the Shire when the local context and the allocation of places indicate that families are not accessing kindergarten where they want to.

The advice from the VSBA was that:

- the Local Context will be considered in conjunction with supply and demand data when assessing funding applications and,
- funding applications would not be considered favourably without a signed KISP from the applying Council

Following this meeting, VSBA has reviewed and strengthened the local context within the KISP.

**12. Officers' reports****CM.156/25 Kindergarten Infrastructure Services Plan Update**

Council will need to consider incorporating the expansion of existing Council owned kindergarten facilities within future budgets whilst still advocating for State Government funding.

Alternatively, Council can accept that community have options to attend funded kindergarten at a range of service types irrespective of personal preferences.

**Recommendation**

**That** Council:

1. Notes the Victorian State Government's Best Start, Best Life Reforms is having a significant impact on kindergarten infrastructure supply and demand across the state and within Nillumbik.
2. Endorses the Kindergarten Infrastructure and Services Plan (**Attachment 1**).
3. Advocates to the Department of Education to enact the requirement of the Kindergarten Funding Guide being that kindergartens must '*optimise available place and spaces (ie increase group size to full capacity, employ an additional assistant or use a rotational model)* to support access to kindergarten.
4. Considers the need to budget for increased kindergarten infrastructure within the Shire over the next 10 years alongside ongoing advocacy for State Government funding.

**Attachments**

- 1 Nillumbik Shire Council Kindergarten Infrastructure Services Plan
- 2 Nillumbik Shire Department of Education Kindergarten 2024 Profile
- 3 Early Years Infrastructure Services Plan

**Discussion**

1. The Victorian State Government's \$14 billion BSBL reforms are bringing significant change to Victoria's kindergarten education sector. The reforms will apply to funded kindergarten programs delivered by standalone preschools, long day care services and school kindergarten programs.
2. The BSBL reforms were introduced in 2022 and include:
  - Free kinder: now available for Victorian three and four-year-old children at participating stand-alone, long day care and school kindergarten services. This equates to a saving of up to \$2,600 per child, per year.
  - Pre-prep: four-year-old kindergarten will gradually increase from 15 hours per week to 30 hours per week in Victoria by 2036.
  - Three-year-old kindergarten: the roll-out of three-year-old kindergarten will continue with programs increasing to 15 hours a week across the state by 2029.

**12. Officers' reports****CM.156/25 Kindergarten Infrastructure Services Plan Update**

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3. Pre-prep (three-year-old kindergarten) will roll-out in Nillumbik Shire from 2026:
  - From 2026, Aboriginal and Torres Strait Islander children, children from a refugee or asylum seeker background, and children who have had contact with Child Protection services, will be eligible to access up to 25 hours of four-year-old kindergarten, increasing to 30 hours from 2028.
  - From 2028, children who have (or have a parent or guardian who has) a Commonwealth Concession Card and children who are a multiple birth child (triplets or more) will be eligible to access up to 25 hours of four-year-old kindergarten, increasing to 30 hours from 2030.
  - From 2036 all other children will be eligible to access 30 hours of four-year-old Kindergarten (Pre-prep).
4. These reforms are already having an impact on demand for kindergarten programs and as the roll out of increased program hours continues, there will be a significant impact on:
  - Workforce
  - Building Infrastructure

**Workforce**

5. The increase in hours of funded three and four-year-old kindergarten has seen the need for an increase in qualified Early Childhood Teachers across all service provision. Services have found it challenging to find high quality educators to fill vacant positions and this will continue as hours of kindergarten increase across the State until 2036.
6. The Department of Education (DE) have implemented several strategies to fast track those seeking to work within the sector however this has also impacted the quality of those graduating from courses with many services still not being able to fill vacancies within their workforce with high quality educators.
7. Services within the Shire are fortunate to have long-term staff however, some of these staff are being challenged by the need to implement innovative timetabling to meet the needs of the reforms, including mixed age grouping and rotational program timetables.

**Infrastructure**

8. With the implementation of free three and four-year-old kindergarten, program demand is increasing. Combined with the increase in program hours for both three and four-year-old programs, the capacity of the existing building infrastructure is being reduced. For example: for one kindergarten room, in the past, a room could deliver two groups of four-year-old kindergarten for 15 hours each per week and one group of three-year-old for 10 hours per week. Under the reforms, increasing four-year-old to 30 hours per group and four-year-old to 15 hours per group would result in the reduction of one full group of four-year-old kindergarten and a possible reduction in the number of three-year-old places being available.

**12. Officers' reports****CM.156/25 Kindergarten Infrastructure Services Plan Update**

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9. Whilst the impact on infrastructure is being felt by all municipalities across the State, the actual impact on individual municipalities is being assessed by the Victorian Department of Education (DE) and the Victorian School Building Authority (VSBA) in consultation with the individual Council. The information gathered through these assessments are being developed into a Kindergarten Infrastructure and Services Plan (KISP) for each individual municipality (**Attachment 1**).
10. KISPs were initially developed to support the roll-out of funded three-year-old kindergarten and are now being reviewed and updated to take into consideration the implementation of Pre-prep.
11. KISPs use population forecasts and existing service supply to identify where and when new infrastructure will be required to support both the reform implementation and population growth. The KISP is intended to support service planning and identify if there is a need for future capital works. Information included in a Council's KISP includes:
  - Current and future supply and demand for funded kindergarten
  - Any planned infrastructure projects to meet future demand for kindergarten places
  - Forecasting of any 'unmet demand' for kindergarten statistical areas (SA2) of the municipality
  - Information specific to the local government area and its early childhood education and care landscape – the 'Local Context'.
12. The KISP is not a funding document and does not commit any party to addressing the unmet demand identified.
13. DE expects that any future investment or funding requests through Building Blocks funding would align with any unmet demand that has been identified in the Council's KISP, with the Local Context being considered alongside the demand and supply data.
14. DE has advised that future Building Blocks grants would not be considered favourably without a signed KISP that provides agreed data on supply and demand as well as a Local Context that provides background to the unique attributes of the Local Government area.
15. Council officers have worked in parallel and in consultation with DE to analyse, negotiate and agree in principle on Nillumbik's population and service capacity data.
16. Given the critical importance of a Council's KISP in determining future infrastructure investment by the State, Council officers have worked to advocate to DE about factors that affect kindergarten supply and demand which are specific to Nillumbik:
  - Service capacity of a municipality is based on the total number of licenced places for three and four-year-old kindergarten across all standalone preschools, long day care centres and schools within the municipality. It does not take into consideration that many services in Nillumbik do not operate at their full licenced capacity.

## 12. Officers' reports

## CM.156/25 Kindergarten Infrastructure Services Plan Update

- Council officers have strongly advocated to the Department to reduce the capacity of some of the services arguing that many do not operate at their licenced capacity for a range of reasons including financial viability considerations, old infrastructure that can no longer accommodate the licenced capacity and service preference for quality care and education. Officers have been successful in achieving some reductions, however the level of reduction agreed to by DE is still not reflective of the actual situation across the Shire.
- Population Forecasting: When using population forecasts to determine future demand for kindergarten program, DE use Victoria in Future (VIF) data. Council officers engaged an independent Community Infrastructure Consultant to analyse population forecasts using forecast.id. Council's data extracted from forecast.id was on average 7 per cent higher than VIF estimates for three-year-old population projections and 6 per cent higher than VIF estimates for four-year-old population projections.
- Council Officers were able to negotiate a midpoint between the two sets of data which resulted in an increase in Nillumbik's projected population within the KISP.
  - The table below outlines the additional kindergarten places that will be required between 2026 – 2036 in Nillumbik Shire as determined by DE.
  - A more detailed breakdown of anticipated unmet demand across Nillumbik SA2 areas can be found in **Attachment 1 – Tables 2A – 2F**.

Nillumbik estimates	Shire	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036
Demand for kindergarten places		1407	1445	1488	1487	1492	1481	1475	1471	1625	1780	2057
Unmet demand		4	11	14	15	16	17	18	18	30	43	247

- Service Preference – The KISP supply data is based on the total number of licenced places across standalone, long day care and school kindergarten programs in the Shire and it does not take into consideration the community preference to particular service types.
  - Data provided by DE in the Nillumbik 2024 Profile (**Attachment 2**) notes that while kindergarten service provision is an even 50 per cent split between long day care and stand-alone sessional preschool, 69.6 per cent of children access their funded kindergarten through a stand-alone preschool. The preference to attend stand-alone preschool programs in comparison to long day care programs has been a historical position held by Nillumbik families and has been confirmed by surveys conducted with community in the last 10 years.

## 12. Officers' reports

CM.156/25 Kindergarten Infrastructure Services Plan Update

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- With the exception to Panton Hill – St Andrews SA2, the KISP indicates that there are enough places for all children wishing to access a funded three or four-year-old kindergarten place in Nillumbik up until 2036. However, at the completion of the third round of the preschool registration offer process for 2026, 45 children remained on the waiting list for a three-year-old kindergarten place, and 102 children were still waiting to be offered a place in a funded four-year-old kindergarten program within a sessional stand alone. These families are likely to have investigated accessing a funded kindergarten place within a long day care service or a sessional stand-alone preschool outside of the Shire as to date they have been unable to secure a place within one of the 15 sessional stand-alone preschools within the Shire.
- Council officers have developed the Local Context section of the KISP to advocate and demonstrate the unique attributes of Nillumbik and the community which impact how and why families access kindergarten across the Shire.
- DE continue to refer to the data noting that across the early years services including Long Day Care and Independent Schools within the Shire, there are enough kindergarten places to meet demand in the short term.
- Repeating children are those who are having a repeat year in either three or four-year-old kindergarten. Historically within Nillumbik, approximately 10 per cent of four-year-old children at stand-alone preschools are approved to have a repeat year. From 2026, children will now also have the opportunity to access a repeat year of funded three-year-old kindergarten. During the 2026 offer period there were 24 children allocated a repeat year of funded three-year-old kindergarten, which is 6 per cent of the cohort.
  - The KISP does not take into consideration the number of children accessing a second year of funded kindergarten within demand data as DE does not consider these numbers significant.
- Kindergarten participation rates: DE data states that the average kindergarten participation rate across the State is 96 per cent for four-year-olds and 89 per cent for three-year-olds. Nillumbik participation rates provided by DE are consistently higher than State averages at 109 per cent for four-year-olds and 98 per cent for three-year-olds. DE have been unwilling to negotiate this as a factor affecting increased demand within Nillumbik.

**12. Officers' reports****CM.156/25 Kindergarten Infrastructure Services Plan Update**

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- Future planning targets: The 2024 Victorian Housing Statement sets a draft target of 6,500 new homes in Nillumbik Shire by 2051—an approximate 26 per cent increase. This is likely to significantly affect future kindergarten demand; however, this has not been included in the KISP population data at this time.
  - The ability to expand ECEC services in Nillumbik Shire is significantly constrained by local topography, land costs, planning regulations, and community expectations. Steep terrain, narrow and unsealed roads, and limited parking infrastructure make construction of new facilities, particularly large-scale developments, challenging and often financially unviable. In addition, the valued neighbourhood character and extensive tree canopy limit opportunities for large-scale childcare centres due to vegetation removal requirements

**Current projects**

17. In November 2022, Eltham Wood Community Child Care Co-operative received a \$1.5 million election commitment funding grant. After exploring the feasibility of increasing the service's licenced spaces was found to be cost prohibitive, the new designs focus on upgrading the facility to be more contemporary in design and fit for purpose to meet current needs. The proposed works will expand and enhance the office, staff room, staff planning space, kitchen, baby's bathroom and laundry as well as the inclusion of an accessible bathroom and toilet for the facility.
18. Research Preschool was also awarded an election commitment funding grant of \$400,000. This funding will be used to expand the office and the storeroom to support the future expansion of the service should funding become available.
19. In 2024 Council was successful in receiving a planning grant to explore the opportunity to expand Diamond Creek Memorial Kindergarten at Coniston Street. The grant will be used to develop designs to expand the facility to accommodate a double unit kindergarten at the site. This will address the current and future demand within the Diamond Creek township. Once the draft designs and costings for this are finalised, Council officers will then investigate the opportunity to apply for a Building Blocks Capacity Grant with the Victorian School Building Authority.

**Related Council decisions**

20. The Early Years Infrastructure Plan 2020-2026 (EYIP) (**Attachment 3**) was endorsed by Council at the Future Nillumbik Committee on 9 June 2020.
21. The Preschool Registration and Enrolment Scheme Priority of Access review was endorsed by Council on 25 March 2025.

**Options**

22. As factors influencing kindergarten supply and demand change, Council Officers will continue to work with DE to review the KISP whilst also advocating about the importance of the Local Context which strongly demonstrates the unique factors that influence who, how and why the community accesses funded three and four-year-old kindergarten programs within the Shire.

**12. Officers' reports****CM.156/25 Kindergarten Infrastructure Services Plan Update**

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23. Over the next 10 years, Council may need to consider incorporating the expansion of existing Council owned kindergarten facilities within future budgets and focus on attracting State Government funding to upgrade and renew existing facilities.
24. Alternatively, Council may accept that community have options to attend funded kindergarten at a range of service types irrespective of personal preferences.
25. Using KISP data and Central Registration and Enrolment System (CRES) data from Council's system, Council's Early Years will have actual service usage of standalone kindergarten to enable a review and update of Council's existing EYIP. The plan would identify existing facilities that have opportunities for expansion and those that need to be upgraded to meet contemporary standards and ensure that they are fit for purpose.
26. Where available Council Officers would apply for VSBA Building Blocks Grants for planning funding to increase capacity within Council owned facilities, and where possible, apply for capital works funding.

**Council plans and policies**

27. This report directly supports the achievement of the Council Plan 2025-2029 strategy:
  - Support lifelong learning through accessible community programs, libraries and neighbourhood houses to enhance social connection, build skills and support mental wellbeing across all life stages.

**Access, Equity and Inclusion**

28. A Gender Impact Assessment will be applied to the first draft of the updated KISP, once it is completed.

**Sustainability implications**

29. Council support for the provision of community early years services and quality kindergarten, provides ongoing support for children's learning, builds social capital across the Shire and strengthens communities.
30. Leveraging off the work council is already doing to support the delivery of three and four-year-old kindergarten through the leasing of infrastructure, the provision of governance support to community organisations, will enable these providers to continue to deliver quality education and care.
31. The completion of the current KISP review and subsequent updating of council's EYIP will give further insight into any sustainability issues at a council and / or individual service level.

**Community engagement**

32. A range of opportunities have been provided by Council to funded kindergarten services within the Shire to provide input into the recent KISP review via:
  - Two surveys
  - Telephone contact
  - Service Level Agreement meetings,
  - Newsletters

**12. Officers' reports****CM.156/25 Kindergarten Infrastructure Services Plan Update**

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- Council hosted networks

33. The Best Start Best Life is a State-wide reform, with the State Government leading the communications and engagement of families and providers. The Victorian Department of Education is implementing State-wide and regional level communication and change management strategies

**Innovation and continuous improvement**

34. The delivery of the Best Start Best Life reform requires service providers to be innovative in the development of their delivery models to accommodate the increased hours and demand of both three and four-year-old kindergarten.

35. Council can support this by ensuring leased early years facilities are fit for purpose and take account of contemporary design and education practices.

36. Through advocacy and partnership with the regional DE office and implementation of the Service Level Agreements, council will continue to support services in innovation and continuous improvement.

37. Council officers will continue to advocate for DE in their role as the funding body to support services with change management including service programming options and working to licensed capacity, to meet the Best Start Best Life reform targets.

**Collaboration**

38. Council Officers will continue to work with the sessional stand-alone preschools to explore and develop alternative programming models that may provide increased capacity within the kindergarten programs.

39. Council Officers from the Early Years Team are members of Municipal Association of Victoria (MAV) Early Years Infrastructure Advisory Group, Workforce Advisory Group and Central Registration and Enrolment System Advisory Group. Officers are also participating in the Early Learning Association of Australia (ELAA's) Change Management Reference group. As members of these advisory and reference groups officers are able to provide feedback and gain a deeper understanding of how other Local Government areas are responding to the BSBL.

**Budget considerations**

40. Council officers will continue to maximise opportunities to apply for funding through the VSBA to expand and/or upgrade facilities.

41. Given the VSBA's position to align funding provided to Councils in alignment with the KISP, Council will need to consider incorporating the expansion of existing Council owned kindergarten facilities within future budgets.

**Relevant law**

42. National Education and Care Services Act and Regulations include specific requirements for staffing qualifications and ratios, minimum building specifications and other matters that influence the delivery of kindergarten

**Regional, state and national plans and policies**

43. Supporting Children and Families in the Early Years – A Compact between DET, DHHS and Local Government (represented by MAV) 2017–2027.

**12. Officers' reports**

**CM.156/25      Kindergarten Infrastructure Services Plan Update**

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44. Department of Education Strategic Plan 2023–2027.
45. Department of Education Kindergarten Funding Guide 2026.

**Conflicts of interest**

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

**12. Officers' reports**

**CM.157/25      Instrument of Appointment and Authorisation (Planning and Environment Act 1987)**

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**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.

Prior to this meeting where a new Instrument is being considered, the Chief Executive Officer has made 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.

**Recommendation**

**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.

**Attachments**

1      Instrument of Appointment and Authorisation for Planning and Environment Act 1987  


**12. Officers' reports**

**CM.157/25      Instrument of Appointment and Authorisation (Planning and Environment Act 1987)**

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**Discussion**

1. The purpose of this report is for Council to consider executing an Instrument of Appointment and Authorisation under the *Planning and Environment Act 1987* (Instrument).
2. Instruments of Appointment and Authorisation enable Council staff to exercise powers permitted to authorised officers under legislation or Council local laws.
3. Council subscribes to the Maddocks Authorisations and Delegations service. The appointment and authorisation of officers for the purposes of enforcing the *Planning and Environment Act 1987* enables day to day statutory and operational decisions to be made in relation to this Act.
4. The proposed Instrument (**Attachment 1**) is based on the model developed by Maddocks Lawyers and available through the subscription service.
5. Maddocks recommend that Officers enforcing the *Planning and Environment Act 1987* be authorised by Council resolution and that Instruments of Appointment and Authorisation be refreshed on a regular basis. The instruments are reviewed by Governance as required to ensure they are up to date.

**Related Council decisions**

6. The current Instrument was resolved by Council on 28 October 2025.

**Options**

7. It is recommended by Officers that Council resolves that the Officers referred to in the instrument (**Attachment 1**) be appointed and authorised as set out in the instrument.

**Council plans and policies**

8. This report directly supports the achievement of the Council Plan 2025-2029 strategy:
  - Make transparent, well-informed decisions that prioritise the community's best interests through practising good governance.

**Access, Equity and Inclusion**

9. Not applicable.

**Sustainability implications**

10. Not applicable.

**Community engagement**

11. As a legislative requirement and an administrative function of Council, Community engagement is not required.

**Innovation and continuous improvement**

12. Council's appointments and authorisations under the *Planning and Environment Act 1987* have been signed under delegation to the CEO in accordance with legal advice. In order to strengthen Council's decision making and enforcement process it is recommended that Council make these appointments by Council Resolution.

**12. Officers' reports**

**CM.157/25      Instrument of Appointment and Authorisation (Planning and Environment Act 1987)**

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**Collaboration**

13. Not applicable.

**Budget considerations**

14. The appointment of authorised officers is an administrative exercise undertaken by Council Officers. There is no additional resourcing required if Council supports and resolves the officer recommendation.

**Relevant law**

15. Section 224 of the *Local Government Act 1989*

16. Section 147(4) of the *Planning and Environment Act 1987*

**Regional, state and national plans and policies**

17. Not applicable.

**Conflicts of interest**

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

**12. Officers' reports**

**CM.157/25      Instrument of Appointment and Authorisation (Planning and Environment Act 1987)**

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**12. Officers' reports****CM.158/25      Instrument of Delegation to the Chief Executive Officer****Distribution:** Public**Manager:** Blaga Naumoski, Director Governance, Communications and Community Safety**Author:** Katia Croce, Manager Governance and Property**Summary**

Council approved the current Instrument of Delegation of powers, duties and functions to the Chief Executive Officer (CEO) on 25 March 2025.

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

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

The review of the Instrument of Delegation to the Chief Executive Officer in this instance does not recommend any changes.

**Recommendation**

**That** Council in the exercise of the power conferred by s 11(1)(b) of the *Local Government Act 2020* resolves that:

1. There be delegated to the person holding the position, or acting in or performing the duties, of Chief Executive Officer the powers, duties and functions set out in the attached *Instrument of Delegation to the Chief Executive Officer*, (**Attachment 1**) subject to the conditions and limitations specified in that Instrument.
2. The instrument comes into force immediately the common seal of Council is affixed to the instrument.
3. On the coming into force of the instrument all previous delegations to the Chief Executive Officer are revoked.
4. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

**Attachments**

1  Instrument of Delegation to Chief Executive Officer

**12. Officers' reports****CM.158/25      Instrument of Delegation to the Chief Executive Officer****Discussion**

1. The Instrument of Delegation to the CEO which flows from section 11(1) is a broad, 'by exception' delegation. This means that Council's powers, duties and functions, under any legislation, are delegated by the Instrument, excepting those matters specifically excluded from delegation by the Instrument.
2. Council subscribes to a service provided by Maddocks lawyers in which recommended delegation updates are provided.
3. The delegation of powers is considered essential to enable day-to-day decisions to be made to ensure the operations of Council are enacted efficiently and effectively. Delegations are standard practice across all Councils. Delegations should be regularly updated to reflect any legislative changes and or a more appropriate level of accountability.
4. The Council is a legal entity composed of its members (ie. the Councillors). Because it is not a "natural person", the Council can act in only one of two ways: by resolution; or through others acting on their behalf.
5. Where the latter is to occur, the authority to act needs to be formalised through written 'Instruments of Delegation'. The Act and other legislation make express provision for the appointment of delegates to act on behalf of the Council.
6. The Act requires that Council review and update the instruments of delegation to the CEO. In turn, the CEO will review and update various Instruments of Delegation by the CEO to other officers.

**Related Council decisions**

7. The Instrument of Delegation to the Chief Executive Officer was last considered by Council at the 25 March 2025 meeting.
8. The common seal of Council was affixed and signed at the Council Meeting on 25 March 2025.

**Options**

9. As legislation is amended from time to time, all councils are required to update delegations conferred on various positions within the organisation by Council, to ensure officers are operating and enforcing under the current legislation.
10. The Instrument of Delegation to the Chief Executive Officer (**Attachment 1**) has been reviewed to ensure it remains consistent with current legislation and business practices.
11. The current Instrument of Delegation from Council to the Chief has been in force since 25 March 2025. No change is proposed to the level of delegation provided to the Chief Executive Officer.

**Council plans and policies**

12. This report directly supports the achievement of the Council Plan 2025-2029 strategy:
  - Make transparent, well-informed decisions that prioritise the community's best interests through practising good governance.

**12. Officers' reports****CM.158/25      Instrument of Delegation to the Chief Executive Officer**

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**Access, Equity and Inclusion**

13. The Instrument applies equally to any person undertaking the role of Chief Executive Officer and therefore a Gender Impact Assessment was not undertaken.

**Sustainability implications**

14. This report seeks to update the current Council to CEO delegation, therefore there would be no change to the existing sustainability impacts.

**Community engagement**

15. As the delegation to Council staff is an operational matter that allows for staff to undertake their duties, no community engagement was undertaken.

**Innovation and continuous improvement**

16. Not applicable.

**Collaboration**

17. Council's Instruments of Delegation have been developed in conjunction with Council's solicitors, Maddocks and satisfies current legislative requirements.

**Budget considerations**

18. The regular updates of Council's Instruments of Delegation are an administrative function, the cost of which is included within Council's operational budget.

**Relevant law**

19. Section 11 of the *Local Government Act 2020*, and by various Acts and regulations.
20. Consistent with Council's obligations under the *Local Government Act 2020* and Council's Public Transparency Policy, this instrument will be published on Council's website.

**Regional, state and national plans and policies**

21. Not applicable

**Conflicts of interest**

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

**12. Officers' reports**

**CM.158/25      Instrument of Delegation to the Chief Executive Officer**

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**12. Officers' reports****CM.159/25      Instrument of Delegation from Council to Council staff****Distribution:** Public**Manager:** Blaga Naumoski, Director Governance, Communications and Community Safety**Author:** Katia Croce, Manager Governance and Property**Summary**

Council is empowered under various legislation to undertake duties and functions in accordance with that legislation. To undertake these duties and functions, it is necessary for Council to delegate relevant powers to the administration of the Council.

It is also necessary for Council to delegate some of its other functions to the administration for reasons of efficiency and to prevent Council from having to make many operational decisions at Council meetings.

Directors and Officers have undertaken a review of the existing Instrument of Delegation – Council to Council staff (**Instrument**) provisions in addition to new and amended provisions since it was last presented to Council.

This report requests that Council resolves to adopt the amended Instrument of Delegation (**Attachment 1**) to reflect legislative changes and organisational requirements.

**Recommendation**

**That** Council in the exercise of the powers conferred by the legislation referred to in the attached Instrument of Delegation (**Attachment 1**) resolves that:

1. There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached Instrument of Delegation to members of Council Staff, the powers, duties and functions set out in that Instrument, subject to the conditions and limitations specified in that Instrument.
2. The Instrument comes into force immediately the common seal of Council is affixed to the Instrument.
3. On the coming into force of the Instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked.
4. The duties and functions set out in the Instrument must be performed, and the powers set out in the Instrument must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

**Attachments**

- 1 Instrument of Delegation Members of Staff
- 2 Summary of the new, changed and deleted provisions

12. Officers' reports

CM.159/25      Instrument of Delegation from Council to Council staff

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**Discussion**

1. The power conferred by the legislation enables Council, by Instrument of Delegation, to delegate to a member of Council staff any power, duty or function of Council under the Act or any other Act, other than certain specified powers.
2. The delegations are necessary to enable the Chief Executive Officer and Council staff to carry out the day-to-day management of Council's operations.
3. Council subscribes to a service provided by Maddocks lawyers in which half-yearly recommended updates to Instruments of Delegations are provided to reflect legislative changes.
4. Officers have amended the Instrument of Delegation (**Attachment 1**) to reflect legislative changes and organisational requirements.
5. **Attachment 2** outlines the new, amended and deleted provisions that have been added to the instrument since Council last reviewed and considered an update in March 2025.

**Related Council decisions**

6. The Instrument of Delegation to Members of Council Staff was last considered by Council at the 25 March 2025 meeting.
7. The common seal of Council was affixed and signed at the Council Meeting on 25 March 2025.

**Options**

8. Under the Act, one of Council's objectives is to delegate decision-making to appropriate levels within the organisation.
9. The Instrument comprises those delegations which only Council can delegate directly to staff, unlike, other matters which the Chief Executive Officer can sub-delegate to Council staff. They comprise powers, functions and duties that are delegated to positions such as environmental health officers, town planners and other officers authorised under certain legislation.
10. The Instrument covers delegations from Council to Directors, Executive Managers, relevant Managers and staff under a range of legislation including, but not limited to, the:
  - *Domestic Animals Act 1994*
  - *Food Act 1984*
  - *Heritage Act 2017*
  - *Local Government Act 1989*
  - *Planning and Environment Act 1987*
  - *Residential Tenancies Act 1997*
  - *Road Management Act 2004*
  - *Planning and Environment Regulations 2015*

**12. Officers' reports**

**CM.159/25      Instrument of Delegation from Council to Council staff**

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- *Planning and Environment (Fees) Regulations 2016*
- *Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020*
- *Residential Tenancies Regulations 2021*
- *Road Management (General) Regulations 2016*
- *Road Management (Works and Infrastructure) Regulations 2015*

11. As legislation is amended from time to time, all councils are required to update delegations conferred on various positions within the organisation by Council, to ensure officers are operating and enforcing under the current legislation.

12. In addition to routinely reviewing delegations, Council is required under section 11(7) of the Act to review all delegations within 12 months after a general election.

13. The Instrument presented as **Attachment 1** satisfies Council's requirements to review the delegation and considers amended and new provisions to the various Acts since Council resolved the current Instrument.

14. It is recommended that Council adopt the Instrument as shown in **Attachment 1**.

**Council plans and policies**

15. This report directly supports the achievement of the Council Plan 2025-2029 strategy:

- Make transparent, well-informed decisions that prioritise the community's best interests through practising good governance.

**Access, Equity and Inclusion**

16. The Instrument applies equally to any member of Council staff undertaking the role that is prescribed in the Schedule and therefore an Equity Impact Assessment was not undertaken.

**Sustainability implications**

17. This report seeks to update the current Council to staff delegations, therefore there would be no change to the existing sustainability impacts.

**Community engagement**

18. As the delegation to Council staff is an operational matter that allows for staff to undertake their duties, no community engagement was undertaken.

**Innovation and continuous improvement**

19. Not applicable.

**Collaboration**

20. Council's Instruments of Delegation have been developed in conjunction with Council's solicitors, Maddocks and satisfies current legislative requirements.

**Budget considerations**

21. The regular updates of Council's Instruments of Delegation and Authorisation are an administrative function, the cost of which is included in Council's operational budget.

**12. Officers' reports**

**CM.159/25      Instrument of Delegation from Council to Council staff**

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**Relevant law**

22. Section 11 of the *Local Government Act 2020*.
23. As outlined in this report this effects a range of legislation under various Acts and regulations.
24. Consistent with Council's obligations under the *Local Government Act 2020* and Council's Public Transparency Policy, this instrument will be published on Council's website.

**Regional, state and national plans and policies**

25. Not applicable.

**Conflicts of interest**

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

**12. Officers' reports**

**CM.160/25 Planning Amendment (Better Decisions Made Faster) Bill 2025 - What does this mean for Nillumbik?**

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**Distribution:** Public

**Manager:** Frank Vassilacos, Director Planning, Environment and Strategy

**Author:** Amanda Kern, Manager Strategic Planning, Transport and Environment

Renae Ahern, Manager Planning and Environmental Health

**Summary**

The Victorian Government's proposed *Planning Amendment (Better Decisions Made Faster) Bill 2025* introduces significant changes to the *Planning and Environment Act 1987*, fundamentally altering how planning decisions are made across Victoria. If passed, these reforms will:

- Reshape decision-making processes by introducing strict timelines (10, 30, and 60 days) and a three-tier permit assessment system.
- Reduce community participation by limiting third-party appeal rights and changing notice provisions.
- Change the process for amendments to the planning scheme, and consultation for certain types of amendments.
- Remove key protections, including the term "fair and safe" from planning objectives.
- Increase compliance powers.
- Introduce new disclosure requirements for gifts and donations.

For Nillumbik, these changes present critical risks:

- Loss of local considerations in planning decisions.
- Reduced transparency and community engagement.
- Potential environmental and climate resilience impacts.
- Increased administrative burden and system upgrade costs.

Council must comply with the Act if the Bill passes. Advocacy through MAV remains essential to influence regulatory detail and mitigate risks. Immediate planning for administrative process changes and community communication will be required. At the time of writing this report, the Bill was due to be debated in Parliament in the week of 1 December 2025.

An urgent business report was tabled at the 25 November 2025 Ordinary Council Meeting calling for a Parliamentary Enquiry into the State Government's *Planning Amendment (Better Decisions Made Faster) Bill 2025*. Council also subsequently wrote to the Planning Minister, The Hon. Sonya Kilkenny and various members of the legislative assembly and legislative council advising Council's position and to request they support the MAV position and the call for a Parliamentary Inquiry.

**12. Officers' reports****CM.160/25 Planning Amendment (Better Decisions Made Faster) Bill 2025 - What does this mean for Nillumbik?****Recommendation**

**That** Council:

- a) Notes the proposed changes to the *Planning and Environment Act 1987* through the *Planning Amendment (Better Decisions Made Faster) Bill 2025*.
- b) Supports the ongoing position and advocacy program being led by the MAV on behalf of local government, in consultation with Councils.

**Attachments**

- 1 Municipal Association of Victoria (MAV) Local Government Position - Planning
- 2. Amendment Bill November 2025

**Discussion**

1. In September 2023, the Victorian Government released *Victoria's Housing Statement: The decade ahead 2024-2034*, which proposed significant changes to the planning system in Victoria. The changes were a result of recommendations from Operation Sandon, and the Department of Treasury and Finance publication of *Turning best practice into common practice*.
2. Since 2023, a suite of substantial changes to the planning controls in Victoria have been introduced into the current Victorian Planning Provisions. This has somewhat reduced the extent of planning triggers. However, the scope of these changes has been limited within the existing legislative framework.
3. One of the many actions committed to by the State was to review the legislative frameworks for how the planning system is delivered in Victoria. The changes are proposed fundamentally change the function of planning decision making in Victoria.
4. The first of two legislative changes has already come into effect. *The Consumer and Planning Legislation Amendment (Housing Statement Reform) Act 2025* was passed by parliament in March 2025, and came into effect on 25 November 2025, which amends the Planning Panels process:
  - a) Panels need only consider relevant submissions – Frivolous or vexatious submissions wholly irrelevant to the amendment can no longer be referred to the panel
  - b) Panel can direct Expert Witnesses to hold a conference or prepare a report
  - c) Combine submissions where the items raised are the same or almost identical
  - d) Panels can now consider matters on the papers and materials presented.
5. The second, and more significant proposed change is to the *Planning and Environment Act 1987*.

**12. Officers' reports****CM.160/25 Planning Amendment (Better Decisions Made Faster) Bill 2025 - What does this mean for Nillumbik?**

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- 6. In October 2025, the Victorian Government's released its *Planning Amendment (Better Decisions Made Faster) Bill 2025*. This Bill has been tabled in Parliament and is scheduled to be debated by Parliament in the week beginning the 1 December 2025.
- 7. The process in the lead up to the release of this Bill has largely omitted local government, who are the primary decision makers for planning decisions, from providing feedback, input or advice during the drafting of the Bill.
- 8. As part of the initiating steps, Department of Transport and Planning (DTP) invited Council officers to two initial meetings in February 2025.
- 9. Local government planning experts attended these information sessions where some of the proposed changes, to the *Planning and Environment Act 1987* (the Act) were shared. At these sessions, substantial planning expert technical feedback was given, including identifying significant concerns and issues with the drafted changes, particularly to the planning permit application process.
- 10. Critically, the Bill released in October 2025 relies on subsequent changes to regulations, which can be enacted and actioned without further consultation.
- 11. Since February, Councils have not been consulted on the changes to the Act, despite local government being the primary users of the Act. There has largely been no further opportunity to review any changes, and no detailed updates on the changes were shared with the sector until the formal release of the Bill in October.
- 12. As a compromise, the MAV have been the primary mechanism for local government to provide feedback to DTP. Since July, the MAV has liaised with local government representatives in scoping out the challenges and concerns, to appropriately represent the general views of local government in Victoria. The MAV have released a detailed analysis of the changes and has outlined suggestions as to how the Bill could be improved for the benefit of all Victorians (**Attachment 1**).
- 13. As outlined in the report considered by Council in its meeting on 25 November 2025, there are significant concerns and implications for local government as the primary decision maker of planning decisions as a result of the changes. However the changes are to State legislation, and Council must accept and act in accordance with the legislation, should it be passed by Parliament.
- 14. The *Planning Amendment (Better Decisions Made Faster) Bill 2025* outlines changes to the *Planning and Environment Act 1987*:
  - a) New Planning Objectives and Strategies
    - i) Changes to the objectives, including removal of some terminology and introduction of new objectives
  - b) Victoria Planning Provisions and Planning Schemes
    - i) Formally establish a hierarchy in legislation of state and regional plans which will set out a vision and strategic directions for land use and development at a state and regional level.
  - c) Consultation and Transparency

**12. Officers' reports****CM.160/25 Planning Amendment (Better Decisions Made Faster) Bill 2025 - What does this mean for Nillumbik?**

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- i) Improve requirements for Registered Aboriginal Parties navigating Victoria's planning system.
- ii) Clarify third-party appeal rights to apply to those who receive direct notification of a planning permit application.
- d) Distinctive Areas and Landscapes
  - i) Update requirements regarding Distinctive Area Landscapes to reduce the administrative burden of planning authorities and decision makers.
- e) Planning Permits and Planning Scheme Amendments
  - i) Establish three assessment pathways for planning scheme amendments that are proportionate to complexity, risk and the potential impact of a given amendment.
  - ii) Establish three-tier planning permit assessment stream system with strict timelines (10, 30, and 60 days), aligning application types with the risk, complexity and impacts of any given application (low, moderate and complex), and changing the notice provisions for each:
  - iii) Update parliamentary scrutiny processes for planning scheme amendments so they are reviewed by the Scrutiny of Acts and Regulations Committee.
- f) Gifts and Donations –
  - i) Creates a gifts and donations disclosure framework.
- g) Compliance and Enforcement
  - i) Increase enforcement powers to provide for more effective, consistent and coordinated compliance monitoring and enforcement.
- h) Compensation
  - i) Update planning compensation legislation to align with case law and improve clarity.
- i) Infrastructure Contributions
  - i) Improve flexibility in how Infrastructure Contributions Plans can be prepared and administered.
- j) Restrictive Covenants
  - i) Remove the requirement to consider restrictive covenants when making planning decisions.
  - ii) Transitional and Consequential Amendments – Including the timeframes for enactment, and subordinate regulation changes to come.

15. Each of the changes will impact Nillumbik planning processes and decisions. All have consequential outcomes for every Council. There are however a number of changes explained in more detail below, as they will result in tangible changes to planning delivery for Nillumbik.

## 12. Officers' reports

## CM.160/25 Planning Amendment (Better Decisions Made Faster) Bill 2025 - What does this mean for Nillumbik?

16. General changes to objectives and mechanisms for consideration of housing typologies and environmental risks

- The current objective "to provide for the fair, orderly, economic and sustainable use, and development of land" has been amended to remove the term "fair".
- No mechanisms outlining the requirements for social and affordable housing, risking the very purpose of the changes which is to increase appropriate housing provision to address the housing crisis.
- Changes to the objectives to remove the consideration of environmental risks.

17. Planning Scheme Amendment Process (Strategic Planning)

- The Minister must give at least 30 days notice of any amendment to the Victoria Planning Provisions where councils will be required to administer the new provisions.
- Introduction of a formal pathway for proponent-led amendments
- A formal process for seeking authorisation to prepare planning scheme amendments
- Streamlined Amendment Process - new processes and timeframes which a planning authority is required to follow when processing and considering a planning scheme amendment. This includes a new requirement for public engagement plans.
- Categorisation of planning scheme amendments as either low, medium or high impact. The criteria for each impact category are to be specified by regulation. Notice provisions will be different for the three categories.
- Process to enable the Minister to continue an amendment which has been abandoned by a Planning Authority.
- Ministerial power to direct a municipal council to review its planning scheme.
- Changes to the process for Ministerial decisions on planning scheme amendments.
- Proposed changes to Planning Panel processes.

18. Planning Application Process (Statutory Planning)

- Introduction of three application Streams. Each stream has different notice, referral, review, and decision requirements.

Application type	Type 1	Type 2	Type 3
Timeframe	10 days	30 days	60 days
Example of residential application	Stand-alone homes and duplexes	Townhouses and low-rise developments	Larger apartment buildings

- Faster decisions for codified residential development while allowing the consideration of known flood, fire, landslip, coastal erosion and contamination risks to be 'switched off'.

**12. Officers' reports****CM.160/25 Planning Amendment (Better Decisions Made Faster) Bill 2025 - What does this mean for Nillumbik?**

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- c) Incomplete permit application check timeframes - risks the automatic approval of 'high risk' applications under the 'low risk' pathway, because of the impossibly short timeframe for 'application checks.'
- d) Increased default expiry dates for permits.
- e) Assessing 'material detriment' and 'a person materially affected' - specify new requirements setting out who must be notified of a planning permit application, how objections and comments are to be handled and how applications can be amended or lapsed.
- f) Permit conditions - The Minister may issue guidelines for State standard permit conditions. If guidelines have been issued, the responsible authority must not include a condition on a permit, other than a condition in the guidelines unless the condition deals with a circumstance that is not provided for in the guidelines.
- g) Submissions under Minister's 'call in' power.
- h) Proposed changes to the Metropolitan Planning Levy.
- i) Changes to remove consideration of restrictive covenants in planning decisions, and changes to applications seeking to vary or remove a restrictive covenant.

- 19. Gifts and donation disclosure requirement that applicants and submitters must disclose 'reportable gifts or donations' made to relevant decision-makers, with offences for non-disclosure and requirements for publication.
- 20. Compliance and Enforcement – increased penalties for breaches of the Act, planning scheme and section 173 agreements or for giving false or misleading information to a responsible authority. The Bill also gives the Magistrates' Court broad powers to impose additional penalties on persons found guilty of an offence. This includes adverse publicity orders, removal of commercial benefits, supervisory intervention, industry exclusion and civil penalty provisions.
- 21. Infrastructure Contributions – Infrastructure contributions plans will be able to fund works and land outside the plan area if essential for development, and cover administration costs. The Minister may direct how priorities for infrastructure funding are set and reported.
- 22. Changes to VCAT proceedings
  - a) Grouping objectors
  - b) Additional case management powers
  - c) Additional summary dismissal and strike out powers
  - d) New provisions
  - e) Expanded ability to amend applications

**12. Officers' reports****CM.160/25 Planning Amendment (Better Decisions Made Faster) Bill 2025 - What does this mean for Nillumbik?****Related Council decisions**

23. An urgent business report was tabled at the 25 November 2025 Ordinary Council Meeting – calling for a Parliamentary Enquiry into the State Government's *Planning Amendment (Better Decisions Made Faster) Bill 2025*.

**Options**

24. Council must enact any State government changes to the *Planning and Environment Act 1987*, as the Act assigns responsibility for planning decisions to Council as either the Planning Authority (for the purposes of local amendments to the planning scheme), and as Responsible Authority (for the purposes of delivering planning permit application decisions).

25. The changes will require consequential changes to processing of planning decisions, changes to community notice processes and involvement, and will require Council to inform the community of the changes as they come through.

**Council plans and policies**

26. This report directly supports the achievement of the Council Plan 2025-2029:

- Make transparent, well-informed decisions that prioritise the community's best interests through practising good governance.
- Strengthen inclusive participation in decision-making by empowering individuals and communities to influence matters that affect their lives, recognising and valuing their lived experience and local knowledge.
- Make transparent, well-informed decisions that prioritise the community's best interests through practising good governance.

**Access, Equity and Inclusion**

27. Not Applicable

**Sustainability implications**

28. No comprehensive community engagement has been undertaken to date by Nillumbik, as this is State Government lead change to legislation.

**Community engagement**

29. No community engagement has been undertaken to date by Nillumbik, as this is State Government lead change to legislation.

30. However, Council has liaised with local community groups including the Eltham Community Action Group (ECAG) to share Council's concerns within their networks and also encourage local community members to write to their local MPs requesting a Parliamentary Enquiry.

**12. Officers' reports****CM.160/25 Planning Amendment (Better Decisions Made Faster) Bill 2025 - What does this mean for Nillumbik?**

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31. Future communications will be required to inform applicants of amended processes, and to inform the community of the changes, including the changes to how and when they are able to participate in planning decisions.

**Innovation and continuous improvement**

32. Introduction of the changes will require substantial resourcing to amend existing processes and procedures, and systems upgrades. Opportunities to improve existing processes will be considered as part of the changes.

**Collaboration**

33. Council has actively collaborated with other Councils since August 2025 through its engagement with MAV in discussions as the changes have become apparent.

**Budget considerations**

34. Changes mooted in the Bill will require substantial changes to existing Council processes and procedures, as well as systems upgrades.
35. Potential changes to how planning applications are submitted and assessed by Council, may have a future impact on income revenue regarding collection of planning application fees, and subsequent impact to staff resourcing.

**Relevant law**

36. Not Applicable

**Regional, state and national plans and policies**

37. Not Applicable

**Next steps**

38. If the Bill is passed by Parliament (to be debated in the week of 1 December 2025), the legislation will be enacted. Council will need to determine the various planning systems and process changes, and communication with community on the changes.
39. Council will continue to advocate through the MAV regarding the Bill's implementation and any future planning reform proposals.

**Conflicts of interest**

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

**12. Officers' reports****CM.161/25      Appointment of Independent Advisor and Chair to CEO Employment Matter Advisory Committee****Distribution:** Public**Manager:** Blaga Naumoski, Director Governance, Communications and Community Safety**Author:** Liann Filer, Senior Procurement Specialist**Summary**

This report recommends the awarding of contract 2526-015 for Appointment of Independent Advisor and Chair to CEO Employment Matter Advisory Committee.

The contract term is for an initial period of 2 years, with 2 x 1 year options to extend the contract. The total duration of the contract, including the exercise of any options, shall not exceed 4 years.

The Evaluation Panel has assessed all submissions, and this report provides a summary of their evaluation in recommending the awarding of the contract for 2526-015 for Appointment of Independent Advisor and Chair to CEO Employment Matter Advisory Committee.

**Recommendation****That Council:**

1. Accepts the application submitted by the **preferred applicant** for the sum of **\$[Redacted]** plus **\$[Redacted]** for contingency (inclusive of GST) disclosed in **(Attachment 1)** and enter into the following contract:

Number: 2526-015

Title: Independent Chair and Advisor - CEO Employment Matters

Term: 2 February 2026 to 1 February 2028

Options: Term extensions up to 2 years

2. Authorises the Director Governance, Communications and Community Safety to finalise and execute the contract documentation.
3. Authorises the Director Governance, Communications and Community Safety to approve contract term extensions.
4. Authorises the Director Governance, Communications and Community Safety to approve changes to operational requirements throughout the term of the contract.
5. Notes that any variations that exceed the agreed approved budget will require a further Council resolution.
6. Advises all tenderers accordingly.
7. Makes public the decision regarding this contract but the Tender Evaluation Summary Report **(Attachment 1)** and Consolidated Scorecard **(Attachment 2)** remain confidential on the grounds specified in the definition of confidential information in section 3(1)(g) of the *Local Government Act 2020*.
8. Resolves that the preferred applicant be named.

**12. Officers' reports****CM.161/25      Appointment of Independent Advisor and Chair to CEO Employment Matter Advisory Committee****Attachments**

1. Tender Evaluation Summary Report - *CONFIDENTIAL*
2. Consolidated Scorecard - *CONFIDENTIAL*

**Discussion**

1. In accordance with section 44 of the *Local Government Act 2020*, the Council is responsible for appointing a Chief Executive Officer (CEO) to implement the policy decisions and to manage the administrative functions of Council.
2. To assist Council in fulfilling its responsibilities relating to CEO employment matters, Council has formed a CEO Employment Matters Advisory Committee (**Committee**).
3. The Committee's purpose is to make recommendations to Council on contractual employment matters, performance matters and any other functions or responsibilities prescribed by the *Local Government Act 2020* relating to the CEO.
4. Independent members of the Committee are separately appointed by Council for a fixed term.

**Related Council decisions**

5. Not applicable.

**Council plans and policies**

6. This report directly supports the achievement of the Council Plan 2025-2029 strategy:
  - Make transparent, well-informed decisions that prioritise the community's best interests through practising good governance.

**Procurement overview**

7. In line with Councils Procurement Policy and Guidelines, after considering the complexity, value and risk associated with this contract it was determined that a request for quotation process be undertaken.
8. The Evaluation Panel advises that:
  - a) A Request for Quote was issued on 23 October 2025.
  - b) Applications were invited through a Request for Quote (RFQ) process.
  - c) The period for submissions closed at 2pm on 5 December 2025.
9. The following submissions were received:

<b>Applications</b>
Applicant 1
<b>Applicant 2</b>
Applicant 3

## 12. Officers' reports

## CM.161/25 Appointment of Independent Advisor and Chair to CEO Employment Matter Advisory Committee

10. The following Evaluation Criteria and Weightings were applied during the evaluation of the conforming and competitive tenders.

Criteria	Weighting %
Price	40%
Capability (Quality/Technical)	40%
Collaborative Approach	20%

11. The weightings reflect the relative importance of each element to this particular contract. They were determined as being most appropriate after considering numerous factors including (but not restricted to) the time, quality, risk and contract management requirements which were likely to have the most impact on the achievement of best value.

12. The members of the Evaluation Panel were the members of the CEO Employment Matters Advisory Committee. Each member was requested to independently read through each submission and then using the defined statements in the evaluation criteria score each Applicant from 7 November - 13 November 2025. A consolidated evaluation scorecard was subsequently prepared (**Attachment 2**).

13. **Attachment 1** - Evaluation Summary Report – Confidential, provides the applicant names and the Evaluation Scorecard Summary.

14. The Evaluation Summary Report (**Attachment 1**) and Consolidated Scorecard (**Attachment 2**) are to remain confidential on the grounds specified in the definition of confidential information in section 3(1)(g) of the *Local Government Act 2020*.

15. The Committee finalised its assessment process and provided its recommendation identifying two preferred applicants on 17 November 2025. Interviews with both applicants were then conducted on 18 November 2025, allowing the Committee to further test suitability, capability and alignment with the requirements of the role before forming its final advice to Council.

16. The discussion and decision of the majority of the Committee members have determined that the experience provided by **Applicant 2** provides a value for money proposition in comparison to other received quotes.

17. **Applicant 2** was able to demonstrate a clear understanding of the objectives, roles, duties and obligations of the Chief Executive Officer and Council under the *Local Government Act 2020* and all other associated legislation.

18. The Committee noted that the recommended independent advisor brings substantial experience in senior governance and committee roles across the local government sector. They have supported CEO employment matters and similar executive functions in a range of settings, working both collaboratively and independently in complex organisational environments.

**12. Officers' reports****CM.161/25      Appointment of Independent Advisor and Chair to CEO Employment Matter Advisory Committee**

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19. Reference checks confirmed the candidate's qualifications and compliance, with feedback emphasising their ability to translate complex issues into clear, practical advice and to create space for diverse viewpoints while keeping processes on track and fully resolved. They bring a strong record in committee governance, underpinned by sound communication skills, good judgement and disciplined time management, supported by a solid understanding of contemporary governance matters and active engagement with sector and integrity bodies. They are also recognised for managing challenging situations with a calm, methodical approach that supports effective decision-making, demonstrating the professionalism and problem-solving capability expected of an Independent Advisor and Chair for CEO employment matters.

**Budget considerations**

20. All costs associated with CEO Employment Matters Advisory Committee requirements, are planned for as part of Council's annual budget planning processes.

**Relevant law**

21. The Act does not mandate the establishment of CEO Employment Matters Advisory Committee. The Council will however establish a Committee to support the implementation requirements of 45(2) of the *Local Government Act 2020*.
22. The Committee is to be chaired by an independent person, entitled to be remunerated for their work.

**Regional, state and national plans and policies**

21. Not applicable.

**Conflicts of interest**

22. As part of the procurement process, all members of the Evaluation Panel were required to declare any disclosable conflicts of interest.
23. There were no disclosable conflicts of interest raised.

**12. Officers' reports****CM.162/25      Informal Meetings of Councillors Records - 9 December 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 25 November 2025.

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

1. Councillor Briefing held 18 November 2025;
2. Environment & Sustainability Advisory Committee (ESAC) held 19 November 2025;
3. Arts and Cultural Advisory Committee held 24 November 2025;
4. Council Meeting Pre-Meet held 25 November 2025; and
5. Extraordinary Council Meeting Pre-Meet held 26 November 2025.

**Recommendation**

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

**Attachments**

1  Informal Meeting of Councillors Records 9 December 2025

**Discussion**

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

**Related Council decisions**

2. Not applicable.

**12. Officers' reports****CM.162/25      Informal Meetings of Councillors Records - 9 December 2025**

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**Options**

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

**Conclusion**

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

**Council plans and policies**

8. This report directly supports the achievement of the Council Plan 2025-2029 strategy:
  - Make transparent, well-informed decisions that prioritise the community's best interests through practising good governance

**Access, Equity and Inclusion**

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

**Sustainability implications**

10. Not applicable.

**Community engagement**

11. Not applicable.

**Innovation and continuous improvement**

12. Not applicable.

**12. Officers' reports**

**CM.162/25      Informal Meetings of Councillors Records - 9 December 2025**

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**Collaboration**

13. Not applicable.

**Budget considerations**

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

**Relevant law**

15. *Local Government Act 2020.*

**Regional, state and national plans and policies**

16. Not applicable.

**Conflicts of interest**

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

**12. Officers' reports**

**CM.162/25      Informal Meetings of Councillors Records - 9 December 2025**

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