

# Ordinary Meeting of Council

to be held virtually  
on Tuesday 23 June 2020 commencing at 7:00pm.

## Agenda

**Carl Cowie**  
**Chief Executive Officer**

Friday 19 June 2020

Distribution: Public

Civic Drive, Greensborough  
PO Box 476, Greensborough 3088  
Telephone 9433 3111  
Facsimile 9433 3777  
Website [www.nillumbik.vic.gov.au](http://www.nillumbik.vic.gov.au)  
Email [nillumbik@nillumbik.vic.gov.au](mailto:nillumbik@nillumbik.vic.gov.au)

# Ordinary Council Meeting

## **Councillors**

**Cr Karen Egan (Mayor)** – Bunjil Ward

**Cr Jane Ashton** – Sugarloaf Ward

**Cr Grant Brooker** – Blue Lake Ward

**Cr Peter Clarke** – Wingrove Ward

**Cr John Dumaresq** – Edendale Ward

**Cr Peter Perkins** – Ellis Ward

**Cr Bruce Ranken** – Swipers Gully Ward

## **Officers**

**Carl Cowie** – Chief Executive Officer

**Blaga Naumoski** – Executive Manager Governance, Communications and Engagement

## Nillumbik Shire Council

---

**Contents**


---

<b>1. Welcome by the Mayor</b>	<b>1</b>
<b>2. Reconciliation statement</b>	<b>1</b>
<b>3. Prayer</b>	<b>1</b>
<b>4. Apologies</b>	<b>1</b>
<b>5. Presentations</b>	<b>1</b>
<b>6. Confirmation of minutes</b>	<b>1</b>
<b>7. Disclosure of conflicts of interest</b>	<b>1</b>
<b>8. Petitions</b>	<b>1</b>
<b>9. Questions from the gallery</b>	<b>1</b>
<b>10. Reports of Advisory Committees</b>	<b>3</b>
AC.006/20 Advisory Committee Report	3
<b>11. Reports of Special Committees</b>	<b>21</b>
<b>12. Officers' reports</b>	<b>23</b>
OCM.093/20 Adoption of Budget 2020-2021, declaration of Rates and Charges	23
OCM.094/20 Equine in Nillumbik	115
OCM.095/20 Economic Development Strategy 2020-2030	177
OCM.096/20 Temporary and Community Advertising Signage Policy	217
OCM.097/20 Shire Plan 2040 - Towards a Community Vision for Nillumbik	297
OCM.098/20 Regional Gallery Business Case and Masterplan Update	361
OCM.099/20 Hurstbridge Men's Shed Issues and Options Paper	481
OCM.100/20 Audit and Risk Committee Matters	533
OCM.101/20 View Hill Crescent Special Charge Scheme - Questionnaire results	545
OCM.102/20 Assembly of Councillors	553
OCM.103/20 Tender Report - Contract 1920-82 Retail Fuel Cards via Procurement Australia	567
OCM.104/20 Tender Report - Contract 1920-87 Large Site and Street Lighting Electricity	569
OCM.105/20 Tender Report - Contract 1920-88 Small Tariff Sites Electricity	571
<b>13. Notices of Motion</b>	<b>573</b>
NOM.005/20 Protections for Illegal Tree Clearing in Urban Areas	573
<b>13. Delegates' reports</b>	<b>575</b>
<b>14. Supplementary and urgent business</b>	<b>575</b>

<b>15. Confidential reports</b>	<b>575</b>
OCM.106/20 Tender Report - Contract 1920-82 Retail Fuel Cards via Procurement Australia	575
OCM.107/20 Tender Report - Contract 1920-87 Large Site and Street Lighting Electricity	575
OCM.108/20 Tender Report - Contract 1920-88 Small Tariff Sites Electricity	575

**Nillumbik Shire Council**

**Agenda of the Ordinary Meeting of Nillumbik Shire Council to be held  
Tuesday 23 June 2020 commencing at 7:00pm.**

---

**1. Welcome by the Mayor**

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

**2. Reconciliation statement**

**The reconciliation statement to be read by the Mayor**

Nillumbik Shire Council acknowledges the Wurundjeri people who are the Traditional Custodians of this Land. We would also like to pay respect to the Elders both past and present and extend that respect to other Indigenous Australians present.

**3. Prayer**

A prayer will be read.

**4. Apologies**

**Recommendation**

That the apologies be noted.

**5. Presentations**

**6. Confirmation of minutes**

Confirmation of minutes of the Ordinary Council Meeting held on Tuesday 26 May 2020, the Special Council Meeting held on Tuesday 9 June 2020 at 6:00pm and the Special Council Meeting held on Tuesday 9 June 2020 at 8:00pm.

**Recommendation**

That the minutes of the Ordinary Council Meeting held on Tuesday 26 May 2020, the Special Council Meeting held on Tuesday 9 June 2020 at 6:00pm and the Special Council Meeting held on Tuesday 9 June 2020 at 8:00pm be confirmed.

**7. Disclosure of conflicts of interest**

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

**8. Petitions**

**9. Questions from the gallery**

THIS PAGE HAS BEEN LEFT INTENTIONALLY BLANK

10. Reports of Advisory Committees

AC.006/20 Advisory Committee Report

---

**Distribution:** Public

**Manager:** Blaga Naumoski, Executive Manager Governance, Communications and Engagement

**Author:** Alena Spry, Governance Officer

**Summary**

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

In accordance with Advisory Committee Terms of Reference, the minutes of meetings are presented to Council.

**Attachments**

1. Inclusion Advisory Committee minutes - 20 February 2020
2. Panton Hill Bushland Reserves System User Group Advisory Committee minutes - 20 February 2020
3. Positive Ageing Advisory Committee minutes - 1 May 2020

**Recommendation**

**That** Council notes the minutes of the following meetings:

- Inclusion Advisory Committee held on 20 February 2020;
- Panton Hill Bushland Reserves System User Group Advisory Committee held on 20 February 2020; and
- Positive Ageing Advisory Committee held on 1 May 2020.

THIS PAGE HAS BEEN LEFT INTENTIONALLY BLANK

**11. Reports of Special Committees**

THIS PAGE HAS BEEN LEFT INTENTIONALLY BLANK

12. Officers' reports

OCM.093/20 Adoption of Budget 2020-2021, declaration of Rates and Charges

---

**Distribution:** Public

**Manager:** Vince Lombardi, Chief Financial Officer

**Author:** Melika Sukunda, Finance Manager

**Summary**

This report recommends that Council formally adopts the Budget and declare the rates and charges for the 2020-2021 Financial Year.

Council commenced preparation of the 2020-2021 Budget in late 2019 in order that it could then be exhibited for public consultation, and adopted prior to 30 June 2020.

The draft Budget was exhibited and the community invited to comment on it. Written submissions were received and considered by a meeting of the Future Nillumbik Committee on 12 May 2020.

**Rates and charges for 2020-2021**

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

The draft Budget proposes a zero increase in rates per property which is 2.00 per cent below the rate cap.

**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 2**).

**Policy, planning and services initiatives**

In addition to capital works, the Budget also includes resources for a range of initiatives regarding policy, planning and services.

**Strategic Resource Plan**

As part of the budget process, the Strategic Resource Plan has also been reviewed and updated. Council is required to adopt the Strategic Resource Plan by 30 June each year.

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.

<b>Recommendation</b>
-----------------------

**That:**

1. Council, having considered the submissions received, adopts the proposed Budget 2020-2021 (**Attachment 2**).
2. The Chief Executive Officer be authorised to give public notice of the decision to adopt the Budget, and 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:

12. Officers' reports

OCM.093/20 Adoption of Budget 2020-2021, declaration of Rates and Charges

---

- a) an amount of \$66.968 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	\$57,648,111
Annual Service Charge	\$9,319,519

4. General Rates

- a) That general rates be declared in respect of the 2020-2021 Financial Year.
- b) It be further declared that the general rates be raised by the application of differential rates.
- c) 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
- Vacant Land – General Residential / Activity Centre Zone / Neighbourhood Residential Zone and Specified Low Density Residential Zones.

- d) 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 paragraph 4(c) above) by the relevant rates indicated in the following table:

12. Officers' reports

OCM.093/20 Adoption of Budget 2020-2021, declaration of Rates and Charges

Category	Rate in Dollar
Farm Land	0.002270 (or 0.2270 cents in the dollar of Capital Improved Value)
Commercial / Industrial Land	0.003091 (or 0.3091 cents in the dollar of Capital Improved Value)
Vacant land – General Residential / Activity Centre Zone / Neighbourhood Residential Zone and Specified Low Density Residential Zones	0.005339 (or 0.5339 cents in the dollar of Capital Improved Value)
General Rate / Other Land	0.002670 (or 0.2670 cents in the dollar of Capital Improved Value)

- e) 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 Schedule A (**Attachment 1**).
  - II. respective types or classes of land which are subject to each differential rate be those defined in part 4(d) above.
- f) 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.
- g) 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 0.001030 (or 0.1030 cents in the dollar of Capital Improved Value).

5. Annual Service Charge

- a) An annual service charge be declared in respect of the 2020-2021 Financial Year.
- b) The annual service charge be declared for the collection and disposal of residential refuse and other waste.
- c) 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. The options are:

Option 1: \$419.56 per service in respect of the following three bins:

- 120 litre green waste bin
- 240 litre recycling bin
- 120 litre landfill bin

12. Officers' reports

OCM.093/20 Adoption of Budget 2020-2021, declaration of Rates and Charges

---

Option 2: \$335.65 per service in respect of the following three bins:

- 120 litre green waste bin
- 240 litre recycling bin
- 80 litre landfill bin

Option 3: \$587.38 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: \$461.52 per service in respect of the following four bins:

- 120 litre green waste bin
- 240 litre recycling bin
- 140 litre landfill bin

Option 5: \$755.21 per service in respect of the following four bins:

- 120 litre green waste bin
- 240 litre recycling bin
- 120 litre landfill bin – weekly collection

- d) 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 \$104.89.
- e) 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.
- f) 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.

6. Rebates – Sustainable Agricultural Land

- a) It be recorded that subject to paragraph 4(c) 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*.
- b) The rebate be granted to:
  - i) assist the proper development of the municipal district.

12. Officers' reports

OCM.093/20 Adoption of Budget 2020-2021, declaration of Rates and Charges

---

- 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.
- c) 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.
    - 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).

12. Officers' reports

OCM.093/20 Adoption of Budget 2020-2021, declaration of Rates and Charges

---

Council's Environment Team will notify landholders when PMP revision is required and will allow ample time and assistance to facilitate this process.

7. Rebates – House construction on Vacant Residential Land
  - a) It be recorded that Council may also grant a rebate to each owner (or, where applicable, occupier) of land on which a habitable dwelling is erected during the course of the 2020-2021 Financial Year.
  - b) The rebate be granted to assist the proper development of the municipal district.
  - c) The rebate be granted:
    - i) if a dwelling is created on what has been Vacant Land – Residential and Specified Low Density Residential Zones.
    - ii) upon an occupancy permit being issued in respect of the dwelling.
  - d) The rebate be in an amount of 50 per cent of the general rates payable during the 12 months immediately preceding the date of the supplementary valuation made after the occupancy permit was issued.
8. Payment
  - a) 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 2020
    - 30 November 2020
    - 28 February 2021
    - 31 May 2021
9. Consequential further actions:
  - a) The Manager Finance be authorised to levy and recover the general rates and annual service charge in accordance with the *Local Government Act 1989*.
  - b) 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.
10. Council writes to all those who have made a submission on the 2020-2021 Budget under section 223 of the *Local Government Act 1989* thanking them for their input and advising them of Council's decision and reasons for the decision.

**Attachments**

1. Schedule A
2. Budget 2020-2021

**12. Officers' reports****OCM.093/20 Adoption of Budget 2020-2021, declaration of Rates and Charges**

---

**Background**

1. Council is required by the *Local Government Act 1989* to prepare a Budget for each financial year.
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 Budget has been prepared for the purposes of public exhibition in accordance with statutory requirements.

**Policy context**

4. This Budget has been developed in the context of the Council Plan 2017-2021. 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.
5. 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.

**Budget implications**

6. The costs of preparing the Budget, such as public notices, mail outs and community consultation sessions are funded from operating budget allocations.

**Consultation/communication**

7. Council adopted the draft Budget 2020-2021 at the Ordinary Council Meeting on 24 March 2020 for the purpose of community consultation. The draft Budget was made available to the public for a period of 28 days.
8. An advertisement was placed in *The Age* on the 26 March 2020 and on Council's website. Submissions in relation to the draft Budget have been sought from the public. Submissions were received and considered at the meeting of the Future Nillumbik Committee on 12 May 2020.
9. The draft Budget was made available on Council's website, at the Civic Centre and at the Eltham and Diamond Valley libraries.
10. At the meeting of the Future Nillumbik Committee on 12 May 2020, the Committee, acting under delegation from Council, received and considered the submissions on the draft Budget. The Committee has presented a report to Council on the submissions about the draft Budget 2020-2021 in accordance with sections 129 and 223 of the *Local Government Act 1989*.

**Budget 2020-2021**

11. This report is presented to enable Council to formally adopt the Budget and declare the rates and charges for the 2020-2021 Financial Year.
12. This report outlines the key elements of the Budget. Details are provided in the full Budget document (**Attachment 2**).

**Capital works**

**12. Officers' reports**

**OCM.093/20 Adoption of Budget 2020-2021, declaration of Rates and Charges**

---

13. The draft Budget includes \$32.87 million of capital works projects, of which \$16.46 million will be externally funded by grants and contributions and \$1.153 million from borrowings. The balance will be funded by Council from rates and reserve funds.
14. A full list of capital works projects is included in the draft Budget document (**Attachment 2**).

**Strategic projects and service improvements**

15. The Budget provides resources for policy development, as well as policy implementation and service improvements. A full list is provided in the Budget document (**Attachment 2**).

**Services (Operating Budget)**

16. 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**

17. The Budget proposes a zero increase per property in rates and a 7.88 per cent increase to the standard Waste Management Charge.
18. The Waste Management Charge has accounted for the deferment of the increase to the landfill levy announced by the Victorian Premier and Treasurer.
19. Other fees and charges increases are reflective of cost increases, regulatory requirements and market considerations.

**Differential rating**

20. 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 (100 per cent above the General Rate) and a Cultural and Recreational Land Rate (61 per cent below the General Rate). The relativity of each differential rate is proposed to be maintained for 2020-2021.

**Borrowings**

21. The Budget proposes borrowings of \$1.153 million, the borrowings will be used to partly fund capital works projects.
22. The portion of capital works projects being funded include the Diamond Creek trail extension \$303,000, Hurstbridge Outdoor Netball \$350,000 and Greensborough Hockey Club pavilion redevelopment \$500,000.
23. Council is forecast to remain within the Auditor-General's low-risk (green light) range on the Indebtedness measure of financial sustainability.

**Strategic Resource Plan**

24. Council must adopt the Strategic Resource Plan not later than 30 June each year pursuant to section 126 of the *Local Government Act 1989*.
25. The Strategic Resource Plan is the financial plan which is required to enable Council to achieve its Council Plan goals over the coming years.
26. The updated version of the Strategic Resource Plan is included in the Budget (**Attachment 2**). It incorporates the financial projections in expenditure and revenue

**12. Officers' reports**

**OCM.093/20 Adoption of Budget 2020-2021, declaration of Rates and Charges**

---

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.

27. The Strategic Resource Plan incorporates the 2020-2021 Budget and projections for the next 10 years based on the assumptions.

**Financial Sustainability Measures**

28. These measures include all those used by the Auditor-General to assess financial sustainability for local government across Victoria.
29. The 2020-2021 Budget includes details of Council's projected performance over the next ten years, based on the Strategic Resource Plan.

**Conclusion**

30. Council has undertaken public consultation in accordance with its statutory obligations in the *Local Government Act 1989* in relation to the proposed Budget 2020-2021.
31. Having considered the Budget submissions, Council is now able to formally adopt the Budget 2020-2021 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.
32. Preparation of the annual Budget is a major decision for Council in allocating resources to services and projects for the coming year.
33. The Budget has been prepared with regard to the strategic context provided through the Council Plan and various individual policies, strategies and plans.
34. The Budget and the Strategic Resource Plan are recommended for Council approval.

THIS PAGE HAS BEEN LEFT INTENTIONALLY BLANK

**12. Officers' reports****OCM.094/20 Equine in Nillumbik**

---

**Distribution: Public****Manager: Rosa Zouzoulas, Executive Manager Planning and Community Safety****Author: Danielle Phyland, Economic Development and Tourism Lead****Summary**

The 'Equine in Nillumbik' plan (**Attachment 1**) has been prepared in response to the Council Plan 2017-2021 *Objective 4 – A Prosperous Economy*. Specifically, this report responds to *Action 4.1.5 Develop an Equine Industry and Activity Strategy*.

This document was completed with input from various internal and external consultations and supporting documents both internal and external.

This report recommends that Council, having heard any verbal submissions, adopts the document and the AECOM reference document and that officers commence implementation of the action plan.

<b>Recommendation</b>
-----------------------

**That Council:**

1. Adopts the 'Equine in Nillumbik' plan (**Attachment 1**) inclusive of the AECOM reference document (**Attachment 2**).
2. Notes the public submissions received (**Attachment 3**).

**Attachments**

1. Equine in Nillumbik
2. AECOM Assessment of Equine Investment Opportunities Reference Document
3. Submissions Received

**Background**

1. The Council Plan 2017-2021 states as a priority action; *4.1.5 Develop an Equine Industry and Activity Strategy*.
2. 'Equine in Nillumbik' responds to this action and outlines the Shire's strong history in equine, current status of the sector, opportunities to be explored to increase participation, support equine economic development projects and action challenges of land, pest and emergency management through industry collaboration. This document provides Council with an action plan based on short, medium and long term time frames.
3. This plan is related to other Council plans, policies and strategies in facilitating well-being, recreation, tourism and economic development.
4. The development of this Plan included consultation undertaken with the equine and broader community. Outcomes from this consultation facilitated the development of a Strength Weaknesses Opportunities and Threats (SWOT) analysis to determine key focus areas and an equine action plan.

**12. Officers' reports**

**OCM.094/20 Equine in Nillumbik**

---

**Policy context**

5. This report directly supports the achievement of Council Plan 2017-2021 strategy:
- Provide a range of infrastructure that encourages people of all ages to participate in a variety of active and passive opportunities.

**Budget implications**

6. Some opportunities identified fall within the economic development and tourism, recreation and leisure and environment department's operating budgets e.g. workshops and drop in sessions, communication and promotion of events, mapping of tracks and trails. Planning for some of these activities are already underway.
7. Any significant projects requiring additional resources will be submitted as business cases through the relevant budget processes.

**Consultation/communication**

8. This plan has been development using inputs from:
- A public workshop attended by approximately 70 participants
  - A trails consultation session with the Nillumbik Horse Action Group (NHAG)
  - Analysis of results stemming from an online survey of 426 respondents
  - Research and analysis conducted by Council
9. This was supplemented by consultation with five local adult riding and pony club managers and the Australian Horse Industry Council. A public workshop was facilitated to provide an opportunity to outline key findings from the survey results, and to better understand the equine sector in Nillumbik.
10. Equine in Nillumbik was considered at the Future In Nillumbik meeting held on 9 June 2020. 18 verbal submissions were received in response to the Plan and heard at the meeting. The resolution of Council at this meeting was for further community consultation to be undertaken and a report prepared for Council's consideration at the 23 June 2020 Ordinary Council Meeting. Equine in Nillumbik was placed on public exhibition via the Participate Nillumbik portal on 10 June 2020. A number of social media posts, information distributed through known committees and on Council's website promoting the public exhibition were made throughout the week from 10-17 June 2020.
11. An overwhelming number of submissions were in full support of the Plan and commended Council on the document that supports the equine industry. A detailed analysis of responses indicates that there are diametrically opposed reasons for those submissions not supportive of the draft Plan.
12. Key themes from the positive submissions focused on:
- The importance of a road safety education campaign for all users.
  - Developing and linking safe tracks and trails across the Shire.
  - The importance and significance of the economic contribution that the equine industry makes to the broader Nillumbik economy.

12. Officers' reports

OCM.094/20 Equine in Nillumbik

- The need for infrastructure improvements at club sites and a demonstrated need and demand for an indoor facility in the Shire.

13. The number of submissions that did not support the plan identified the need for:

- Land management education of horse owners.
- A lack of community consultation on the plan.
- The detrimental impact of horses on the tracks and trails throughout the Shire.
- The environmental damage caused by horses grazing on native bushland.

**Issues/options**

14. Based on the research, the Plan identifies five key focus areas for the equine sector in Nillumbik:

- Participation and sustainability, including volunteering
- Maximising existing club infrastructure and planning for identified future needs
- Supporting equine economic development
- Providing access to a safe shared trails network
- Informing and supporting land, pest and emergency management.

15. The document clearly identifies the need for Council to proactively interact with the equine industry and for the industry to strengthen and improve coordination with its participants and members and the broaden community.

16. Opportunities for infrastructure may exist through collaboration with neighbouring councils who share a strong equine sector. These type of projects will rely on significant public or private funding. Projects will be identified as officers' work through the actions in the plan. A positive outcome is that much of the 'Equine in Nillumbik' action plan is able to be delivered in the short to medium term through Council's existing resources.

17. Concerns of land management education of some horse owners and the environmental impact caused by horses grazing in native bushland have been raised in some submissions. It is noted that actions of the draft Plan include but are not limited to, *Council to collaborate with the equine community to develop a responsive and diverse program of land management workshops for equine properties through partnerships and communications*. Should the Plan be adopted, this short term action will seek to respond to such concerns and work with equine properties will be undertaken within two years of adoption.

18. With regard to the impact of horses on tracks and trails it is noted that a number of actions in the draft Plan seek to deliver educational programs for the equine sector, in addition to promoting collaboration between all stakeholders and regularly auditing tracks and trails to ensure fit for purpose. The majority of these actions are short to medium term and directly address the concerns raised in submissions.

- The equine sector, in collaboration with Council, to create and implement a horse and rider road safety education program for drivers.

**12. Officers' reports**

**OCM.094/20 Equine in Nillumbik**

---

- Council to facilitate the equine community to collaborate with shared trail users, primarily cyclists and walkers, to understand and document synergies and common needs such as regularity of trail use and road sharing safety.
- Council will conduct its trails audit to ensure that existing and planned trail are fit for purpose.
- Council to develop a Nillumbik Horse Trail Riding Guide highlighting information about riding in Nillumbik, trail user protocol and safety information.

**Conclusion**

19. The 'Equine in Nillumbik' Plan will support and guide the equine industry in Nillumbik into the future. The plan aims to deliver positive outcomes for the industry in particular to:
  - Grow participation in the equine industry and improve club sustainability;
  - Explore infrastructure sharing opportunities and future planning;
  - Support economic development in relation to the equine sector;
  - Support the community with pest, land management and bushfire information and education opportunities.
20. Delivering the actions in partnership with the community, clubs and groups and equine industry bodies will result in positive outcomes for all.

12. Officers' reports

OCM.095/20 Economic Development Strategy 2020-2030

**Distribution: Public**

**Manager: Rosa Zouzoulas, Executive Manager Planning and Community Safety**

**Author: Danielle Phyland, Economic Development and Tourism Lead**

**Summary**

The Nillumbik Economic Development Strategy 2020-2030 (Strategy) aims to strengthen the economy and facilitate job creation over the next 10 years which is clearly stated in the strategy vision;

***'We will capitalise on our strengths to grow the economy through advocacy, collaboration, partnerships and innovation, compatible with the Shire's unique natural environment.'***

This Strategy will provide direction over the next decade, with priorities determined every four years through the preparation of the Council Plan.

The Strategy has four objectives:

1. Improve economic development practices and programs to assist local businesses
2. Create vibrant activity centres and employment precincts in Eltham and Diamond Creek
3. Facilitate economically and environmentally sustainable use of land within the Shire's green wedge
4. Enhance the visitor economy showcasing natural, recreational and cultural strengths

Objectives and actions have been developed to implement the Strategy and achieve the vision. Collaboration with strategic partners such as local businesses and associations, community, regional economic bodies and State Government will be key to success. Annual implementation plans will be prepared and reported on through Council's annual planning, budgeting and reporting processes.

<b>Recommendation</b>
-----------------------

**That Council:**

1. Adopts the Nillumbik Economic Development Strategy 2020-2030 (**Attachment 1**).
2. Requests officers begin work immediately on delivering the short term actions identified in the Action Plan.
3. Receives annual briefings on the achievements from the Strategy.

**Attachments**

1. Nillumbik Economic Development Strategy 2020-2030

**Background**

1. The Council Plan 2017-2021 sets out its aims for economic development through Objective 4 – A prosperous economy.

**12. Officers' reports**

**OCM.095/20 Economic Development Strategy 2020-2030**

- 
2. This report directly relates to Action 4.1.1: Adopt a new Economic Development Strategy and create a set of indicators to measure success.
  3. The Nillumbik Economic Development Strategy 2020-2030 follows the Economic Development Strategy 2011-2016.
  4. The Strategy was compiled using a variety of inputs including relevant existing Council plans, policies and strategies such as the Nillumbik Business Survey, Destination Management Plan as well as research and consultation undertaken for the Diamond Creek and Eltham Structure Plans and the Green Wedge Management Plan.
  5. The Strategy went on exhibition for public comment on Wednesday 29 January 2020 and closed Friday 20 March 2020.
  6. 23 submissions were received through the online portal, Participate Nillumbik plus 15 individual submissions.
  7. Submissions were heard at the 12 May 2020 Future Nillumbik Committee meeting. From the submissions, officers assessed the recommendations from the submitters and have incorporated feedback where relevant. The final Strategy (**Attachment 1**) is before Council at this meeting for endorsement.

**Policy context**

8. This report directly supports the achievement of Council Plan 2017-2021 strategy:
  - Encourage investment and development within the Shire to increase economic development and local employment, and broaden the rate base while at the same time preserving the Green Wedge.

**Budget implications**

9. Some of the high level opportunities identified that fall within the economic development and tourism department's activity are underway and have been funded through operating budget e.g. expansion of the business database, engagement activities with the industrial/commercial precincts etc.
10. Other actions identified within the Strategy that fall under the remit of other Council departments such as the development of the Housing Strategy and Diamond Creek and Eltham Activity Centre Structure Plans are also advanced and funded within existing operating budgets.
11. Once the Strategy is endorsed, Officers will conduct a high level cost analysis of items not funded through existing operating budget and create business cases to present for consideration through future budget processes.

**Consultation/communication**

12. The Strategy went on exhibition for public comment on Wednesday 29 January 2020 and closed Friday 20 March 2020.
13. The consultation included flyers and postcards distributed across the municipality in key community locations, presentations at all Traders Association Meetings and the Economic Development Advisory Committee, 3 public drop in sessions at Eltham, Hurstbridge and St Andrews and strong promotion through Council's social media channels. The draft was available through the Participate Nillumbik portal for feedback.

**12. Officers' reports**

**OCM.095/20 Economic Development Strategy 2020-2030**

---

14. 23 submissions were received through the online portal Participate Nillumbik plus 15 individual submissions.
15. From the submissions received, officers have assessed the recommendations made and have incorporated the feedback as appropriate.

**Issues/options**

16. As the strategy covers a 10 year period, officers will develop an annual implementation plan (internal document only) reported on through Council's annual planning, budgeting and reporting processes to efficiently deliver on the actions as per their intended timelines indicated in the Strategy.

**Conclusion**

17. The Nillumbik Economic Development Strategy 2020-2030 will be an essential document to guide the economic growth and development in Nillumbik over the next 10 years, in partnership with the business community, industry bodies and organisations. Collaboration will be key to achieving the stated vision.

THIS PAGE HAS BEEN LEFT INTENTIONALLY BLANK

**12. Officers' reports****OCM.096/20 Temporary and Community Advertising Signage Policy**

---

**Distribution: Public****Manager: Rosa Zouzoulas, Executive Manager Planning and Community Safety****Author: Jonathan McNally, Manager Community Safety and Amenity****Megan Sparks, Team Leader Community Safety and Amenity Support****Summary**

Council receives requests throughout the year for the display of temporary community event signage on Council land. The display of temporary signage is considered to be vital for communicating upcoming events to the community. Under Council's Amenity Local Law, signage cannot be displayed on Council Land without a permit.

An existing Council policy, the *Erection of Temporary Advertising Signs for Community Events on Road Reserves and Council Property Policy*, guides decision making under a local law for community event signage on Council land and road reserves. Currently, there are two key issues with the policy:

- There is significant competition for optimum signage locations, with smaller community groups often not having fair opportunity to place signs.
- Discretion in the policy to allow signage at other than the approved locations, has contributed to an adverse proliferation in the number and locations of signs.

In addition to the above, the unlawful display of signage represents a challenge for Council as it creates a negative impact on the amenity and appearance of the Shire when applied in an uncontrolled manner.

The Temporary and Community Advertising Signage Policy has been developed to create a framework for the control of all temporary signage throughout the Shire, establishing fixed locations for the display of temporary event signage, and provides greater clarity for community groups seeking to advertise upcoming events.

At the 24 March 2020 Ordinary Council Meeting, Council endorsed the draft Temporary and Community Advertising Signage Policy for public consultation. The public consultation period was held between 26 March 2020 and 29 April 2020, and Council received 23 written submissions. An overview of the feedback received in the submissions and an officer response to the feedback is attached to this report (**Attachment 2**). All submissions were considered at the Future Nillumbik Committee meeting on 12 May 2020. In response to the submissions received, a revised Temporary and Community Advertising Signage Policy has been developed (**Attachment 1**).

This report summarises the feedback in the written submissions received on the draft Temporary and Community Advertising Signage Policy, as well as providing a response to the submissions and revisions to the draft policy.

This report recommends that Council, having received the written submissions and heard verbal submissions, resolves to adopt the Temporary and Community Advertising Signage Policy.

12. Officers' reports

OCM.096/20 Temporary and Community Advertising Signage Policy

<b>Recommendation</b>
-----------------------

**That Council:**

1. Adopts the Temporary and Community Advertising Signage Policy (**Attachment 1**).
2. Instructs officers to commence implementation of the Policy.
3. Instructs officers to commence a review of roadside signage along Main Road Eltham and Main Hurstbridge Road Diamond Creek and liaise with the Department of Transport to have signage removed where appropriate.

**Attachments**

1. Temporary and Community Advertising Signage Policy
2. Temporary and Community Advertising Signage Policy - Submissions and Responses

**Background**

1. An existing Council policy, the *Erection of Temporary Advertising Signs for Community Events on Road Reserves and Council Property Policy*, guides decision making under a local law for community event signage on Council land and road reserves.
2. At the Policy and Services Committee meeting in April 2016, the then Council considered a previous Temporary Community Event and Information Signs Policy and resolved to defer adoption of the draft policy until a later (unspecified) date.
3. At the Future Nillumbik Committee meeting of 12 June 2018, 'Notice of Motion NOM.001/18 Temporary Signage on Council Land' was considered and Council resolved that:
  - *Temporary signage on Council land and road reserve cease immediately where not on approved locations register (or specifically approved for display during October/November) and requests officers advise offending groups to remove and seek approval under Council policies; and*
  - *Officers bring a report to Council reviewing current policy for temporary signage to assessing marketing options for regular local events.*
4. A review of the current policy has been undertaken by Officers, and has resulted in the development of a draft Temporary and Community Advertising Signage Policy which sought to respond the abovementioned Council resolutions as outlined at paragraphs 2 and 3 of this section.
5. Following the exhibition process, Council officers have considered the submissions received, and have now prepared a revised draft Temporary and Community Advertising Signage Policy. In order to address shortcomings in the current policy, improve customer experience, and provide a streamlined approach to temporary signage, the revised draft Temporary and Community Advertising Signage Policy aims to provide consistent policy to guide the erection of temporary signage, and to provide a variety of signage locations better suited to events of varying sizes.

12. Officers' reports

OCM.096/20 Temporary and Community Advertising Signage Policy

**Policy context**

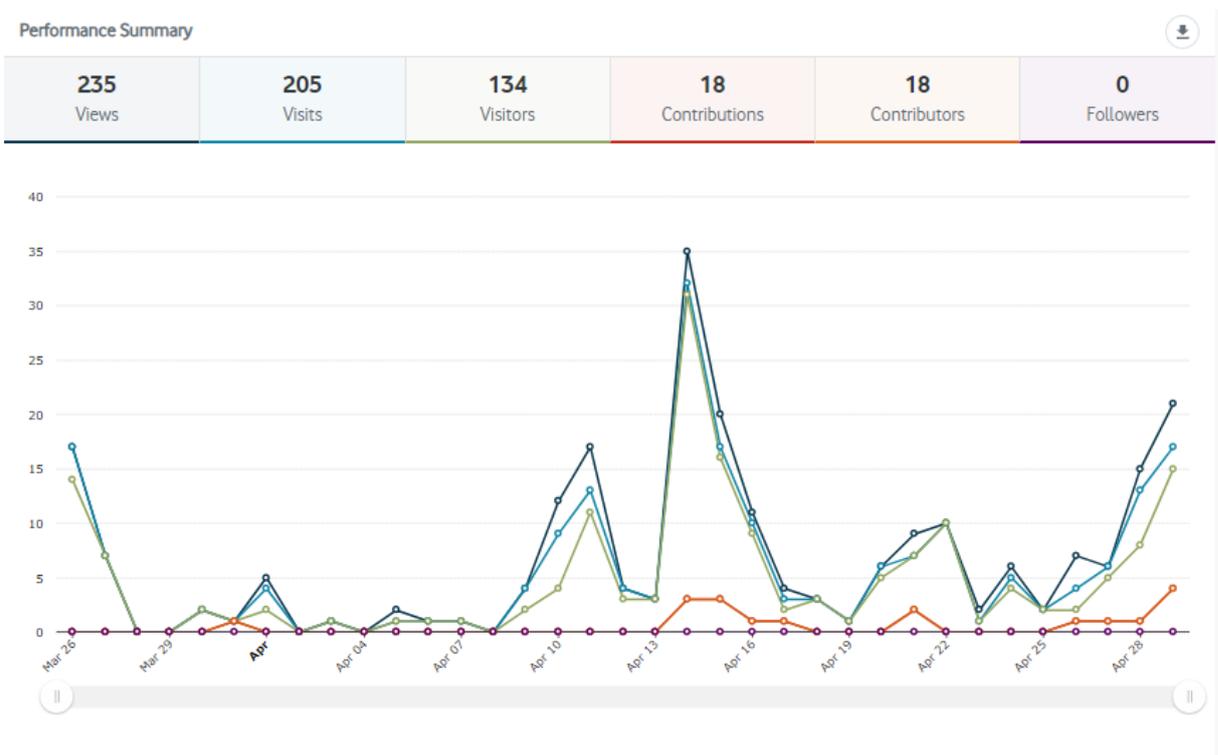
6. This report directly supports the achievement of Council Plan 2017-2021 strategy:
- Improve the appearance of public spaces.

**Budget implications**

7. The development of the draft Temporary and Community Advertising Signage Policy has been carried out by Council staff with no budget implications.
8. If the policy is adopted and fully implemented the following infrastructure will require installation:
- Pole sets at the five 'What's On' signage locations throughout the municipality with capacity to advertise 2 events at any one time.
  - 32 sets of in ground sleeves to allow for free standing community event signs to enable easy, safe and consistent installation.
9. Installation of all infrastructure will be accounted for within the 2020/2021 Community Safety budget. No additional budget is sought as a result.

**Consultation/communication**

10. A total of 23 submissions have been received during the consultation period from 26 March to 29 April 2020. The draft policy has been viewed 235 times, downloaded a total of 91 times and 18 submissions have been received through the Participate Nillumbik portal, with a further 5 written submissions received from local residents and community groups.
11. The chart below illustrates participation data recorded through the Participate Nillumbik portal.



**12. Officers' reports****OCM.096/20 Temporary and Community Advertising Signage Policy**

---

12. Of the submissions received, 76% have identified that they do not agree with some of the guidelines set out in the draft policy. A detailed analysis of responses indicates that there are diametrically opposed reasons for this level of opposition to the draft policy. An example of this is equal numbers of submitters stating that the policy is either overly restrictive or not restrictive enough.
13. Commentary within the submissions is diverse, with no single strong themes that can easily be identified with the exception of strong opposition to the Nillumbik Banner Program. The key themes identified in the submissions received are as follows:
  - Support for limitations on signage to mitigate the impact to the character of the area. In particular protection of the Eltham Gateway is seen as crucial.
  - Most submitters identified visual clutter caused by signage as their key concern inclusive of all types of signage.
  - Strong opposition to the Nillumbik Banner program including poles located in the Eltham and Diamond Creek town centres. 11 submitters were directly opposed to the banners, with a further two (2) stating concerns with this program.
  - Considerable support for the introduction of controls relating to the display of real estate signage.
  - Two (2) submissions raise concern with Council's ability to enforce existing, let alone proposed, temporary signage controls.
14. Following verbal submissions made at the 12 May 2020 Future Nillumbik Committee meeting, additional themes raised included:
  - The Diamond Creek banner poles are currently managed by the Diamond Creek Traders Associated, with installation funded by Diamond Creek Traders. The proposed policy should not apply to this existing infrastructure.
  - There is an excessive level of signage along main roads within the Shire. Existing signage should be rationalised and reduced wherever possible.

**Issues/options**

15. Officers have prepared a revised draft Temporary and Community Advertising Signage Policy in response to submissions received and advocacy from Councillors. Specific responses to each submission have also been developed and are attached to this report (**Attachment 2**). Specific amendments to the revised draft policy include:
  - Inclusion of real estate agents as a key group to which the policy applies;
  - Greater clarification of existing controls relating to advertising signage at sporting grounds;
  - Revised objectives including the need to provide sufficient opportunity for the display of approved signage in order to reduce the display of non-approved temporary signage throughout the Shire;
  - Simplified compliance requirements;
  - Deletion of the existing Diamond Creek banner poles from the policy; and
  - Additional controls in relation to real estate pointer boards.

12. Officers' reports

**OCM.096/20 Temporary and Community Advertising Signage Policy**

---

16. The intention of the revised draft policy is to introduce controls to prevent the current ad hoc and excessive display of temporary signage throughout the Shire. The establishment of permanent locations throughout the Shire for the display of temporary signage is intended to provide opportunity for community events to be advertised, whilst providing a framework to prevent the display of signage outside of the established locations. The policy would work in tandem with Council's existing Amenity Local Law, and will provide Council officers with additional powers to prevent the illegal display of signage throughout the Shire. In turn, this will allow Council to further protect the unique character and amenity of the Shire by reducing opportunity to display signage outside of the locations established within this policy.
17. Although submitters have indicated strong opposition to the Nillumbik Banner program, particularly the installation of banners poles located in the Eltham town centre, it important to note that this policy is intended to establish a framework for the use of this infrastructure, and has never been intended as justification for the installation of the banner poles themselves. The installation of the banner poles has already been processed through a public planning application process, and the banner poles themselves were installed in May 2020. The intention of this policy is to place controls over the size, type and nature of the information to be displayed on the banners, in accordance with documentation attached to the planning approval.
18. With regard the enforcement of temporary signage, the draft policy in conjunction with Nillumbik Shire Council Amenity Local Law provides the necessary provisions to review erected signage and take appropriate action as required on each individual unapproved temporary sign erected.
19. Specific concern has also been raised with the volume of signage, primarily along main roads throughout the Shire. In particular, there are examples of signage that are out of date or confusing. Existing signage should be rationalised and reduced wherever possible. Traffic, direction or wayfinding signage along main roads is controlled by the Department of Transport. It is appropriate that Council advocate for a review of signage along major arterial roads (such as Main Road Eltham and Diamond Creek), and seek rationalisation of signage, and removal of signage where it is no longer relevant.

**Conclusion**

20. The revised draft Temporary and Community Advertising Signage Policy will provide the necessary direction and guidelines for the management of the temporary and community advertising signs erected in the Shire.
21. This report summarises the responses to submissions received and highlights the key themes received. Submissions received have been considered, and the draft Temporary and Community Advertising Signage Policy has been amended accordingly.
22. After extensive review and consultation, the revised draft Temporary and Community Advertising Signage Policy is ready for adoption by Council. Officers recommend that the Policy be adopted and communicated with the community, and implementation of the Policy commence as of July 2020.

THIS PAGE HAS BEEN LEFT INTENTIONALLY BLANK

## 12. Officers' reports

### OCM.097/20 Shire Plan 2040 - Towards a Community Vision for Nillumbik

---

**Distribution:** Public

**Manager:** Jeremy Livingston, Executive Manager Business Transformation and Performance

**Author:** Yasmin Green, Strategy and Policy Advisor

#### Summary

The Shire Plan 2040 – Towards a Community Vision for Nillumbik Background Paper (the Paper) (**Attachment 2**) builds on previous work undertaken by Council as part of the broader Shire Plan project.

Identified as a key priority action in the Council Plan 2017-2021, the Shire Plan project represents a staged approach with key outputs designed to support the broader community visioning process in line with the *Local Government Act 2020*.

Building on the data and feedback gathered through the research and workshop processes, the Paper explores the key challenges and opportunities likely to affect Nillumbik over the next 20 years and identifies the potential roles that Council can play in supporting the community to address these challenges and maximise the opportunities.

The issues, challenges and opportunities addressed in the Paper will form a basis for discussion with the community in early 2021, and will inform the development of a Community Vision for Nillumbik. The Community Vision is a key deliverable for Council under the *Local Government Act 2020*.

#### Recommendation

**That** Council endorses the Shire Plan 2040 – Towards a Community Vision for Nillumbik Background Paper (**Attachment 2**).

#### Attachments

1. Shire Plan 2040 - Towards a Community Vision for Nilumbik Project Approach
2. Shire Plan 2040 - Towards a Community Vision for Nillumbik Background Paper

#### Background

1. Identified as a key priority action in the Council Plan 2017-2021, the Shire Plan project represents a staged approach with key outputs designed to support the broader community visioning process in line with the *Local Government Act 2020* (the Act).
2. The Act requires councils to have a long-term community vision. The vision needs to be developed in consultation with the community and should describe the community's aspirations for the municipality.
3. The Act requires Council to deliver the Community Vision by 31 July 2021.
4. At the August 2019 Ordinary Council Meeting, Council endorsed the Shire Plan Project approach (**Attachment 1**) presented by officers and agreed on the following outputs:
  - Research Paper (adopted December 2019) – The paper provides a high-level overview of the issues and trends likely to impact Nillumbik towards 2050.

12. Officers' reports

OCM.097/20 Shire Plan 2040 - Towards a Community Vision for Nillumbik

---

- Futurist Workshops (delivered February 2020) – Facilitated by futurist Steve Sammartino the workshops provided an opportunity for Councillors and officers to explore the rate and scale of change anticipated over the next 20 years.
  - Background Paper (for adoption by June 2020) – Building on the data and feedback gathered through the research and workshop processes, the paper explores the key challenges and opportunities for Nillumbik towards 2040.
5. The outputs of the project have been designed to support Council in its role to ensure that the Community Vision for Nillumbik sets a clear program for the work of Council that is consistent with community values and responds to community needs.

**Policy context**

6. This report directly supports the achievement of Council Plan 2017-2021 strategy:
- Improve community trust through better communications and genuine engagement.

**Budget implications**

7. A revised budget of \$30,000 (reduced from \$50,000) has been allocated through the 2019/2020 budget, following the mid-year financial year review. The Paper has been prepared within the allocated budget.

**Consultation/communication**

8. The Paper draws on data and information from a number of Council projects that have been directly informed by the community.
9. Additionally, the Paper was informed by two workshops that were developed and delivered by futurist Steve Sammartino. Attended by Councillors and officers, the workshops provided an opportunity to engage with future scenarios centred on the role of Council, along with gathering valuable information and feedback from subject matter experts across all areas of Council.
10. Using the Paper as a foundation, a formal community engagement process to inform the development of a Community Vision for Nillumbik will commence in early 2021.

**Issues/options**

11. The aim of the Paper is to be an accessible and comprehensive overview of Nillumbik now and into the future on which to base future community visioning activities.
12. The Paper represents a blend of technical research, demographic analysis, specialist advice and discussions with Councillors and officers. It advances the initial Research Paper (adopted in December 2019) and combines this with additional material gathered through Councillor and officer workshops.
13. Building on the data and feedback gathered through these processes, the Paper explores the key issues, challenges and opportunities for Nillumbik towards 2040. Further, it identifies the potential roles that Council can play in supporting the community to address these challenges and maximise the opportunities.
14. Initially the scope of the Shire Plan Project envisaged an outlook to 2050, however, the timeframe was adjusted from 2050 to 2040 to reflect the pace at which technology is predicted to change along with the limitations of longer term data forecasting.

12. Officers' reports

OCM.097/20 Shire Plan 2040 - Towards a Community Vision for Nillumbik

---

15. Driven by community experiences and key services provided by Council, the Paper focuses on the following –
- Community health and wellbeing
  - Social infrastructure
  - The economy and employment
  - Climate change
  - Transport
  - The role of local government
16. The Paper has been designed to elicit a broad range of views from the community that will generate discussion and engagement for the upcoming development of Nillumbik's Community Vision in early 2021.

**Conclusion**

17. The Shire Plan 2040 – Towards a Community Vision for Nillumbik Background Paper represents a blend of technical research, demographic analysis, specialist advice and discussions with Councillors and officers. It advances the initial Research Paper (adopted in December 2019) and combines this with additional material gathered through Councillor and officer workshops.
18. Following Council's endorsement of the Paper, the intended next step is to commence planning for the development of a Community Vision for Nillumbik, in line with the *Local Government Act 2020*. The community engagement of the Community Vision deliverable will be undertaken in early 2021, and the issues, challenges and opportunities addressed in the Paper will form a basis to commence this discussion with the community.

THIS PAGE HAS BEEN LEFT INTENTIONALLY BLANK

12. Officers' reports

OCM.098/20 Regional Gallery Business Case and Masterplan Update

---

**Distribution:** Public

**Manager:** Corrienne Nichols, Executive Manager Communities

**Author:** Simon Doyle, Coordinator Arts and Cultural Development

**Summary**

The purpose of this report is seek direction in relation to the continuation of a business case and masterplan for a regional or municipal gallery.

**Recommendation**

**That** Council waits until the official announcement from the State Government regarding the preferred site for the Community Hospital before progressing the Regional Gallery Business Case and Masterplan further.

**Attachments**

1. Regional Gallery Feasibility Study

**Background**

1. At the 29 October 2019 Ordinary Council Meeting (OCM) Council accepted the findings of the Regional Gallery Feasibility Study (**Attachment 1**) and resolved to:
  1. *Endorse continuation of a business case and masterplan for a regional or municipal gallery at:*
    - a) *895 Main Street, Eltham*
    - b) *Another council owned facility/site.*
  2. *Endorse in Investigation of options of public/private partnerships (not specific to any particular site).*
2. The Regional Gallery Feasibility Study concluded that a Nillumbik Regional Gallery is feasible on the basis that:
  - a. It is staffed by qualified and sufficiently senior and experienced staff
  - b. There is ongoing commitment to and funding for high quality programming
  - c. Council is prepared to provide ongoing operational subsidy
  - d. Council is prepared to invest in the capital development and/or attract external funding for the development of the Regional Gallery
3. Following the October OCM the Department of Health and Human Services (DHHS) advised Council that they are seeking endorsement from the relevant Ministers office to proceed with 895 Main Rd Eltham as one of the preferred sites to develop a hospital.
4. At the 2 June 2020 Councillor Briefing, Councillors reached broad consensus supporting the delay of the Regional Gallery Business Case and Masterplan until after the announcement from the State Government regarding the preferred site for the community hospital.

**12. Officers' reports**

**OCM.098/20 Regional Gallery Business Case and Masterplan Update**

---

**Policy context**

5. This report directly supports the achievement of Council Plan 2017-2021 strategy:
- Provide a range of infrastructure that encourages people of all ages to participate in a variety of active and passive opportunities.

**Budget implications**

6. The Regional Gallery Business Case and Masterplan will not be completed this financial year and will require budget allocation in the 2020/2021 financial year.

**Consultation/communication**

7. Current advice from DHHS is that 895 Main Road Eltham is still one of the preferred sites selected by the Project Site Selection Committee and that they are seeking endorsement via the Minister's office.

**Issues/options**

8. 895 Main Road Eltham is a key site for analysis identified through the Council resolution for development of a Regional Gallery Business Case and Masterplan. The proposed DHHS possible site preference would render any work undertaken on this site irrelevant.
9. Giving consideration to the responsible expenditure of Council funds and in respect to the large amount of detailed work that has brought Council to this point, officers are recommending the following:
- a. That Council wait until the official announcement from the State Government regarding the site selection for a community Hospital in the Eltham District before progressing the Regional Gallery Business Case and Masterplan further.

**Conclusion**

10. That Council wait until the official announcement from the State Government regarding the preferred hospital site before progressing the Regional Gallery Business Case and Masterplan further.

12. Officers' reports

OCM.099/20 Hurstbridge Men's Shed Issues and Options Paper

**Distribution: Public**

**Manager: Corrienne Nichols, Executive Manager Communities**

**Author: Nichole Johnson, Youth, Community and Place Coordinator**  
**Annie Lee, Place Activation Officer**  
**Melanie Holt, Manager Community Partnerships**

**Summary**

The need for a fit for purpose Men's Shed in Hurstbridge has been identified as a priority through community feedback and confirmed as part of the Open Space Precinct Plan Graysharps Road, Hurstbridge - October 2018.

For the last 11 years, the Hurstbridge Men's Shed (HMS) has had a transient existence of moving from place to place in order to find space suitable for its growing member base, with the aim of providing practical support, specialised services and resources.

12 sites have been identified and reviewed in partnership with the HMS as potential options through the application of an assessment matrix. Available public and private land and assets have been considered. 11 of these sites have been determined as not suitable and currently 1 location have been identified as potentially viable.

The Issues and Options Paper explores potential permanent locations and has been prepared to:

- Articulate a vision for the need and viability for a permanent location for the Hurstbridge Men's Shed
- Explore the issues and challenges facing the potential locations
- Suggest a range of options/pathways that could be employed to address those issues

Site 2 – 4 Hurstbridge-Arthurs Creek Rd is recommended as the preferred site and to progress to next steps.

**Recommendation**

**That Council:**

1. Endorses Site 2 as a potential location for the future Hurstbridge Men's Shed pending further site investigations and feedback from Melbourne Water.
2. Endorses officers to commence community engagement, conducting further targeted conversations with community (the Precinct users) in partnership with Hurstbridge Men's Shed.

**Attachments**

1. Precinct Plan for Graysharps Rd 2019
2. Hurstbridge Men's Shed Issues & Options Paper - June 2020

**12. Officers' reports****OCM.099/20 Hurstbridge Men's Shed Issues and Options Paper**

---

**Background**

1. The need for a fit for purpose Men's Shed in Hurstbridge has been identified as a priority through community feedback and confirmed as part of the Open Space Precinct Plan Graysharps Road, Hurstbridge - October 2018 (**Attachment 1**) stating specifically an objective; "To embed the Hurstbridge Men's Shed (HMS) within the community a permanent location should be considered a priority".
2. HMS are seeking Council support to identify an alternative / permanent fit for purpose location to meet their growing member base and in turn allow them to enhance the opportunities and social support which ensure they remain productive members of society and to continue to contribute to their community
3. Council was first briefed on this topic by way of the Issues and Options Paper (**Attachment 2**) on 2 June 2020. During this Briefing, Councillors raised a number of further questions for officers to respond to, namely:
  - That a further explanation of why sites with wooden floors were deemed unsuitable within the Issues and Options paper.
  - That investigations commence with Melbourne Water in regards to Site 2 to attain their support of the proposed site in parallel with community consultation.
  - That further information is obtained from Leisure Services on the prospect of the Basketball stadium located in the Hurstbridge Hub precinct being considered as a future repurposed men's shed. This site prospect would include the addition of basketball courts and new stadium possibly via a public/private partnership.
4. Following the Briefing a site tour of prospective and unsuitable sites was undertaken.
5. On 16 June 2020 officers conducted a further Councillor Briefing to present the Issues and Options Paper and respond to these additional questions. These responses have been incorporated into the final Issues and Options Paper (**Attachment 2**).

**Policy context**

6. This report directly supports the achievement of Council Plan 2017-2021 strategy:
  - Strengthen the focus on social inclusion, building social capital and connection within communities.

**Budget implications**

7. A budget bid of \$30,000 has been proposed via the 2020/2021 Council capital works budget to conduct preliminary investigations as outlined in the Issues/options section of this report.

**Consultation/communication**

8. An extensive internal consultation process was undertaken to establish a collaborative approach in acquiring organisational knowledge and feedback on the potential site options. This working group met many times, both individually and collectively, to ensure all aspects of the project were considered.
9. Initial conversations regarding the Issues and Options Paper and preferred site have taken place with a range of key precinct stakeholders.

12. Officers' reports

OCM.099/20 Hurstbridge Men's Shed Issues and Options Paper

**Issues/options**

10. Based on previous Men's Sheds construction costs, it is estimated that the future build could be in the \$250k to \$400k cost range, depending on the location of the site, proximity to services, size and level of infrastructure required (including car parking). Preliminary works would be commenced post September 2020.
11. Preliminary investigations will commence post September 2020, these activities include topographical survey, locating existing services (water, power, drainage and sewerage), geotechnical survey, the design of a concept plan and a cost plan (Cost Plan A). Development of this concept plan and the preparation of the corresponding cost plan are considered key to allow for detailed design considerations such as DDA compliance and ultimate construction costs.
12. HMS anticipate taking responsibility for sourcing funding for the future build through exploration of a range of options including fundraising, sponsorship and grant applications. Council would provide in-kind support by providing project management and support to the HMS in grant applications.
13. The Hurstbridge Men's Shed Development – Issues and Options Paper June 2020 (**Attachment 2**) has been prepared to consider all possible options for an alternative site location for the HMS. The Paper aims to:
  - Help articulate a vision for the need and viability for a permanent location for the Hurstbridge Men's Shed
  - Explore the issues and challenges facing the potential locations
  - Suggest a range of options that could be employed to address those issues
14. Twelve sites were reviewed through the application of an assessment matrix as potential options. 10 of these sites were determined as not suitable, one location was deemed the least preferred option by Council through the briefing process (identified as site 1 in the Issues and Options Paper) and one location has been identified as potentially viable.
15. Initial investigations included a number of sites but were deemed unsuitable during the assessment process. These include:

Site	Reason Not Suitable
44 Graysharps Rd, Hurstbridge (referred to as Lot 1)	<ul style="list-style-type: none"> <li>• High public opinion that this is to remain an informal space and this has been endorsed by strategic intent.</li> <li>• This option was explored further. See details regarding site analysis on pages 13 -15 of the issues and options paper.</li> </ul>
Current basketball stadium (located within the Hurstbridge Hub precinct)	<ul style="list-style-type: none"> <li>• Deemed unsuitable based on this proposal being inconsistent with the priorities of the Graysharps Rd Precinct Plan 2019.</li> </ul>

12. Officers' reports

OCM.099/20 Hurstbridge Men's Shed Issues and Options Paper

Site	Reason Not Suitable
	<ul style="list-style-type: none"> <li>• The Diamond Valley Basketball Association has a higher demand for basketball stadiums than there are in Nillumbik.</li> <li>• The priority for increased basketball stadiums within Nillumbik (specifically Hurstbridge) is required to meet current user demands not a reduction in facilities.</li> </ul>
801 Heidelberg-Kinglake Road Hurstbridge (existing Victrack compound adjacent to the Hub)	<ul style="list-style-type: none"> <li>• Victrack denied leasing agreement</li> </ul>
Historical Milking Sheds	<ul style="list-style-type: none"> <li>• Heritage listed</li> <li>• Wooden floorboards not suitable for heavy machinery and</li> <li>• Risk of fire danger restricts the use of tools such as welders, grinder's and heavy machinery</li> </ul>
Hurstbridge Scouts Hall	<ul style="list-style-type: none"> <li>• Wooden floorboards not suitable for heavy machinery and</li> <li>• risk of fire danger restricts the use of tools such as welders, grinder's and heavy machinery</li> <li>• Scout groups utilise this space.</li> </ul>
Hurstbridge Primary School	<ul style="list-style-type: none"> <li>• DoE land. Multiple legislation requirements regarding WWCC and police checks</li> </ul>
Hurstbridge Preschool	<ul style="list-style-type: none"> <li>• Lease agreement in place and fully utilised by 3 and 4 year old preschool. No opportunities for expansion</li> </ul>
Old petrol station (next to CFA)	<ul style="list-style-type: none"> <li>• Private land, soil issues (leaching)</li> </ul>
Hurstbridge Hall	<ul style="list-style-type: none"> <li>• Multiple community groups use this space.</li> <li>• Wooden floorboards not suitable for heavy machinery and risk of fire danger restricts the use of tools such as welders, grinder's and heavy machinery</li> <li>• No room available on this site</li> </ul>
Old Hurstbridge cricket nets (behind basketball stadium)	<ul style="list-style-type: none"> <li>• These nets are no longer in use, however the basketball stadium has plans to expand.</li> <li>• Timeframes for extension of courts is 5-10 years away or may not eventuate.</li> </ul>

12. Officers' reports

OCM.099/20 Hurstbridge Men's Shed Issues and Options Paper

16. As outlined in the above table the current basketball stadium, located within the Hurstbridge Hub precinct, was added making it the twelfth site investigated. The site was considered post development of the Issues and Options Paper and in response to Council Briefing 2 June 2020.
17. The original short-list of viable sites suitable for further consideration included:
  - Site 1 – 42A Graysharps Rd, Hurstbridge
  - Site 2 – 4 Hurstbridge - Arthurs Creek Road, Hurstbridge
18. A full exploration of the two shortlisted sites is further outlined in **Attachment 2** however Site 1 was considered the least preferred option following the site tour held with Mayor Councillor Karen Egan, CEO and Officers as this location may impact on any future expansion of the Hurstbridge Football and Cricket club and contribute to traffic congestion in the Hurstbridge Hub precinct.
19. The opportunity to use an existing open space close to Allwood House in Hurstbridge (Site 2) was instead deemed the preferred site option during the site tour. This site will enhance the existing community activities which are collocated in the precinct. Current community uses include community based organisations such as Araluen, Allwood Neighbourhood House, and Hurstbridge Tennis Club. The precinct is also close in proximity to Hurstbridge preschools, the Hurstbridge Farmers Market and Hurstbridge Primary School. This location is also complimented by other community uses at the alternative end of Graysharps Road, is close to public transport and Hurstbridge Village.
20. This preferred site location will require community consultation in partnership with the HMS given its location within public open space.
21. The Issues and Options Paper (**Attachment 2**) takes readers through a range of considerations and offers a full report for Council consideration however based on the findings contained both within this paper and following the site tour Officers propose the below pathway as the next step:

Pathway

- Present Site 2 to the community for feedback whilst also seeking preliminary advice from Melbourne Water in regards to this site as a location for the future HMS.
- Complete Project Management documentation including communications and engagement plan.
- Seek community feedback in regards to Site 1 using a range of engagement methods and present findings back to Council at a future Councillor Briefing.

**Conclusion**

22. Testimonial: “Men’s Sheds are well recognized for their positive contribution to the health of the participating men and the broader community as a result. Hurstbridge Men’s Shed has provided and continues to provide a positive and supportive environment for the men in our community. HMS membership and support has included men with isolation, mental health, addiction and social isolation issues. Equally, we provide a safe and welcoming environment where any man can come and

**12. Officers' reports**

**OCM.099/20 Hurstbridge Men's Shed Issues and Options Paper**

---

feel comfortable to participate or contribute. HMS has enjoyed a positive relationship with the local community and we look forward to being able to grow in our ability to provide for more in need." HMS member

23. Site 2 – 4 Hurstbridge-Arthurs Creek Rd is recommended as the preferred site and to progress to next steps the above Pathway is suggested.

24. Next steps will include:

- 24 June - 12 July - Community Engagement undertaken
- 21 July - Present feedback at Councillor Briefing
- 11 August - Future Nillumbik Committee meeting to request Council endorsement of recommendations.

## 12. Officers' reports

### OCM.100/20 Audit and Risk Committee Matters

---

**Distribution:** Public

**Manager:** Vince Lombardi, Chief Financial Officer

**Author:** Melika Sukunda, Finance Manager

#### Summary

##### Charter review and establishment

The Audit and Risk Committee (**the Committee**) Charter was last reviewed in its entirety in February 2019. This subsequent review is timely with the focus centred on the requirements under the *Local Government Act 2020 (the Act)*. The Act requires Council to establish an Audit and Risk Committee prior to 1 September 2020. The membership, quorum, purpose and duties of the committee remain unchanged.

##### Member Re-appointment

As part of the establishment of the Committee, the Act requires that the independent members be appointed. It is a requirement under the Act that the independent members are suitably qualified and have relevant experience. The Committee is currently composed of three independent members and two Councillors. It is recommended that the current independent members be reappointed for a term of three years effective from 1 September 2020 and that the members who are Councillors be appointed to this Committee *pro tem*.

##### Independent Member Remuneration

The independent member remuneration is set by Council. The fees set should reflect the time, commitment and responsibility involved by independent member. In addition, reflect their respective experience and knowledge required to be a member. It is recommended to increase the remuneration by \$1,000 annually effective from 1 September 2020.

#### Recommendation

**That** Council:

1. Endorses the Audit and Risk Committee Charter (**Attachment 1**).
2. Reappoints the current three independent members for a three year term effective from 1 September 2020.
3. Reappoints Cr Peter Clarke and Cr Bruce Ranken *pro tem*.
4. Resolves to increase the independent member's remuneration by \$1,000 annually effective 1 September 2020.

#### Attachments

1. Audit and Risk Committee Charter

#### Background

1. Council must approve the first Audit and Risk Committee Charter (**the Charter**) and establish the first Audit and Risk Committee on or before 1 September 2020 in line with the requirements under section 54(7) of the *Local Government Act 2020*.

**12. Officers' reports**

**OCM.100/20 Audit and Risk Committee Matters**

---

2. The Charter was last reviewed in February 2019.
3. The membership, quorum, purpose and duties of the committee remain unchanged. The draft Charter incorporates the required changes under the Act.
4. The Committee meets a minimum of four times a year and has the role to assist the coordination of relevant activities of management, internal audit and the external auditor to facilitate good governance, effectiveness and efficiency.
5. As part of the endorsement of the Charter it is required that independent members be appointed to the Committee.
6. Under the Act, it is required that the independent members are suitably qualified and have relevant experience to contribute to the Committee.
7. Currently the Committee comprises of three independent members.
8. It is recommended that the current three independent members be reappointed for a term of three years.
9. It is also recommended to review the remuneration for the independent members reflect the responsibility and contribution expected at the Committee.

**Policy context**

10. This report directly supports the achievement of Council Plan 2017-2021 strategies:
  - Maintain good governance and effective leadership.

**Budget implications**

11. The costs associated with this matter are contained within Council's 2019/2020 Budget.

**Consultation/communication**

12. The charter has been reviewed internally by Council's Legal Advisor and the Executive Manager Governance, Communications and Engagement.
13. The current independent members of the Committee have also reviewed the Charter.

**Audit and Risk Committee Charter**

14. The prior review of the Charter undertaken in February 2019 clearly documented and formalised the areas of responsibility of the Committee with further consideration to areas of risk and business continuity.
15. As a result of the review in February 2019, the Charter presented for endorsement (**Attachment 1**) has not been significantly changed.
16. No changes have been proposed to the objective, authority or composition of the Committee.

**Independent Member Appointment**

17. Under section 53 of the Act there is a requirement that the composition of independent members have the following:
  - Expertise in financial management and risk
  - Experience in public sector management

12. Officers' reports

OCM.100/20 Audit and Risk Committee Matters

18. The current three independent members have broad experience encompassing the above requirements.
19. Collectively the current members have the following:
  - Extensive expertise in current and previous financial management
  - Current expertise in risk management and internal audit
  - Previous experience in senior public sector management
  - Experience across various industries in an advisory capacity (Board/Committee membership)
  - Knowledge across the Local Government sector
20. Based on the composition requirements and collective experience of the current independent members, it is recommended to reappoint the current members for an initial term of three years commencing 1 September 2020.

**Independent Member Remuneration**

21. Section 53 of the Act allows Council to set the remuneration for independent members at its discretion.
22. The fees set should reflect the time, commitment and responsibility involved as an independent member.
23. The table below sets out the current annual fees and proposed annual fee.

Committee member	Current	Proposed
Chairperson	9,000	10,000
Member	6,000	7,000

24. The proposed increase reflects:
  - the experience and knowledge independent members are required to have; and
  - the responsibility and contribution expected from the independent members to the Committee.

**Conclusion**

25. The three matters presented to Council in relation to the Audit and Risk Committee are presented to ensure statutory requirements and timeframes are met.

THIS PAGE HAS BEEN LEFT INTENTIONALLY BLANK

**12. Officers' reports****OCM.101/20 View Hill Crescent Special Charge Scheme - Questionnaire results**

---

**Distribution: Public****Manager: Hjalmar Philipp, Director Operations and Infrastructure****Author: Patrick Wood, Design Coordinator****Summary**

In response to enquiries from property owners Council has investigated two special charge schemes for the construction of separate sections of View Hill Crescent, Eltham.

The first area to be investigated is between Pitt Street and Hill Mews (Area 1), where initial questionnaires were sent on 28 December 2017. For the second area to be investigated, the remaining length of View Hill Crescent (Area 2), initial questionnaires were sent on 29 November 2018.

After the initial questionnaires demonstrated sufficient support for further investigation, separate information sessions were held for each area on 10 October 2018 and 12 June 2019.

Following each of the information sessions a separate formal questionnaire was sent to each of the areas, on 29 October 2018 and 25 October 2019. The results indicated 8 of 18 (44.4%) property owners for Area 1 and 10 of 40 (25%) property owners for Area 2 supporting the development of a special charge scheme.

Given that the level of support is below 60 percent, it is recommended that Council abandons both schemes and place further investigations for road construction in View Hill Crescent, Eltham on a 3 year moratorium.

<b>Recommendation</b>
-----------------------

**That Council:**

1. Abandons further investigations into a Special Charge Scheme for View Hill Crescent, Eltham.
2. Places any further investigations into a Special Charge Scheme for View Hill Crescent, Eltham, on a three year moratorium.
3. Notifies affected property owners accordingly.

**Attachments**

1. Proposed Special Charge Scheme Area - View Hill Crescent, Eltham
2. Summary of Questionnaire Comments

**Background**

1. On 28 December 2017, Council sent an initial questionnaire to property owners of View Hill Crescent, Eltham, between Pitt Street and Hill Mews (**Attachment 1** – Area 1). The questionnaire was in response to a number of enquiries relating to drainage and the potential development of a Special Charge Scheme to construct this section of View Hill Crescent, Eltham.

12. Officers' reports

OCM.101/20 View Hill Crescent Special Charge Scheme - Questionnaire results

2. On 29 November 2018, Council sent an initial questionnaire to the remaining property owners of View Hill Crescent, Eltham (**Attachment 1** – Area 2). The questionnaire was in response to a number of enquiries relating to the potential development of a Special Charge Scheme to construct this section of View Hill Crescent, Eltham.

**Policy context**

3. This report directly supports the achievement of Council Plan 2017-2021 strategy:
- Ensure that the provision of community infrastructure responds to community needs.

**Budget implications**

4. All costs associated with the investigation of the scheme are accommodated within existing operational budgets.

**Consultation/communication**

5. The properties engaged as part of this scheme can be viewed in **Attachment 1**.
6. Consultation has been carried out in line with Council's *Special Charge Schemes for Roads and Drainage Works Policy and Guidelines*. This has included:

Area 1

7. An initial questionnaire, sent to property owners on 28 December 2017 to establish the level of support for further investigation into constructing View Hill Crescent (Area 1). The results are shown in Table 1 below.

	Support further investigation	Not supportive of further investigation	No response	Total
<b>Votes</b>	9	8	1	18
<b>Percentage</b>	50.0%	44.4%	5.4%	100%

**Table 1 – Results from initial questionnaire (Area 1)**

8. On 10 October 2018, an information session was held for all interested property owners to discuss a construction proposal, cost apportionment and the special charge process. 15 of the 18 properties were represented at this information session.
9. Following the information session, a formal questionnaire was sent to owners on 29 October 2018 to establish the level of support for the development of a special charge scheme to construct View Hill Crescent (Area 1). The results are shown in Table 2 below.

12. Officers' reports

OCM.101/20 View Hill Crescent Special Charge Scheme - Questionnaire results

	Construction	No change	No response	Total
<b>Votes</b>	8	10	0	18
<b>Percentage</b>	44.4%	55.6%	0%	100%

**Table 2 – Results from formal questionnaire (Area 1)**

10. Area 1 did not receive the minimum level of support of 60% as required by Council's Special Charge Scheme Policy to support further progressing the scheme.

Area 2

11. An initial questionnaire, sent to property owners on 29 November 2018 to establish the level of support for further investigation into constructing View Hill Crescent (Area 2). The results are shown in Table 3 below.

	Support further investigation	Not supportive of further investigation	No response	Total
<b>Votes</b>	27	10	3	40
<b>Percentage</b>	67.5%	25%	7.5%	100%

**Table 3 – Results from initial questionnaire (Area 2)**

12. On 12 June 2019, an information session was held for all interested property owners to discuss a construction proposal, cost apportionment and the special charge process. 25 of the 40 properties were represented at this information session.
13. A formal questionnaire was sent to owners on 25 October 2019 to establish the level of support for further investigation for the development of a special charge scheme to construct View Hill Crescent (Area 2). The results are shown in Table 2 below.

	Construction	No change	No response	Total
<b>Votes</b>	10	21	9	40
<b>Percentage</b>	25%	52.5%	22.5%	100%

**Table 4 – Results from formal questionnaire (Area 2)**

14. Area 2 did not receive the minimum level of support of 60% as required by Council's Special Charge Scheme Policy to support further progressing the scheme.

12. Officers' reports

OCM.101/20 View Hill Crescent Special Charge Scheme - Questionnaire results

---

**Issues/options**

15. The level of support established for a Special Charge Scheme for View Hill Crescent (Area 1 and 2) is below the 60 per cent requirement for the scheme to proceed.
16. Property owners were given the opportunity to include comments in their questionnaire responses. A summary of the comments received is listed in **Attachment 2**.

**Conclusion**

17. The results of the formal questionnaires demonstrate insufficient support from property owners for the construction of View Hill Crescent (Area 1 or 2) via a special charge scheme.
18. Based on this, and in accordance with Council's Policy, it is recommended that further investigation into a special charge scheme be abandoned and placed on a three year moratorium and all affected property owners be formally advised.

12. Officers' reports

OCM.102/20 Assembly of Councillors

**Distribution:** Public

**Manager:** Blaga Naumoski, Executive Manager Governance, Communications and Engagement

**Author:** Alena Spry, Governance Officer

**Summary**

In accordance with section 80A(2) of the *Local Government Act 1989*, Council is required to report as soon as practicable to an Ordinary Council Meeting a record of any assemblies of Councillors held.

This report lists assemblies of Councillors forms that have been submitted since the matter was last reported to Council on 26 May 2020.

An assembly of Councillors record was kept for:

- Councillor Briefing – 19 May 2020;
- Pre-meeting to Ordinary Council Meeting – 26 May 2020;
- Living & Learning Nillumbik Advisory Committee – 27 May 2020;
- Councillor Briefing – 2 June 2020;
- Positive Ageing Advisory Committee – 5 June 2020;
- Pre-meeting to Future Nillumbik Committee and Special Council Meetings – 9 June 2020; and
- Inclusion Advisory Committee – 11 June 2020.

**Recommendation**

**That** Council, in accordance with section 80A(2) of the *Local Government Act 1989*, receives the records of the assemblies of Councillors held on 19 May 2020, 26 May 2020, 27 May 2020, 2 June 2020, 5 June 2020, 9 June 2020 and 11 June 2020 (**Attachment 1**).

**Attachments**

1. Assembly of Councillors reported 23 June 2020

**Background**

1. The *Local Government Act 1989* (the Act) requires records of assemblies of Councillors be reported to an Ordinary Council Meeting and recorded in the minutes of that meeting.

**Policy context**

2. This report directly supports the achievement of Council Plan 2017-2021 strategy:
  - Ensure that Council meets its legal responsibilities and manages its risks.

**Budget implications**

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

**12. Officers' reports**

**OCM.102/20 Assembly of Councillors**

---

**Consultation/communication**

4. None required.

**Issues/options**

5. An assembly of Councillors is defined in section 76AA of the Act. 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:
- A planned or scheduled meeting that includes at least half the Councillors and at least one Council officer. These assemblies do not include meetings of Councillors and Council staff that are not planned or scheduled.
  - A 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.
6. A record must be kept of an assembly 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.
7. In accordance with section 80A(2) of the Act, Council is required to report as soon as practicable to an Ordinary Council Meeting a record of any assemblies of Councillors held.
8. The recommendation contains the list of assemblies of Councillors forms that have been submitted since the matter was last reported to Council on 26 May 2020.

**Conclusion**

9. It is recommended that Council receives the records of recent assemblies of Councillors as contained in this report, fulfilling section 80A(2) of the *Local Government Act 1989*.

12. Officers' reports

**OCM.103/20 Tender Report - Contract 1920-82 Retail Fuel Cards via Procurement Australia**

---

**Distribution: Public**

**Manager: Vince Lombardi, Chief Financial Officer**

**Author: Lance Clark, Senior Procurement Specialist**

**Summary**

This report is an overview of a separate confidential report recommending the awarding of contract 1920-82 for Retail Fuel Cards.

The contract is for the provision of Retail Fuel Cards for Council's vehicles.

The contract term is for an initial period of three (3) years, with two (2) x one (1) year options to extend the contract. The total duration of the contract, including the exercise of any options, shall not exceed five (5) years.

The tender was issued via Procurement Australia on behalf of forty-one (41) members of which Nillumbik Shire Council was one.

Pursuant to the Instrument of Delegation to the Chief Executive Officer, the value of this contract exceeds the specified financial limits and a Council resolution is therefore required to award the contract.

The confidential report associated with this contract contains a recommendation to make public the decision regarding this contract but the evaluation remains confidential.

**Recommendation**

**That** Council notes this report.

**Attachments**

Nil

THIS PAGE HAS BEEN LEFT INTENTIONALLY BLANK

12. Officers' reports

**OCM.104/20 Tender Report - Contract 1920-87 Large Site and Street Lighting Electricity**

---

**Distribution: Public**

**Manager: Hjalmar Philipp, Director Operations and Infrastructure**

**Author: Lance Clark, Senior Procurement Specialist  
Ian Culbard, Sustainability Officer**

**Summary**

This report is an overview of a separate confidential report recommending the awarding of contract 1920-87 Large Site and Street Lighting Electricity.

This is for electricity supply for Council's Civic Offices located at 32 Civic Drive, Greensborough and Street Lighting.

MAV Procurement in conjunction with Trans-Tasman Energy Group (TTEG) conducted a group tendering process on behalf of a number of councils seeking prices for Large Site and Street Lighting Electricity.

The contract term is for an period of two (2) years.

The contract period commences on 1 January 2021 with an end date of 31 December 2023.

Pursuant to the Instrument of Delegation to the Chief Executive Officer, the value of this contract exceeds the specified financial limits and a Council resolution is therefore required to award the contract.

The confidential report associated with this contract contains a recommendation to make public the decision regarding this contract but the evaluation remains confidential.

**Recommendation**

**That** Council notes this report.

**Attachments**

Nil

THIS PAGE HAS BEEN LEFT INTENTIONALLY BLANK

12. Officers' reports

OCM.105/20 Tender Report - Contract 1920-88 Small Tariff Sites Electricity

---

**Distribution:** Public

**Manager:** Hjalmar Philipp, Director Operations and Infrastructure

**Author:** Lance Clark, Senior Procurement Specialist  
Ian Culbard, Sustainability Officer

**Summary**

This report is an overview of a separate confidential report recommending the awarding of contract 1920-88 Small Tariff Sites Electricity.

This is for electricity supply for Small Tariff Sites (< 160 MWh per annum.)

MAV Procurement in conjunction with Trans-Tasman Energy Group (TTEG) conducted a group tendering process on behalf of a number of councils seeking prices for small tariff electricity sites.

The contract term is for an period of three (3) years.

The contract period commences on 1 July 2020 with an end date of 30 June 2023.

Pursuant to the Instrument of Delegation to the Chief Executive Officer, the value of this contract exceeds the specified financial limits and a Council resolution is therefore required to award the contract.

The confidential report associated with this contract contains a recommendation to make public the decision regarding this contract but the evaluation remains confidential.

**Recommendation**

**That** Council notes this report.

**Attachments**

Nil

THIS PAGE HAS BEEN LEFT INTENTIONALLY BLANK

13. Notices of Motion

**NOM.005/20 Protections for Illegal Tree Clearing in Urban Areas**

---

Cr Peter Clarke advised of his intention to move the following Notice of Motion at the Ordinary Council Meeting on 23 June 2020:

**Motion**

**That** Council:

1. Request the State Government dramatically increases in infringement fees to ensure serious deterrent to unauthorised activities.
2. Lobby the Minister for Planning to review the 10/30 rule in urban areas as outlined in Council's advocacy letter to the Minister for Planning, dated 26 May, 2020.
3. Advocate to State Government for a review of and amendment to the *Planning and Environment Act 1987* provisions to provide greater powers to authorised officers to cause cessation of unauthorised activity.
4. Request Municipal Association of Victoria (MAV) support to advocate for amendments to legislative framework with regard to increase in fines for unauthorised activities illegally clearing trees and a review of the 10/30 exemption regarding the removal of significant vegetation in urban areas.

THIS PAGE HAS BEEN LEFT INTENTIONALLY BLANK

- 13. Delegates' reports
- 14. Supplementary and urgent business
- 15. Confidential reports

Pursuant to section 66(2) of the *Local Government Act 2020*, the meeting of the Council be closed to members of the public for the consideration of the following confidential items:

**OCM.106/20 Tender Report - Contract 1920-82 Retail Fuel Cards via Procurement Australia**

This item is confidential because it is private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage pursuant to paragraph g(ii) of the definition of *confidential information* under section 3(1) of the *Local Government Act 2020*. This ground is applied because it is information that, if publicly released at the time, is likely to be inappropriately detrimental to the Council or any person (natural or corporate).

**OCM.107/20 Tender Report - Contract 1920-87 Large Site and Street Lighting Electricity**

This item is confidential because it is private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage pursuant to paragraph g(ii) of the definition of *confidential information* under section 3(1) of the *Local Government Act 2020*. This ground is applied because it is information that, if publicly released at the time, is likely to be inappropriately detrimental to the Council or any person (natural or corporate).

**OCM.108/20 Tender Report - Contract 1920-88 Small Tariff Sites Electricity**

This item is confidential because it is private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage pursuant to paragraph g(ii) of the definition of *confidential information* under section 3(1) of the *Local Government Act 2020*. This ground is applied because it is information that, if publicly released at the time, is likely to be inappropriately detrimental to the Council or any person (natural or corporate).

The meeting be closed to members of the public to consider confidential matters.

<b>Recommendation</b>
-----------------------

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