

Council Meeting

to be held at the Civic Centre, Civic Drive, Greensborough
on Tuesday 23 May 2023 commencing at 7:00pm.

Agenda

Carl Cowie
Chief Executive Officer

Thursday 18 May 2023

Distribution: Public

Civic Drive, Greensborough

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Council Chamber Council Meeting seating plan

Cr Natalie Duffy Edendale Ward				Cr Peter Perkins Ellis Ward
Cr Karen Egan Bunjil Ward				Cr Frances Eyre Swipers Gully Ward
Cr Richard Stockman Blue Lake Ward				Cr Geoff Paine (Deputy Mayor) Wingrove Ward
Rowena Cairns Acting Manager Governance and Property	Blaga Naumoski Director Governance Communications and Community Safety	Cr Ben Ramcharan (Mayor) Sugarloaf Ward	Carl Cowie Chief Executive Officer	

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Nillumbik Shire Council

**Agenda of the Meeting of Nillumbik Shire Council to be held
Tuesday 23 May 2023 commencing at 7:00pm**

1. Welcome by the Mayor

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 by the Mayor

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

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

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

3. 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

To accept apologies from any Councillors not in attendance at the meeting.

Recommendation

That the apologies be noted.

6. Presentations

Sporting Presentations - May 2023

Miley Navuni (Swipers Gully Ward) receives \$200 as a contribution for being selected to represent Victorian at the Under 14's Youth Girls Rugby State Cup.

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

7. Confirmation of Minutes

Confirmation of the minutes of the Council Meeting held on Wednesday 26 April 2023.

Attachments

- [!\[\]\(c33cb967c8fc4f5e27188a389b621c8e_img.jpg\)](#)1. Minutes of the Council Meeting held on Wednesday 26 April 2023

8. Disclosure of conflicts of interest

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

9. Petitions

PT.001/23 Petition - request for Council to provide Footpath at Rockcliffe Rockcliffe Street Eltham

A petition containing **20** signatures from Rockcliffe Street Eltham residents requesting that Council construct a footpath to keep pedestrians and their dogs off the road when they are walking down the street.

Recommendation

That Council:

1. Receives the petition requesting that Council construct a footpath to keep pedestrians and their dogs off the road (Rockcliffe Street Eltham) when they are walking down the street.
2. Refers the petition to Chief Operating Officer for investigation and response.
3. Advises the petition organiser accordingly.

10. Questions from the gallery

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11. Reports of Advisory Committees**AC.004/23 Advisory Committee Report - 23 May 2023**

Distribution: Public**Manager: Blaga Naumoski, Director Governance, Communications and
Community Safety****Author: Rowena Cairns, Acting 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. Environment and Sustainability Advisory Committee meeting held 15 February 2023;
2. Inclusion and Access Advisory Committee meeting held 24 February 2023;
3. Youth Advisory Committee meeting held 24 February 2023;
4. Living and Learning Nillumbik Advisory Committee meeting held 20 February 2023;
5. Environment and Sustainability Advisory Committee meeting held 17 April 2023; and
6. Youth Advisory Committee meeting held 1 May 2023.

Attachments

- ⇒1. Advisory Committee Meeting Minutes reported 23 May 2023

Recommendation

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

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year12. Officers' reports**CM.037/23 Committee Report Consideration of Submissions - Draft Budget 2023-2024**

Distribution: Public**Manager: Melika Sukunda, Acting Chief Operating Officer****Author: Robert Malignaggi, Business Services Lead****Summary**

This report outlines submissions received from the public regarding the Draft Budget 2023-2024 for Council consideration.

Council adopted the Draft Budget 2023-2024 at the Council Meeting on 28 February 2023 for the purpose of community consultation. The Draft Budget was made available to the public for a period of 28 days. Forty-one submissions were received.

The Planning and Consultation Committee considered the written submissions as well as verbal presentations from submitters at its meeting held on 11 April 2023.

The following people addressed the Committee with respect to the Draft Budget 2023-2024:

1. Dale Anstis
2. Patrick Di Lizio, General Manager Diamond Valley Basketball Association
3. Elizabeth Doig, Nillumbik Climate Action Team
4. Mitzi Tuke
5. Justin Kibell, Unit Controller VICSES Nillumbik Unit
6. Jim Connor, President Eltham District Historical Society
7. Michael McCarthy
8. Cath Moore
9. Natalie Alessio, President Hohnes Road Playhouse
10. Grant Brooker, Vice President Friends of Apollo Parkways;
11. Rachel Deans, Committee Member Eltham Lacrosse Club; and
12. Sue Dyet, Secretary Eltham Community Action Group.

After considering the submissions and presentations, the Committee resolved that this report be presented to Council.

12. Officers' reports

CM.037/23 Committee Report Consideration of Submissions - Draft Budget 2023-2024

Recommendation

That Council:

1. Notes that forty-one written submissions in relation to the Draft Budget 2023-2024 were received, and that these submissions were considered and submitters were provided with the opportunity to be heard by the Planning and Consultation Committee on 11 April 2023.
2. Considers the matters contained in the submissions and the Committee's report during finalisation of the Budget 2023-2024.

Attachments

Nil

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CM.038/23 Adoption of Budget 2023-2024, declaration of Rates and Charges and Council Plan - Annual Action Plan 2023-2024

Distribution: Public

Manager: Melika Sukunda, Acting Chief Operating Officer

Author: Robert Malignaggi, Business Services Lead

Summary

This report recommends that Council formally adopts the annual Budget, declare the rates and charges for the 2023-2024 financial year and adopts the (Council Plan) Annual Action Plan for 2023-2024.

Council commenced preparation of the 2023-2024 Budget in late 2022 in order to meet all legislative requirements.

The Draft Budget was exhibited and the community invited to comment. Written submissions were received and considered by a meeting of the Planning and Consultation Committee held on 11 April 2023.

Rates and charges for 2023-2024

The 2023-2024 Budget has been prepared in compliance with the rate capping legislation introduced by the Victorian Government.

The Budget proposes a 3.5 percent increase in rates per property, the maximum allowable set by the Minister under the Fair Go Rates System.

Capital Works

The Budget proposes a number of significant capital works projects that have been identified through planning and community consultation.

A full list of capital works projects is included in the draft Budget document (**Attachment 1**).

Policy, planning and services initiatives

The Budget also includes resources for a range of initiatives regarding policy, planning and services.

Strategic Resource Plan

The Strategic Resource Plan has also been reviewed and updated.

The Strategic Resource Plan shows that Council can maintain a balanced Budget within the rate cap, provided that the assumptions in the Plan are met.

Council Plan - Annual Action Plan 2023-2024

The action plan comprises 37 key actions which will support the third year delivery of the Council Plan 2021-2025. The Annual Action Plan has been developed in line with the annual budget process.

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CM.038/23 Adoption of Budget 2023-2024, declaration of Rates and Charges and Council Plan - Annual Action Plan 2023-2024**Recommendation**

That Council having advertised the Proposed Annual Budget 2022-2023 and having considered all submissions received in respect of such Budget resolves:

1. To adopt as presented the 2023-2024 Budget (**Attachment 1**).
2. To authorise the Chief Executive Officer to submit a copy of the adopted Budget to the Minister for Local Government.
3. The amount of rates and charges intended to be raised are:
 - a) An amount of \$76,524,294 million (or such greater amount as is lawfully levied as a consequence of this recommendation being adopted) be declared as the amount which Council intends to raise by general rates and annual service charge (described later in this recommendation). The amount declared is calculated as follows:

General Rates	\$62,510,440
Annual Service Charge	\$14,013,854

General Rates

4. That general rates be declared in respect of the 2023-2024 Financial Year.
5. That it be further declared that the general rates be raised by the application of differential rates.
6. That a differential rate be respectively declared for rateable land having the respective characteristics specified below, which characteristics will form the criteria for each differential rate so declared.
 - I. Farm Land

Any land which is 'farm land' within the meaning of section 2(1) of the *Valuation of Land Act 1960*.
 - II. Commercial/Industrial Land

Any land which is used or adapted to be used primarily for commercial or industrial purposes.
 - III. Vacant Land – General Residential / Activity Centre Zone / Neighbourhood Residential Zone and Specified Low Density Residential Zones.

Any land located in a General Residential / Activity Centre Zone / Neighbourhood Residential Zone, or in the Low Density Residential Zone (LDRZ) to which DPO4 applies, on which no habitable dwelling is erected.
 - IV. Other Land

Any land which is not:

 - Farm Land
 - Commercial/Industrial Land or

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CM.038/23 Adoption of Budget 2023-2024, declaration of Rates and Charges and Council Plan - Annual Action Plan 2023-2024

- Vacant Land – General Residential / Activity Centre Zone / Neighbourhood Residential Zone and Specified Low Density Residential Zones.

7. That the quantum of rates payable in respect of each rateable land will be determined by multiplying the Capital Improved Value of such land (categorised by the characteristics described in point 6 above) by the relevant rates indicated in the following table:

Category	Rate in Dollar
Farm Land	0.002114 (or 0.2114 cents in the dollar of Capital Improved Value)
Commercial / Industrial Land	0.002885 (or 0.2885 cents in the dollar of Capital Improved Value)
Vacant land – General Residential / Activity Centre Zone / Neighbourhood Residential Zone and Specified Low Density Residential Zones	0.003731 (or 0.3731 cents in the dollar of Capital Improved Value)
General Rate / Other Land	0.002487 (or 0.2487 cents in the dollar of Capital Improved Value)

8. That it be recorded that Council considers that each differential rate will contribute to the equitable and efficient carrying out of Council functions, and that the:
- I. respective objectives, uses and levels of each differential rate be those specified in section 4.1.1 of the Budget document (**Attachment 1**).
 - II. respective types or classes of land which are subject to each differential rate be those defined in part 7. above.
9. That it be confirmed that no amount is fixed as the minimum amount payable by way of general rate in respect of each rateable land within the municipal district.
10. That in accordance with section 4(4) of the *Cultural and Recreational Lands Act 1963*, the amount of rates payable in respect of each of the rateable lands to which that Act applies be determined by multiplying the Capital Improved Value of that rateable land by 0.000970 (or 0.0970 cents in the dollar of Capital Improved Value).

Annual Service Charge

11. That an annual service charge be declared in respect of the 2023-2024 Financial Year.
12. That the annual service charge be declared for the collection and disposal of residential refuse and other waste.

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CM.038/23 Adoption of Budget 2023-2024, declaration of Rates and Charges and Council Plan - Annual Action Plan 2023-2024

13. That except in the case of elderly persons units, the amount of the annual service charge so declared is dependent upon the option chosen by the owner of the land.
14. That the options of the annual service charge are:
- Option 1: \$616.40 per service in respect of the following three bins:
- 120 litre green waste bin
 - 240 litre recycling bin
 - 120 litre landfill bin.
- Option 2: \$493.12 per service in respect of the following three bins:
- 120 litre green waste bin
 - 240 litre recycling bin
 - 80 litre landfill bin.
- Option 3: \$862.96 per service in respect of the following four bins:
- 120 litre green waste bin
 - 240 litre recycling bin
 - 2 x 120 litre landfill bins.
- Option 4: \$678.04 per service in respect of the following three bins:
- 120 litre green waste bin
 - 240 litre recycling bin
 - 140 litre landfill bin.
- Option 5: \$1,109.52 per service in respect of the following three bins:
- 120 litre green waste bin
 - 240 litre recycling bin
 - 120 litre landfill bin – weekly collection.
15. That the amount of the annual service charge so declared in respect of elderly persons units, being units occupied by elderly persons or persons with a disability where the applicable form of declaration has been received by Council, is \$154.10.
16. That for each rateable land or non-rateable land in respect of which an annual service charge may be levied, the annual service charge will apply irrespective of whether the owner or occupier of the land avails himself, herself or itself of the service.
17. That the annual service charge is not declared in respect of, and is not be levied on, any land on which no habitable dwelling is erected.

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Rebates – Sustainable Agricultural Land

- 18 That it be recorded that subject to point 6 of this recommendation, Council may grant a rebate to each owner (or, where applicable, occupier) of land which:
- i) is not less than 30 hectares in area.
 - ii) is otherwise 'farm land' under section 2(1) of the *Valuation of Land Act 1960*.
- 19 That the rebate be granted to:
- i) assist the proper development of the municipal district.
 - ii) preserve places within the municipal district which are of environmental interest.
 - iii) restore or maintain places of environmental importance within the municipal district.
 - iv) more generally achieve the objectives outlined in the Sustainable Agricultural Rebate (SAR) Guidelines.
20. That the grant of the rebate be:
- i) subject to the criteria detailed in the SAR Guidelines.
 - ii) set at a level based on the following two components:
 - Component A - a single fixed amount of \$100 per eligible property (or per single aggregate of 'continuous' properties, as defined in section 13 DC (6) of the *Valuation of Land Act 1960*).
 - Component B - \$15 per hectare of 'productive agricultural land' across each eligible property. The area of productive agricultural land is calculated for each property by subtracting the apparent area of bushland and domestic use from the total property area. Landowners will be given a single opportunity to challenge this area calculation, after which that figure will be set and documented within the relevant Property Management Plan. Any future change in bushland area will not change the set figure for productive agricultural land.
 - iii) subject to development of an approved Property Management Plan (PMP) for each eligible property. The development of a PMP will replace the need for an annual SAR application form, yet each Plan must satisfy the following conditions:
 - PMP Condition A - The PMP must be submitted for approval to the Environment Department of Council. The approval date for each ratified PMP will be noted and a copy of the document will be retained for Council records.
 - PMP Condition B - A separate PMP will be required for each property or aggregate of properties where the owner receives the \$100 fixed payment component of the SAR.

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- PMP Condition C - Landowners who have previously received the SAR must return their PMP by the date indicated in correspondence that has been sent to the recipient (further detail regarding this point can be obtained from the Sustainability and Environment Unit of Council).
- PMP Condition D - All SAR applicants who have not previously received the SAR will require an approved PMP prior to being eligible for the rebate.
- PMP Condition E - All PMPs will need to be revised by the owner and submitted for re-approval every four years (approximately). Council's Environment Team will notify landholders when PMP revision is required and will allow ample time and assistance to facilitate this process. The approval date for the revised ratified PMP will be noted and a copy of the document will be retained for Council records.

Payment

210. That in accordance with section 167 of the *Local Government Act 1989*, Council determines that rates and charges may be paid by four equal quarterly instalments due on:

30 September 2023

30 November 2023

28 February 2024

31 May 2024

Consequential further actions

22. That the Finance Manager be authorised to levy and recover the general rates and annual service charge in accordance with the *Local Government Act 1989 and the Local Government Act 2020*.
23. That pursuant to section 172(1) of the *Local Government Act 1989*, Council records that it will require the payment of interest on any amounts of rates and charges which have not been paid by the date specified under section 167 of the said Act for their payment.
24. To authorise the Finance Manager to write to all those who have made a submission on the 2023-2024 Budget, thanking them for their input and advising them of Council's decision and reasons for the decision.
25. To adopt the Annual Action Plan 2023-2024 (**Attachment 2**), including its 37 actions which will support the third year delivery of the Council Plan 2021-2025, and receives quarterly updates on the progress of this plan.

Attachments

⇒1. Budget 2023-2024

⇒2. Council Plan Annual Action Plan 2023-2024

12. Officers' reports**CM.038/23 Adoption of Budget 2023-2024, declaration of Rates and Charges and Council Plan - Annual Action Plan 2023-2024**

Discussion**Background**

1. Council is required by the *Local Government Act 2020* to prepare a Budget for each financial year. The Budget has been prepared in accordance with statutory requirements.
2. Adoption of the Budget is an important policy decision by Council in terms of resource allocation for services and projects in the coming year.
3. The Annual Action plan has been developed alongside the Budget to deliver actions from the Council Plan.

Budget 2023-2024

4. This report is presented to enable Council to formally adopt the Budget and declare the rates and charges for the 2023-2024 Financial Year.
5. This report outlines the key elements of the Budget. Details are provided in the full 2023-2024 Budget document (**Attachment 1**).

Capital works

6. The Budget includes \$21.53 million of capital works projects, of which \$3.12 million will be externally funded by grants. The balance will be funded by Council from rates and reserve funds.
7. A full list of capital works projects is included in the draft Budget document (**Attachment 1**).

Strategic projects and service improvements

8. The Budget provides resources for policy development, as well as policy implementation and service improvements. A full list is provided in the 2023-2024 Budget document (**Attachment 1**).

Services (Operating Budget)

9. Recurrent operating budgets for Council services have been adjusted to reflect changes in unit costs, including inflationary impacts and contracted prices.

Rates, charges and other revenue

10. The Budget proposes a 3.5 percent increase per property in rates and a 5.78 per cent increase to the standard Waste Management Charge.
11. Other fees and charges increases are reflective of cost increases, regulatory requirements and market considerations.

Differential rating

12. At present, Council levies a General Rate, a Farm Rate (15 per cent below the General Rate), a Commercial/Industrial Rate (16 per cent above the General Rate), a Vacant Land Rate (50 per cent above the General Rate) and a Cultural and Recreational Land Rate (61 per cent below the General Rate).

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Borrowings

13. No additional loan borrowings are proposed in 2023-2024.
14. The Strategic Resource Plan provides a ten year forecast of Council's finances, using projections of expenditure and revenue which are based on a series of assumptions about Council's services and infrastructure. This information is then used to assess Council's long-term financial sustainability.
15. Council is forecast to remain within the Auditor-General's low-risk range on the Indebtedness measure of financial sustainability.

Strategic Resource Plan

16. Council adopts the Strategic Resource Plan in conjunction with the Budget.
17. The Strategic Resource Plan is the financial plan which is required to enable Council to achieve its Council Plan goals over the coming years.
18. The updated version of the Strategic Resource Plan is included in the 2023-2024 Budget (**Attachment 1**). It incorporates the financial projections in expenditure and revenue which are based on a series of assumptions about the community's needs and how Council plans to continue to address these needs for services and infrastructure.
19. The Strategic Resource Plan incorporates the 2023-2024 Budget and projections for the next 10 years based on the assumptions.

Financial Sustainability Measures

20. These measures include all those used by the Auditor-General to assess financial sustainability for local government across Victoria.
21. The 2023-2024 Budget includes details of Council's projected performance over the next ten years, based on the Strategic Resource Plan.

Annual Action Plan 2023-2024

22. Each year, Council operationalises the Council Plan through an Annual Action Plan, which aligns with the annual budget process and details the specific actions committed to delivering for the year to achieve the objectives and strategies of the Council Plan.
23. The Annual Action Plan 2023-2024 (Attachment 2) has been developed, identifying how the organisation will work towards achieving the intent of the Council Plan in the third year of the plan. In line with the annual budget process, this action plan includes 37 actions, and has been informed by:
 - Initiatives outlined in the Budget 2023-2024 informed by the Council Plan 2021-2025;
 - Opportunities to report quarterly on deliverables under key strategy and planning documents adopted by Council.
24. Reporting updates will be received by Council on a quarterly basis that will demonstrate in a practicable and tangible way how the Council Plan 2021-2025 is being delivered to the community.

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CM.038/23 Adoption of Budget 2023-2024, declaration of Rates and Charges and Council Plan - Annual Action Plan 2023-2024

Related Council decisions

25. Not applicable.

Options

26. Having considered the Budget submissions, Council is now able to formally adopt the Budget 2023-2024 and resolve to declare the rates and charges. It can also adopt the differential rates applied to the classes of land which are listed in the recommendation.
27. Preparation of the annual Budget is a major decision for Council in allocating resources to services and projects for the coming year.
28. The Budget has been prepared with regard to the strategic context provided through the Council Plan and various individual policies, strategies and plans.
29. The Budget and the Strategic Resource Plan are recommended for Council approval.

Council plans and policies

30. This Budget has been developed in the context of the Council Plan 2021-2025. It is also developed in the context of the Strategic Resource Plan which demonstrates how the outcomes of the Council Plan can be resourced in a way which ensures Nillumbik's ongoing sustainability.
31. In developing the Budget, Council has also considered the key priorities emerging from the master-plans for Council's major recreation facilities and reserves, the structure plans for Nillumbik's activity centres, and other Council policies and strategies.
32. The development and adoption of a 2023-2024 Annual Action Plan to support the delivery of the third year of the Council Plan 2021-2025, and its alignment to the Budget, directly supports the achievement of Council Plan 2021-2025 strategy:

We continue to exercise sustainable and responsible financial management.

Access, Equity and Inclusion

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

Sustainability implications

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

Community engagement

36. Council adopted the draft Budget 2023-2024 at the 28 February 2023 Council Meeting for the purpose of community consultation. The draft Budget was made available to the public for a period of 28 days.
37. Submissions in relation to the draft Budget have been sought from the public. Submissions were received and considered at the meeting of the Planning and Consultation Committee on 11 April 2023.

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CM.038/23 Adoption of Budget 2023-2024, declaration of Rates and Charges and Council Plan - Annual Action Plan 2023-2024

- 38. The draft Budget was made available on Council's website, at the Civic Centre and at the Eltham and Diamond Valley libraries.
- 39. At the meeting of the Planning and Consultation Committee on 11 April 2023, the Committee, acting under delegation from Council, received and considered the submissions in relation to the draft Budget.
- 40. There is no legislative requirement for Council to consult publicly on the (Council Plan) Annual Action Plan. The key inputs into this plan are the Council Plan and the Annual Budget.

Innovation and continuous improvement

- 41. Continuous improvement and innovation opportunities identified have been considered as part of the budget process.

Collaboration

- 42. The drafting of budget is conducted in consultation with managers and EMT across the organisation.
- 43. The draft Budget 2023-2024 was presented to the Audit and Risk Committee at the 27 February 2023 meeting.

Budget implications

- 44. The costs of preparing the Budget and annual action plan are funded from operating budget allocations.

Relevant law

- 45. *Local Government Act 1989 and Local Government Act 2020.*
- 46. The approach to the budget and the composition of the financial statements are prepared reflective of the overall compliance with the Australian Accounting Standards.

Regional, state and national plans and policies

- 47. Not applicable.

Conflicts of interest

- 48. No officer involved in the preparation of this report has declared a conflict of interest.

12. Officers' reports**CM.039/23 Council Plan Quarterly Performance Report - 2022-2023 - Quarter 3**

Distribution: Public**Manager:** Jeremy Livingston, Executive Manager Business Transformation and Performance**Author:** James Hartigan, Business Performance Analyst**Summary**

The purpose of this report is to present the Council Plan Quarterly Performance Report (**Attachment 1**) for noting.

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

The Council Plan Quarterly Performance Report provides the third update on delivery progress and performance of the 2022-2023 Annual Action Plan actions, which align to delivery of the 3rd year of the Council Plan 2021-2025.

Of the 22 actions designated for quarterly reporting in the 2022-2023 Annual Action Plan, 19 actions are currently 'on track', two actions are experiencing minor issues and one action is completed.

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

All 46 actions identified in the Annual Action Plan 2022-2023 will have final updates provided in the corresponding report for the fourth quarter, and will also be published in the Annual Report 2022-2023 when presented to the community later in 2023.

Recommendation

That Council receives and notes the Council Plan Quarterly Performance Report (**Attachment 1**) for the third quarter of 2022-2023.

Attachments

- ⇒1. Council Plan Quarterly Performance Report - 2022-2023 - Quarter 3

12. Officers' reports**CM.039/23 Council Plan Quarterly Performance Report - 2022-2023 - Quarter 3**

Discussion

1. The Council Plan 2021-2025 was developed throughout 2021 and adopted by Council in October 2021. The Council Plan 2021-2025 has four high-level strategic themes:
 - Community and Connection – to encourage inclusion and participation to support health and wellbeing and ensure that all our residents have equitable access to services, programs, events and initiatives.
 - Place and Space – to protect, enhance, maintain, plan and design places and spaces that strengthen identity, reinforce character, improve accessibility, encourage social connection and enjoyment, support biodiversity and respect the environment.
 - Sustainable and Resilient – to manage and adapt to changing circumstances that affect our community to ensure it remains sustainable and resilient, both now and into the future.
 - Responsible and Accountable – to facilitate the best possible outcomes for our community, by demonstrating strong leadership and working actively to achieve the community's objectives.
2. The Annual Action Plan 2022-2023, adopted by Council in May 2022, contains 46 actions contributing to delivery of the Council Plan within the corresponding financial year. Of those 46 actions, 22 are identified for quarterly reporting, while the remainder of the actions will be subject to an update in the corresponding report in the final quarter of this financial year.
3. Of the 22 actions designated for quarterly reporting in the 2022-2023 Annual Action Plan, 19 actions are currently 'on track', two actions are experiencing minor issues and one action is completed.
4. Some of the highlights of activities and deliverables achieved during the reporting period (January to March 2023) included:
 - a) The Reconciliation Action Plan (RAP) Community Engagement Plan was endorsed by Council on 28 February 2023. Community consultation has subsequently been undertaken, with a range of internal and external stakeholders, including kindergartens, schools, sporting clubs, traditional owners and community groups;
 - b) Key actions completed in the Nillumbik Health & Wellbeing Plan included securing \$10,000 funding via the VicHealth Alcohol Harm Prevention grant program, appointment of a Social Planning & Policy Officer to lead the delivery of the Plan, and planning is underway for the Health & Wellbeing Partnerships Forum to develop actions for the Year 3 Implementation Plan;
 - c) Actions under the Youth Strategy 2022-2026 are being delivered in accordance with the Year 2 Implementation Plan. Highlights for Quarter 3 included announcement of \$300,000 in funding for a Youth Hub in Eltham, endorsement of the membership of the new Youth Council for 2023-2025, delivery of the Summer school holiday program, and presenting the Young Women Leader Awards at International Women's Day event;

12. Officers' reports

CM.039/23 Council Plan Quarterly Performance Report - 2022-2023 - Quarter 3

- d) The draft Municipal Planning Strategy has been updated to reflect community consultation feedback, with a Councillor Briefing to follow completion of final updates, including mapping. Council adoption of the Strategy and approval to seek authorisation from the Minister to prepare and exhibit the amendment under section 8A of the *Planning and Environment Act 1987* to implement the Strategy into the planning scheme will be sought in June 2023;
- e) By the end of this quarter, it had been planned that a consultant to deliver the Biodiversity Strategy would be appointed and works commenced. However, the initial procurement process was unsuccessful, and the tender scope was revised and re-advertised. Applications closed on 16 March 2023, with evaluation to be completed in early Quarter 4, 2022-2023.
- f) As part of the Recreation and Leisure Strategy, Council continued to support Eltham Football Club's All Abilities Program, as well as two Nillumbik sporting clubs in completing the Proud to Play Rainbow Ready Clubs program to drive increased participation in local sport;
- g) Delivery of the Year 1 Action Plan under the Arts and Culture Strategy continued, with actions including public art projects at Eltham Gateway, Eltham North Adventure Playground and Civic Drive Amphitheatre and delivery of the Nillumbik Prize for Contemporary Art;
- h) Phase 2 engagement on the Neighbourhood Character Strategy has been completed, with outcomes from the engagement process and findings presented to the Planning and Consultation Committee. The draft strategy is currently being revised based on community engagement feedback;
- i) Budget has been allocated and a Request for Quote prepared for phase B.1 inputs to the Diamond Creek Community Facilities Masterplan. Consultants will then be selected to deliver the inputs by the end of 2022-2023;
- j) Council received the first draft of the Integrated Transport Strategy in March 2023 and provided feedback and comments to the consultant for incorporation into the strategy, with a view that the final strategy will be provided to Council in Quarter 4, 2022-2023 to agree on next steps.
- k) The draft Climate Action Plan implementation plan for 2023-2024 was prepared and will be completed in Quarter 4, 2022-2023 for Council endorsement. A review of Year 1 implementation has also commenced.
- l) Key actions as part of the Economic Development Strategy include single use plastic business visits, Business Friendly Council Approvals, delivery of flagship events including the Women in Business Networking Event, and delivery of the Shop in Our Shire Autumn campaign;
- m) Following the 2022 Federal and State elections, Council has continued to meet local members of parliament to discuss election commitments and key advocacy priorities. Council was successful in its funding application for Nillumbik's first Youth Hub;

12. Officers' reports**CM.039/23 Council Plan Quarterly Performance Report - 2022-2023 - Quarter 3**

- n) All identified actions in the Bushfire Mitigation Strategy Action Plan remain on track, with significant progress made in creating a community focused approach to bushfire response through the Communities First project, and a \$794,000 grant application made to extend Communities First to mid-2026;
 - o) The Nillumbik Customer First Strategy is now available on Council's website. Implementation of the Year 1 actions has commenced with the completion of the annual community satisfaction survey, sourcing of a training provider to upskill staff in the area of complaint handling and the commencement of a review of customer online forms;
 - p) Delivery of Council's capital works program continues, with the majority of programs and projects scheduled for delivery in this financial year currently on track to be delivered.
5. The overall position as reflected in the report suggests that Council continues to make solid progress in delivering on the key actions supporting the Council Plan.
6. Reporting updates will continue to be received by Council on a quarterly basis that demonstrates in a practicable and tangible way how the Council Plan 2021-2025 is being delivered to the community.

Related Council decisions

7. In concert with the adoption of the 2022-2023 Council Budget, the Annual Action Plan 2022-2023 was adopted at the May 2022 Council Meeting.

Council plans and policies

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

Access, Equity and Inclusion

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

Sustainability implications

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

Community engagement

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

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CM.039/23 Council Plan Quarterly Performance Report - 2022-2023 - Quarter 3

13. The Annual Action Plan 2022-2023, reflecting the second year of delivery of the four-year Council Plan, was also adopted at the May 2022 Council Meeting.

Innovation and continuous improvement

14. Not applicable.

Collaboration

15. Not applicable.

Budget implications

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

Relevant law

17. Not applicable.

Regional, state and national plans and policies

18. Not applicable.

Conflicts of interest

19. 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.

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CM.039/23 Council Plan Quarterly Performance Report - 2022-2023 - Quarter 3

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12. Officers' reports**CM.040/23 2023 Annual Community Survey results****Distribution: Public****Manager: Jeremy Livingston, Executive Manager Business Transformation and Performance****Author: James Hartigan, Business Performance Analyst****Summary**

The results of the 2023 Annual Community Survey have been received (**Attachment 1**). This annual survey was conducted by Metropolis Research in February 2023. It is designed to measure community satisfaction with a range of Council services, facilities and activities, and to measure community sentiment on key issues affecting the community.

The survey also assists Council in meeting the Victorian Government's mandatory performance reporting requirements for councils by measuring community satisfaction in a number of areas covered by this survey.

The 2023 survey findings are generally positive, including an increase in satisfaction in a number of core areas, with results influenced by a change in survey methodology (returning to face-to-face interviews after two years of phone-based surveys due to COVID-19) and Council services normalising after COVID-19 restrictions and closures, impacting availability and resident access to Council services.

Among the key results this year, community satisfaction with Council's overall performance rated a 6.88 out of 10 (categorised as 'good'), an increase of 7.3% compared to the 6.41 result in 2022. This increase is better than the 5.7% increase observed across all Melbourne metropolitan councils, however the result is lower than the northern region councils' average (7.02 out of 10) and the Melbourne metropolitan average (6.98).

Nevertheless, Council's overall satisfaction score of 6.88 is the second best result achieved by Nillumbik since this annual survey commenced in 2011.

Beyond this headline statistic, the survey provides a rich amount of data on community sentiment. With the level of data and information provided in this survey, Council will be able to analyse the results as they apply to individual areas and activities, and identify service improvement opportunities. The survey's findings can also be used by Council when undertaking future planning and making budgetary decisions.

Recommendation

That Council:

1. Receives and notes the results of the 2023 Annual Community Survey (**Attachment 1**).
2. Makes the report's findings available to the public on Council's website.

Attachments

- ⇒1. 2023 Annual Community Survey - Final Report

12. Officers' reports**CM.040/23 2023 Annual Community Survey results**

Discussion

1. Metropolis Research undertook the twelfth Annual Community Survey in February 2023. The survey is designed to measure community satisfaction with a range of Council services, facilities and activities, and to measure community sentiment on key issues affecting the community. The survey also assists Council in meeting the Victorian Government's performance reporting requirements by measuring community satisfaction in a number of areas covered by this survey.
2. After two years of phone-based surveys in 2021 and 2022 due to COVID-19 social distancing, the survey returned to the traditional face-to-face, door-to-door interviews in 2023, with a small amount of phone interviews undertaken with rural residents where Occupational Health and Safety and access restrictions prevented in-person contact.
3. The survey involved interviews with 502 randomly selected community members. The results have been weighted to ensure the results are representative of the Nillumbik population and the diversity of the entire Nillumbik community.
4. The return to the more effective, door-to-door methodology is beneficial in terms of the survey response and findings, as Metropolis Research advises that the telephone interview methodology does not engender the same level of confidence in the process by the community as the more interactive and personal face-to-face interview methodology. As such, the participation rate for the survey this year was 40.8%, compared to 21.2% last year and 45.0% when the survey was conducted face-to-face in 2020.
5. The 2023 survey covers a range of aspects, including:
 - Satisfaction with Council's overall performance;
 - Community issues, behaviours and attitudes on various Council activities;
 - Satisfaction with planning and housing development;
 - Satisfaction with key aspects of governance and leadership;
 - Customer service;
 - Satisfaction with Council's communications tools and preferred methods of receiving information from Council; and
 - Importance and satisfaction ratings of a range of Council services and facilities.
6. **Attachment 1** outlines all results from the survey as undertaken by Metropolis Research.
7. Key results and findings from the 2023 survey are:
 - a) *Overall satisfaction in Council's performance* rates at 6.88 out of 10, an increase of 7.3% compared to the 6.41 result in 2022. This is the second highest satisfaction score recorded in these surveys, after 2015 (6.90), and improves Council's overall performance rating from 'solid' to 'good'. While the return to the traditional more inclusive and interactive door-to-door method is noted, the improvements this year clearly reflect a real and broad-based improvement in community sentiment towards Council.

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CM.040/23 2023 Annual Community Survey results

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- b) Of note, the 7.3% increase in *overall satisfaction of Council's performance* compared to last year is more significant than the 5.7% increase observed across all Melbourne metropolitan councils. However, Nillumbik's result is still lower than the northern region council's average (7.02 out of 10) and the Melbourne metropolitan average (6.98), which both recorded increases in satisfaction also.
 - c) The significant improvements in satisfaction recorded this year (following the declines from the last two years) have resulted in overall satisfaction now being up 8.7% over the life of the survey since 2011, which is a very pleasing result.
 - d) Increases in satisfaction with *Council's overall performance* were recorded in all five geographical precincts. Eltham and Diamond Creek respondents are most satisfied, while rural precinct and Greensborough/Plenty respondents are less satisfied.
 - e) Respondents have identified that the *top five important issues in Nillumbik* are:
 - (1) Traffic management;
 - (2) Roads maintenance and repairs;
 - (3) Council rates;
 - (4) Parks, gardens and open space; and
 - (5) Rubbish and waste.
 - f) Traffic management and roads maintenance and repairs have swapped positions compared to last year's results. Council rates moved up from fifth to third, while parks, gardens and open space and rubbish and waste are new entries in the top five issues, replacing bushfire prevention and environment and climate change.
 - g) There was a notable increase this year in the proportion of respondents who were 'very satisfied' (i.e. rated satisfaction at eight or more) to 39.2% (up from 31.3%), and a sizeable decline in the proportion of 'dissatisfied' respondents (rated satisfaction at less than five), down from 14.8% to 8.6%.
 - h) Respondents were asked whether *Council's performance had improved, stayed the same or deteriorated* over the past year. There is a decrease in the proportion of respondents who considered performance had improved (down from 12.8% to 11.8%). There was also a slight decrease in the proportion of respondents who considered performance has deteriorated (from 10.4% to 10.0%).
 - i) A significant increase in satisfaction with customer service is noted as a likely factor in the improvement in overall satisfaction with Council this year, but also noted are the significant increases in satisfaction with services including footpath maintenance, hard rubbish, traffic management, public toilets, street trees, parking enforcement, and street sweeping.
 - j) Respondents more satisfied than the overall average included young adults and adults, rental households, respondents who had lived in the Shire for between one and 10 years, two-parent families (with youngest child aged 0 to 12 years), one parent families (of all ages) and male respondents (which is a reversal from previous years where female respondents have been more satisfied).

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CM.040/23 2023 Annual Community Survey results

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- k) Satisfaction in all aspects of *governance and leadership* increased from 6.39 to 6.93 out of 10, a 100% reversal on last year's results. This represents an 8.4% increase and moves the rating from 'solid' to 'good'. Despite this, Council's performance in the various surveyed aspects of governance and leadership remains marginally lower than the corresponding result for Melbourne metropolitan councils and northern region councils.
 - l) Satisfaction with *consultation and engagement* has increased significantly from 6.21 to 6.93 (an 11.6% increase), translating to a 'good' rating. This is the highest level of satisfaction with this aspect of Council's performance recorded over the life of the survey and is well above the long-term average satisfaction since 2015 of 6.46.
 - m) *Satisfaction with meeting environmental responsibilities* also achieved its highest ever score (7.32 out of 10) over the life of the survey, a rating of 'very good'.
 - n) There is a marked shift in *preferred communication method* in 2023, with increases in direct mail/letterbox (up 15.8%), e-newsletters (up 8.3%) and website (up 6.0%), and decreases in telephone (down 15.3%), email (down 3.1%) and social media (down 3.0%).
 - o) 32.5% of survey respondents identified that they contacted Council in the last 12 months (down 1.8% on last year). *Customer service* recorded a sizeable 10.4% increase, with all aspects of satisfaction with performance increasing. However, all aspects remain slightly lower than the Melbourne metropolitan councils' average.
 - p) After satisfaction with all aspects of the *planning approvals process* decreased significantly in 2022, three of the four aspects increased in 2023, with only 'communication' recording another decrease.
 - q) It is noted that satisfaction with Council's communication during the planning process and the timeliness of planning decisions were measurably lower in Nillumbik compared to the metropolitan Melbourne average. Satisfaction with the four aspects of the planning approvals process across metropolitan Melbourne councils improved measurably this year, however this was not replicated in Nillumbik.
 - r) Satisfaction with all three aspects of *development outcomes* increased marginally, with 'design of public spaces', 'appearance and quality of new developments' and 'protection of local heritage' now all rated 'very good'. All three aspects of development outcomes continue to rate favourably compared to Melbourne metropolitan and northern region councils.
 - s) This year, the survey question related to *addressing the needs of LGBTIQ+* residents changed from a focus on importance to a focus on satisfaction. Council scored 6.87 out of 10 – a 'good' rating. It is noted that younger respondents were more satisfied than older respondents, reflecting more awareness and greater engagement with youth in this space.

12. Officers' reports**CM.040/23 2023 Annual Community Survey results**

- t) Average *satisfaction across the 33 surveyed services across Council* increased on the 2022 result, up from 7.34 to 7.55 out of 10 (rated as 'very good'). There was a strong response in terms of satisfaction for key services including local libraries, weekly and fortnightly waste collections, environment programs and facilities, and sports ovals and aquatic centres. The lowest rated services are public toilets, maintenance and repair of local sealed roads, street sweeping, grading of unsealed roads and local traffic management.
 - u) Of note is that satisfaction with 25 of the 33 services increased, compared to 19 last year.
 - v) The average *importance of the same 33 services* decreased slightly this year from 8.56 to 8.53 – a 0.3% decline. This compares unfavourably to Melbourne metropolitan councils, which increased slightly from 8.65 to 8.76. Fifteen of the 33 surveyed services at Nillumbik decreased in importance, compared to 2022 where all services decreased in importance. The services most valued by respondents include kerbside waste collection services, fire prevention works, sports ovals and facilities, services for seniors and roads and drainage maintenance.
 - w) Respondents were asked to rate their satisfaction with the volume of *traffic*, the availability of *parking*, and the *perception of safety on or beside roads and streets*. 'Safety while walking' (7.76) rated highest, while 'volume of traffic' (6.93) rated lowest.
 - x) Average satisfaction with *roads and drains maintenance* increased 9.1% on last year's result. Traffic management and roads and drains maintenance remain the top two issues raised by survey respondents, with potholes, bumps and poor road condition the primary issues raised in this space.
 - y) *Perception of safety* in public areas is again very high and continues to rank higher than Melbourne metropolitan and northern region councils. Only 12 respondents (2.4% of survey sample) rated safety, policing and crime as one of the top 3 issues in Nillumbik.
 - z) For the second year, questions concerning *climate change* were asked in the survey, supporting Council's Climate Action Plan. Respondent's rated Council leadership in delivering climate action at 6.92 out of 10 (rated as 'good'), an increase from 6.33 last year. Only 9% of respondents are dissatisfied with Council's performance in delivering climate change leadership, an improvement from 18.2% last year.
8. The survey report and results will be published on the Council website. The survey results will also be published in Council's 2022-2023 Annual Report, and on the Local Government Victoria page of the Department of Government Services website.
9. Information gained from the survey will be used by Council to inform future planning and decision-making, as well as budgetary decisions.

Related Council decisions

10. Not applicable.

12. Officers' reports

CM.040/23 2023 Annual Community Survey results

Options

11. Not applicable; the survey results and report are for noting.

Council plans and policies

12. This report directly supports the achievement of Council Plan 2021-2025 strategies:
- We communicate clearly and regularly, taking the time to listen and engage with our community.

Access, Equity and Inclusion

13. A Gender Impact Assessment has not been completed for this report. However, indicators measured in the survey best reflect the principles outlined in the Access, Equity and Inclusion Policy where applicable.

Sustainability implications

14. Not applicable.

Community engagement

15. The Annual Community Survey involved face-to-face interviews with 502 randomly selected residents across five precincts in the Shire. The data collection methodology for this survey meets mandatory Victorian Government reporting requirements.
16. Fieldwork was undertaken in February 2023. To provide some community awareness of this fieldwork, Council placed posts through its website and social media channels shortly before the survey interviews were conducted.

Innovation and continuous improvement

17. With the level of data and information provided in this survey, there are opportunities to analyse the results as they apply to individual service areas, and identify service improvement opportunities. The survey's findings can also be used by Council when undertaking future Council and service planning, and making budgetary decisions.

Collaboration

18. Not applicable.

Budget implications

19. The cost of undertaking the Annual Community Survey is met within the existing operational budget.

Relevant law

20. The data collection methodology for this survey, as well as a number of survey outputs, meets State Government reporting requirements for councils.

Regional, state and national plans and policies

21. Not applicable.

Conflicts of interest

22. 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.041/23 Inclusion and Access Advisory Committee - 2023 Membership Endorsement**

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

The Inclusion and Access Advisory Committee (IAAC) provides a formal mechanism for Council to consult with key stakeholders, seek specialist advice and enable community participation in the implementation of the Disability Action Plan 2020-2024, as well as current and future planning to promote disability inclusion.

Council called for Expressions of Interest for the 2023-25 Inclusion Advisory Committee via a public Expression of Interest (EOI) process from 1 March 2023 – 5 April 2023.

A formal evaluation process was undertaken by the Manager, Community Programs the Coordinator, Disability Inclusion and Volunteering and the Positive Ageing Officer (replacing the Disability Inclusion Officer due to leave arrangements). A total of fifteen applications were received, assessed and shortlisted against the selection criteria by an internal assessment panel.

Following the 2 May 2023 Councillor Briefing, endorsement of the updated Terms of Reference (**Attachment 1**) and IAAC membership (**Attachment 2**) is now recommended. Proposed membership includes nine community nominees and five service provider nominees.

Recommendation

That Council:

1. Endorses the fourteen recommended applicants listed for appointment to the 2023-2025 Inclusion and Access Advisory Committee (**Attachment 2**) as an Inclusion and Access Advisory Committee member:
 - a. Applicant 1 _____
 - b. Applicant 2 _____
 - c. Applicant 3 _____
 - d. Applicant 4 _____
 - e. Applicant 5 _____
 - f. Applicant 6 _____
 - g. Applicant 7 _____
 - h. Applicant 8 _____
 - i. Applicant 9 _____
 - j. Applicant 10 _____
 - k. Applicant 11 _____

12. Officers' reports**CM.041/23 Inclusion and Access Advisory Committee - 2023 Membership Endorsement**

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- I. Applicant 13 _____
 - m. Applicant 14 _____ and;
 - n. Applicant 15 _____.
2. Notes the report recommendation is to maintain the membership of 14. Applicant 12 ranked 15th and is therefore unsuccessful on this occasion.
 3. Acknowledges and thanks all community members and local agencies who submitted expressions of interest to the Inclusion and Access Advisory Committee.
 4. Resolves that the Panel Recommendations and Scoring (**Attachment 2**) to remain confidential on the grounds specified in the definition of confidential information in section 3(1)(f) of the *Local Government Act 2020*.
 5. Resolves that the successful applicants be named.
 6. Endorses the updated Terms of Reference (**Attachment 1**) for the Inclusion and Access Advisory Committee (IAAC)

Attachments

- ⇒1. IAAC Terms of Reference (ToR)
2. Evaluation - Inclusion and Access Advisory Committee - April 2023 -
 CONFIDENTIAL

Discussion

1. The IAAC was established to advise Council on the Disability Action Plan actions, as well as other opportunities and challenges related to inclusion in Nillumbik.
2. The current committee was formally endorsed in May 2021 for a 2 year term, with the term expiring in May 2023.
3. Under the updated ToR and in alignment with Council's Advisory Committee Policy, current committee members are able to reapply for an additional two year term irrespective of their previous years of membership.
4. The Committee meets on the fourth Friday of alternate months, between 10am and 12pm at the Council Offices, Civic Drive, Greensborough, unless otherwise determined by the Committee.
5. Expressions of Interest (EOI) for the committee were open from 1 March – 5 April 2023, inviting applications from current committee members, members of the public, and organisations who provide services to the local community.
6. A formal evaluation process was undertaken by the Manager, Community Programs and the Coordinator, Disability Inclusion and Volunteering and it is recommended that the nine community members and five service providers (**Attachment 2**) be appointed to the Inclusion and Access Advisory Committee for the upcoming two year term.

12. Officers' reports

CM.041/23 Inclusion and Access Advisory Committee - 2023 Membership Endorsement

Related Council decisions

7. In May 2020, Council endorsed the 2020-2024 Disability Action Plan (DAP). The DAP underpins and drives the work of the Committee.

Options

8. The report recommendation is to maintain the membership of 14, as per the previous term and as reflected in the updated IAAC Terms of Reference (**Attachment 1**).
9. That Council formally notes and endorses the 14 nominees recommended for appointment to the 2023-25 Inclusion and Access Advisory Committee (**Attachment 2**).
10. While the service provider nominee who ranked 15th is not being put forward for endorsement on this occasion, it is noted that this service provider is a current serving member on another Council Committee.
11. A quorum of five is to remain as per the previous Committee term to flexibly accommodate the needs of people with disability.

Council plans and policies

12. This report directly supports the achievement of the Council Plan 2021-2025 strategy:
- We actively engage people of all ages and stages in decisions that affect them, ensuring that initiatives meet current and emerging needs.

Access, Equity and Inclusion

13. The EOI process encouraged applications from people with cultural and linguistically diverse backgrounds, people with disability, advocates and carers. Additional support was offered as part of the application process and contact via the National Relay Service was welcomed. Nominees were also encouraged to outline what they require in order to participate as a Committee member.

Sustainability implications

14. Not applicable.

Community engagement

15. Expressions of Interest (EOI) sought via multiple engagement channels including:
- Online: via Council's website and social media platforms
 - The Disability Inclusion Newsletter and other Council department e-newsletters
 - Nillumbik News (vitally important to demonstrate for hard to reach groups given it is the only publication delivered to each household in Nillumbik).
 - Disability Inclusion networks and community groups
 - Word of mouth: phone calls, emails.

Innovation and continuous improvement

16. Through the EOI process, people were encouraged to contact the Disability Inclusion Team to ensure their experience is welcoming, accessible and inclusive.

12. Officers' reports

CM.041/23 Inclusion and Access Advisory Committee - 2023 Membership Endorsement

Collaboration

17. The Committee will support ongoing and new partnerships, information sharing and alignment of strategies and programs that contribute to disability inclusion across the Nillumbik community.

Budget implications

18. As per Council's Advisory Committee Policy:
'Council will provide reasonable support for members to participate in the meetings. This will be negotiated with the members as needed.'
19. One proposed IAAC member requires support to cover transportation to and from meetings.
20. All costs associated with the IAAC have been accounted for within the Community Programs operational budget.

Relevant law

21. The DAP is a legislative requirement for Council by virtue of section 38 of the *Disability Act 2006 (Vic)*.
22. The implementation of the DAP meets our obligation under the:
- *Disability Discrimination Act 1992 (DDA)*
 - *Charter of Human Rights and Responsibilities Act 2006*
 - *United Nations Convention on the Rights of Persons with Disabilities 2006.*

Regional, state and national plans and policies

23. The DAP aligns with the following plans:
- Australia's Disability Strategy 2021 – 2031
 - Victorian State Disability Plan 2022 – 2026.

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 of this report.

12. Officers' reports**CM.042/23 Review of Arts and Cultural Advisory Committee Terms of Reference**

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

In June 2023, the current two year term for five committee members will end, and Council will call for Expressions of Interest for Arts and Cultural Advisory Committee for members to serve two year terms from 2023-2025.

The purpose of this report is to seek endorsement of the updated Terms of Reference 2023-25 and the recruitment process that will open on 29 May and close on 23 June 2023.

Recommendation

That Council:

1. Thanks and acknowledges the five outgoing members of the Arts and Cultural Advisory Committee 2021-23 for their advice and contribution to Council's work to represent the diverse views, ideas and needs of the community.
2. Endorses the revised Arts and Cultural Advisory Committee Terms of Reference 2023-2025 (**Attachment 1**).
3. Endorses the recruitment process for the Arts and Cultural Advisory Committee 2023-2025 to commence on 29 May and conclude on 23 June 2023.
4. Instructs Officers to report nominations to the Arts and Cultural Advisory Committee to Council for endorsement in August 2023.

Attachments

- [⇒](#)1. Reviewed Arts and Cultural Advisory Committee Terms of Reference

Discussion

1. Council's Arts and Cultural Advisory Committee enables community members with appropriate expertise and experience to provide advice to Council concerning key issues relating to arts and culture.
2. In June 2023, the current two year term for five committee members will end, and Council will call for Expressions of Interest for Arts and Cultural Advisory Committee for members to serve two year terms from 2023-2025.
3. Up to 16 committee members form the committee, and collectively represent a diverse range of arts and cultural expertise.

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CM.042/23 Review of Arts and Cultural Advisory Committee Terms of Reference

4. All nominees will be individually scored by a selection panel against evaluation matrix that considers the nominees :
 - a) Qualifications, skills and/or expertise in the focus areas of the advisory committee.
 - b) A strong understanding of the local community and its social, environmental and economic influences.
 - c) An ability to represent a broad range of views that reflect the diversity of the community.
5. A dedicated position within the committee will be reserved for a First Nations artist, curator, producer or creative.
6. Consideration will be given to the diversity of age groups on the committee.
7. The selection panel for making recommendations of members on the Advisory Committee will now consist of a Senior Member of Council (CEO or Director – or delegated Manager) and up to three nominated Council staff members from Arts and Cultural Development.
8. This replaces a previous arrangement whereby existing Advisory committee members were part of the selection panel, which is not in line with the current Advisory Committee Policy.

Related Council decisions

9. Arts and Cultural Advisory Committee Terms of Reference were last endorsed at Council Meeting on 28 June 2022.

Options

10. The updated Terms of Reference are presented in **Attachment 1**.
11. Expressions of Interest and the recruitment for Arts and Cultural Advisory Committee members will open on 29 May and close on 23 June 2023.
12. To be eligible for applications, applicants must meet the criteria outlined in the terms of reference.
13. The proposed changes to the Terms of Reference will ensure the Arts and Cultural Advisory committee eligibility criteria and selection process is aligned to the Advisory Committee Policy and supports access, equity and inclusion for applicants from underrepresented groups.

Council plans and policies

14. This report directly supports the achievement of the Council Plan 2021-2025 strategy:
 - We recognise and celebrate our community's significant contributions to art and culture.

12. Officers' reports

CM.042/23 Review of Arts and Cultural Advisory Committee Terms of Reference

Access, Equity and Inclusion

15. Council's Access, Equity and Inclusion policy has informed inclusion of new measures in the Terms of Reference which seek to increase the representation of diverse and varied needs of the arts community on the committee.

Sustainability implications

16. Not applicable

Community engagement

17. Calls for nominations will be broad, and the proposed communication plan is summarised below:
- a) Recruitment will launch on 29 May 2023, and will close on 23 June 2023 if nomination numbers are reached.
 - b) A recruitment approach which includes targeting diverse community groups and stakeholders will be conducted, reaching local arts leaders, creative practitioners working across all art forms, arts organisations, arts groups, creative businesses, First Nations artists, artists living with a disability and creatives from diverse backgrounds and age groups.
 - c) The use of various Council social media platforms will be integral to the success of the recruitment.
 - d) Invitations to nominate will be disseminated through community group networks, currently hosted by Community Partnerships, and will be promoted through existing contact databases.
 - e) A call for nomination will be included in the monthly Arts e-newsletter.

Innovation and continuous improvement

18. Terms of Reference have been reviewed to ensure continuous improvement in meeting Advisory Committee Policy and Access, Equity and Inclusion Policy objectives.

Collaboration

19. Not applicable.

Budget implications

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.042/23 Review of Arts and Cultural Advisory Committee Terms of Reference

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12. Officers' reports**CM.043/23 Review of Performing Arts Policy Purpose and Needs**

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

The purpose of this report is to seek endorsement from Councillors that a Performing Arts Policy is no longer required in the Council Plan.

Recommendation

That Council:

1. Resolves that the development of a Performing Arts Policy, identified as a priority action in the Council Plan 2021-2025, will not be pursued; and
2. Notes the Arts and Culture Strategy 2022-2026 sets directions for the development of all aspects of arts and culture in the Shire, including performing arts.

Attachments

Nil

Discussion

1. The development of a Performing Arts Policy is identified as a priority action in the Council Plan 2021-2025 (Place and Space).
2. Currently, the Nillumbik's Arts and Culture Strategy 2022-2026 sets directions for the development of all aspects of arts and culture in the Shire, including performing arts (see Council Plans and Policies and Options below for an outline) and, based on extensive community consultation, performing arts will be developed according to key priorities in the Strategy.
3. The Council plan commitment to develop a Performing Arts Policy pre-dates the development of the Arts and Culture Strategy 2022-2026. The requirement for a policy is now superseded by an evidence-based strategy that has been developed with full consideration of the community's priorities.
4. A performing arts policy is not the right approach/tool in advancing the current Arts and Culture Strategy commitments or action plan.
5. To date, Nillumbik Shire Council has supported the development of the performing arts through a variety of measures including:
 - Funding support of theatre groups, music and dance projects through community grants. For example, the Nillumbik Community Fund has supported \$156,731 in arts projects (including performing arts projects) over the last five years. This has included direct support from arts officers advising on projects, providing promotion and facilitating permits and event planning in line with Council policies.
 - Programming of theatre, dance and performing arts facilitated by Arts and Cultural Development officers when opportunities and budget allow.

12. Officers' reports**CM.043/23 Review of Performing Arts Policy Purpose and Needs**

- Events and Place supports performing arts through triennial festival funding which supports the Eltham Jazz Food and Wine Festival, and six other festivals which engage performing artists to present music, dance or other performing arts on an annual basis, at around \$320,000 total funding per year.
 - Council supports one-off performances by local artists at Civic events including International Women's Day, Citizenship Award ceremonies, flag raising events and Community Awards.
 - Youth performing arts activities have been supported through Nillumbik Youth Theatre (2016-2021), and ongoing through the FreeZA program.
 - Eltham Little Theatre has access to Eltham Performing Arts Centre at 1603 Main Road Research via a licence agreement from 2007-2027 and through this support has staged 2-5 events and productions each year.
 - Promotion and marketing of community-led performing arts initiatives via Nillumbik Shire Arts eNews, social media platforms and webpages.
6. None of the above activities have resulted in a reported need to regulate, guide or provide process that would be suited to the development of a performing arts policy. Through recent benchmarking we have found that it is uncommon for Councils to develop a performing arts policy. Performing arts activity is typically guided by Arts and Culture strategies which incorporate goals and actions relating to cultivating, supporting and producing theatre, music and dance:
- a. Hume City Council is guided by the Creative Community Strategy 2020-2025 which includes strategies to build connection and wellbeing through festival, events and performing arts programs. No performing arts policy is in use.
 - b. Creative Darebin Arts Strategy 2014-2021, and current Council Plan 2021-2025 outline strategies related to performing arts, including programs at the Northcote Town Hall, Darebin Arts and Entertainment Centre and via festivals. There is no performing arts policy in place.
 - c. Banyule City Council Arts and Culture Strategy 2017-2021 (new strategy in development) includes all performing arts functions. No performing arts policy is in use.
 - d. Merri-Bek Creative Capital Strategy 2017-2022 (new strategy in development for 2023-2027) outlines key directions for festivals, venues and commissioning of performing arts. No performing arts policy is active.

12. Officers' reports**CM.043/23 Review of Performing Arts Policy Purpose and Needs**

Related Council decisions

7. Previous reference to performing arts development in the 2017-2021 Council Plan was in goal 2.2.7 'Recognise performing arts through facilitation and promotion throughout the Shire.
8. In the development of the Council Plan 2021-2025 a Priority Action under the theme 'Place and Space' was identified to 'Develop a Performing Arts Policy'.
9. Subsequent to the development of the Council Plan 2021-2025, the Arts and Culture Strategy 2022-2026 was developed.

Options

10. Based on benchmarking with other Councils and noting that the Arts and Culture Strategy now direct development of performing arts, noting that a Performing Arts Policy may not achieve the desired outcomes for Council or community. It is recommended a Performing Arts Policy action is no longer required and Council should not pursue the Policy.
11. This change will not affect the status of performing arts in Nillumbik and the focus on this will be continued through the implementation of the Arts and Cultural Strategy.
12. Currently, the Nillumbik Shire Council Arts and Culture Strategy 2022-2026 sets directions for the development of all aspects of arts and culture in the Shire, including performing arts (see Council plans and policies below for an outline) and, based on extensive community consultation, performing arts efforts will be developed according to key priorities in the Strategy. It is proposed that rather than focusing on the development of a performing arts policy, that Council focuses efforts on key deliverables over 2023-2024 as follows.
 - a. Development of physical spaces for rehearsals and performance via the Creative Infrastructure Framework
 - b. Prioritise support for under-represented art forms including live music, dance, theatre through artist in residence and public programming
 - c. Encourage collaboration with the library service as an events space and engage performing artists through this partnership
 - d. Development of a centralised digital hub of events and venues for hire, to increase access to performing arts
 - e. Continued support of performing arts in festivals and events through grant programs.

Council plans and policies

13. This report directly supports the achievement of the Council Plan 2021-2025:
 - We recognise and celebrate our community's significant contributions to art and culture.
14. This report directly relates to a Priority Action in the Council Plan 2021-2025, under the plan theme 'Place and Space', which is to 'Develop a Performing Arts Policy'.

12. Officers' reports

CM.043/23 Review of Performing Arts Policy Purpose and Needs

15. This action was identified following previous inclusion of performing arts development in the 2017-2021 Council Plan, as goal 2.2.7 'Recognise performing arts through facilitation and promotion throughout the Shire.
16. Arts and Culture Strategy 2022-2026 includes the following references to performing arts:
 - a. Development of physical spaces for rehearsals and performance
 - b. Prioritise support for under-represented art forms: live music, dance, theatre
 - c. Encourage collaboration with the library service as an events space
 - d. Development of a centralised digital hub of events and venues for hire
 - e. Continued support of performing arts in festivals and events.

Access, Equity and Inclusion

17. A Gender Impact Assessment will be conducted on any new projects arising from the strategy goals and options outlined above.

Sustainability implications

18. Not applicable.

Community engagement

19. Extensive community engagement was conducted for the development of the Arts and Culture Strategy 2022-2026, which outlines Council priorities for the development of performing arts. The Council plan commitment to develop a Performing Arts Policy pre-dates the development of this comprehensive strategy.

Innovation and continuous improvement

20. Not applicable.

Collaboration

21. Not applicable.

Budget implications

22. No budget implications as all Arts and Culture 2022-2026 strategies and action plans are managed through existing operating budget.

Relevant law

23. Not applicable.

Regional, state and national plans and policies

24. Not applicable.

Conflicts of interest

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

12. Officers' reports**CM.044/23 Informal Meetings of Councillors Records - 26 April 2023****Distribution: Public****Manager: Blaga Naumoski, Director Governance, Communications and
Community Safety****Author: Rowena Cairns, Acting Manager Governance and Property****Summary**

In accordance with *Item 19 of Council's Governance Rule – Meeting Procedure*, adopted on 25 August 2020, Council is required to report as soon as practicable to a Council Meeting a record of each Informal Meeting of Councillors held.

This report lists Informal Meetings of Councillors Records submitted since the matter was last reported to Council on 26 April 2023.

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

1. Living Learning Nillumbik - NH Advisory Committee meeting held 17 April 2023;
2. Environment and Sustainability Advisory Committee meeting held 19 April 2023;
3. Council Meeting Pre-Meet held 26 April 2023;
4. Inclusion & Access Advisory Committee meeting held 28 April 2023;
5. Youth Council Advisory Committee meeting held 1 May 2023;
6. Inclusion & Access Advisory Committee meeting held 2 May 2023; and
7. Councillor Briefing held 2 May 2023.

Recommendation

That Council, in accordance with *Item 19 of Council's Governance Rule – Meeting Procedure*, receives the Informal Meetings of Councillors Records (**Attachment 1**) for the meetings held.

Attachments

- ⇒1. Informal Meetings of Councillors Records reported 23 May 2023

Discussion

1. *Item 19 of Council's Governance Rule – Meeting Procedure*, 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.044/23 Informal Meetings of Councillors Records - 26 April 2023**

Options

3. An Informal Meetings of Councillors is defined in *Item 19 of the Governance Rule – Meeting Procedure*. 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 19 of the Governance Rule – Meeting Procedure*, 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 19 of the Governance Rule – Meeting Procedure*.

Council plans and policies

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

Access, Equity and Inclusion

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

Sustainability implications

10. None required.

Community engagement

11. Not applicable.

Innovation and continuous improvement

12. Not applicable.

12. Officers' reports

CM.044/23 Informal Meetings of Councillors Records - 26 April 2023

Collaboration

13. None required.

Budget implications

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

Relevant law

15. *Local Government Act 2020.*

Regional, state and national plans and policies

16. None applicable.

Conflicts of interest

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

12. Officers' reports

CM.044/23 Informal Meetings of Councillors Records - 26 April 2023

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Council Meeting Agenda

23 May 2023

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