

# Ordinary Meeting of Council

to be held at the Civic Centre, Civic Drive, Greensborough  
on Tuesday 25 February 2020 commencing at 7:00pm.

## Agenda

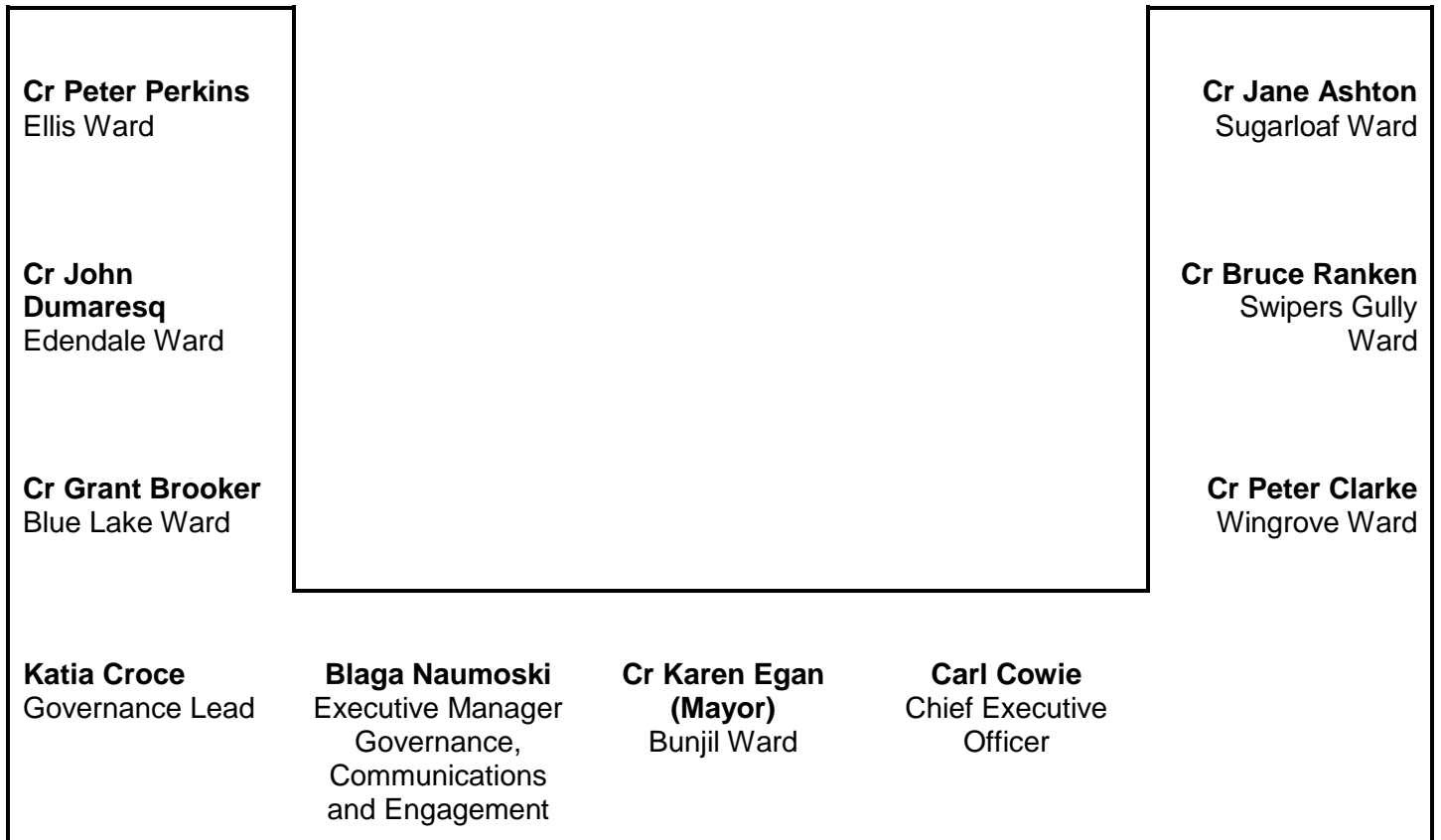
**Carl Cowie**  
**Chief Executive Officer**

Friday 21 February 2020

Distribution: Public

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# Ordinary Meeting of Council seating plan



Visitors in the gallery at Council meetings are:

- Welcome to copies of the reports which will be considered by the Council at the meeting. These are on the table in the foyer.
- Welcome to the tea, coffee and water provided in the foyer.
- Requested to observe Council deliberations quietly in order for Council meetings to run smoothly.
- Advised that the meeting will be recorded and an audio recording of the meeting will be made publicly available on Council's website.

## Nillumbik Shire Council

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**Nillumbik Shire Council**

**Agenda of the Ordinary Meeting of Nillumbik Shire Council to be held  
Tuesday 25 February 2020 commencing at 7:00pm.**

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**1. Welcome by the Mayor**

Members of the public are advised the meeting will be recorded and an audio recording of the meeting will be made publicly available on 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 28 January 2020.

**Recommendation**

That the minutes of the Ordinary Council Meeting held on Tuesday 28 January 2020 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**

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10. Reports of Advisory Committees

AC.002/20 Advisory Committee Report

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**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 - 24 October 2019
2. Positive Ageing Advisory Committee minutes - 6 December 2019
3. Positive Ageing Advisory Committee minutes - 10 January 2020
4. Positive Ageing Advisory Committee minutes - 14 February 2020

**Recommendation**

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

- Inclusion Advisory Committee held on 24 October 2019;
- Positive Ageing Advisory Committee held on 6 December 2019;
- Positive Ageing Advisory Committee held on 10 January 2020; and
- Positive Ageing Advisory Committee held on 14 February 2020.

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**11. Reports of Special Committees**

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12. Officers' reports

OCM.019/20 Nillumbik Housing Strategy Review - Discussion Paper

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**Distribution:** Public

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

**Author:** Paul Fyffe, Senior Strategic Planner

Julie Paget, Strategic Planner

**Summary**

Responding directly to the Council Plan, the review of the Nillumbik Housing Strategy will establish a clear policy position influencing the location, type, form, diversity and scale of housing across the Shire, in line with existing neighbourhood character and responding to community needs.

**Recommendation**

**That** Council:

1. Endorses the Nillumbik Housing Strategy Discussion Paper (**Attachment 1**) for public consultation.
2. Notes that consultation will take place in March 2020 and submissions on the Discussion Paper will be heard at the May 2020 Future Nillumbik Committee meeting.

**Attachments**

1. Nillumbik Housing Strategy Discussion Paper

**Background**

1. The current Nillumbik Housing Strategy was adopted in 2001. Since then considerable social, economic and environmental change in the State and National planning & policy landscape has taken place that impacts housing.
2. A consultant was appointed to undertake preliminary research and analysis on topics such as affordable housing and alternative housing models. The most recent Census data, the 2019 Victoria in Future population projections, and recent examples of developments in Nillumbik have been incorporated to provide an up-to-date picture of housing issues and trends.

**Policy context**

3. This report directly supports the achievement of Council Plan 2017-2021 strategies 3.1 and 3.3 and the following priority actions:
  - Develop a shire-wide housing strategy to reflect consultation with residents and evidence on future population demographics while protecting Nillumbik's neighbourhood character and enhancing the Green Wedge (Action 3.1.4).
  - Facilitate intentional housing outcomes to support residents with a disability and their carers to continue living in Nillumbik (Action 3.3.2).
  - Investigate options for housing and retirement living to enable residents to age in place throughout the whole Shire (Action 3.3.3).

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**OCM.019/20 Nillumbik Housing Strategy Review - Discussion Paper**

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4. Additionally, the Nillumbik Health and Wellbeing Plan 2017-2021 commits Council to supporting equitable access to economic resources and to plan suitable housing for changing community needs.

**Budget implications**

5. New initiatives and other funding has been allocated to the project in the 2019/2020 budget.

**Consultation/communication**

6. The feedback provided by the community in 2016 for the 'Housing Issues and Options Paper' has been used to guide the preparation of the Discussion Paper, which is provided as **Attachment 1**.
7. The next step is to consult with the community on the Discussion Paper of our housing challenges, emerging trends and how this will inform the review of the Housing Strategy.
8. Consultation will commence in March 2020 for a four week period and notification of the engagement will be provided through the Diamond Valley Leader, Council's website and social media platforms.
9. Participate Nillumbik will be used as a user-friendly platform for the community to give its feedback to the discussion paper's targeted questions.
10. Submitters will be invited to speak to their responses at the May 2020 Future Nillumbik Committee meeting.
11. The next period of public consultation will be on the endorsed draft Nillumbik Housing Strategy in mid-2020.

**Issues/options**

12. The purpose of the Discussion Paper is to inform and guide the Nillumbik community to give consideration on a number of key issues and opportunities to meet our housing challenges. These include:
- Exploring different housing delivery models, such as co-housing.
  - Supplying diverse dwelling types that offer choice and meet changing household needs in appropriate locations.
  - Ensuring that medium and higher density housing is close to jobs, services and public transport.
  - Encourage sustainable housing design that contributes to the valued neighbourhood character of Nillumbik's towns and activity centres.
  - Improve access to affordable, inclusive and accessible housing.
13. The Discussion Paper is designed to present these often complex topics in a clear and straightforward manner. Each section includes targeted questions for people to consider and respond to in their submission, such as:
- How and where can we provide housing options for the projected ageing community?

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OCM.019/20 Nillumbik Housing Strategy Review - Discussion Paper

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- How and where can we plan for the significant increases in couples without children and lone person households?
  - How can we make it easier for young families and young adults to rent or purchase in Nillumbik?
  - How can we better balance the needs to accommodate housing change whilst at the same time protecting the natural environment and neighbourhood character of our existing residential areas?
  - How might more medium density housing be created in and around our activity centres in a manner that contributes to the valued character of these places?
14. This feedback will then assist in shaping the broader policy objectives and related actions for an updated Housing Strategy.

**Conclusion**

15. Background research and analysis has been done to support the review of the Nillumbik Housing Strategy 2001. It is recommended that the key emerging themes, issues and opportunities are tested with the community. To that end, a Discussion Paper has been prepared.
16. The feedback received will inform the drafting of an updated Nillumbik Housing Strategy, which will be subject to further public consultation in 2020.

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## 12. Officers' reports

### OCM.020/20 Public Engagement on the Draft Structure Plan for the Eltham Major Activity Centre

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**Distribution:** Public

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

**Author:** Paul Fyffe, Senior Strategic Planner

Julie Paget, Strategic Planner

#### Summary

This report presents a draft of a new structure plan for the Eltham Major Activity Centre and recommends Council endorses the draft for public engagement.

The Eltham Major Activity Centre was created by state government policy in 2002 and its development has been guided by the Eltham Major Activity Centre Structure Plan, which was adopted by Council in 2004. The structure plan is now highly dated and does not adequately reflect current issues and opportunities. Consequently, it is an action in the current Council Plan to develop a new plan.

A new structure plan has now been drafted, which is provided as **Attachment 1**. The draft document is based on a significant round of public consultation conducted in 2018, input from a community advisory group, as well as technical and research reports on economics, traffic, urban design etc.

The focus of the draft structure plan is to improve the prosperity of the Eltham Major Activity Centre and the service it provides to the local community, whilst also providing a centre which better reflects Eltham's preferred character and heritage.

Further development of the structure plan will be greatly assisted by public engagement on the document. A six week period of public engagement is proposed to allow the community to fully consider the draft and provide feedback.

#### Recommendation

**That** Council:

1. Endorses the draft Eltham Major Activity Centre Structure Plan, provided as **Attachment 1**, for public engagement.
2. Requests a report to the July 2020 Future Nillumbik Committee meeting which considers the public feedback to the draft structure plan and recommends any changes to the document which are considered necessary in response.

#### Attachments

1. Draft Eltham Major Activity Centre Structure Plan
2. Map of the existing Eltham Major Activity Centre

#### Background

##### The Eltham Major Activity Centre – Context, Purpose and Structure Plan

1. The Eltham Major Activity Centre is one of approximately 120 such centres created across metropolitan Melbourne since 2002 by State Government Planning Activity

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### OCM.020/20 Public Engagement on the Draft Structure Plan for the Eltham Major Activity Centre

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Centre Policy. The purpose of a major activity centre is to provide the community with an attractive, well-designed local centre that optimises access by walking and cycling and is a local hub for employment, community services, retail, affordable housing and public transport services.

2. By this approach, activity centre policy seeks to create a more sustainable (less car dependant), locally focused urban structure which better responds to a suite of current challenges facing Melbourne, such as climate change, congestion, an ageing population, housing affordability, urban sprawl and issues regarding community health.
3. Whilst planning for an activity centre should support state government policy, a Council is typically given the role of developing a local strategy, a structure plan, for each of its activity centres. A structure plan is expected to do the following for an activity centre:
  - Define a vision.
  - Define a preferred character and identify what broad design themes will be pursued to achieve this.
  - Set economic goals and identify opportunities and objectives to achieve these.
  - Identify planning opportunities and actions to improve community services, interaction, safety, and well-being.
  - Define key improvements to the local transport network and how to achieve these, particularly improvements that will promote sustainable forms of transport.
4. In 2004, Council developed the Eltham Major Activity Centre Structure Plan, which is the existing structure plan for the centre. The existing plan defines the activity centre as comprising the Eltham Town Centre, the Bridge Street Business Area (BSBA) and a corridor of parkland between the two. **Attachment 2** provides a map of the existing centre.
5. The structure plan is now dated and does not adequately respond to the considerable social, economic and environmental change experienced by Melbourne in the last 15 years. Further, most of its actions having already been completed and/or obsolete. Considering this, Action 4.3.1 of the 2017-2021 Council Plan is to review and update the structure plan.

#### Policy context

6. This report directly supports the achievement of Council Plan 2017-2021 strategy:
  - Review existing precinct structure plans within activity centres to encourage investment and development.

#### Budget implications

7. The cost of preparing the new structure plan is estimated at \$40,000 and this cost is provided for in the Strategic Planning budget.



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**OCM.020/20 Public Engagement on the Draft Structure Plan for the Eltham Major Activity Centre**

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**Consultation/communication**

First Round of Public Consultation: July – Sep 2018

8. An initial extensive round of public consultation to inform the structure plan review was conducted between July and September 2018. This consultation extensively relied on a survey, with complimentary activities, to capture what the community likes about the centre, what they don't like and what improvements they would like to see.
9. A substantial community response was received and examples of the key themes provided in the response are:
  - The activity centre should better reflect Eltham's heritage and unique landscape setting. The BSBA and certain established areas of the Eltham Town Centre (e.g. "tired 70's developments") were highlighted as particular problems regarding this issue.
  - The centre is quite disjointed and presents significant barriers for safe and easy movement, particularly for pedestrians.
  - The station precinct is poorly designed, hard to access and isolated.
  - Opportunities to provide a more engaged centre, with more community and social activity, should be optimised.
  - The design of the centre is not inclusive, particularly for the aged and young.
10. All of the issues raised in the first round of public consultation have been considered in the drafting of a new structure plan.

Consultation on the Draft Structure Plan

11. It would now be highly beneficial to test the draft structure plan with the community, particularly to find whether the document supports their thoughts and aspirations for the centre.
12. A six week public engagement period (mid-March to late April 2020) on the draft structure plan is proposed. This will include at a minimum:
  - Notification of the engagement in the paper and Council's social media platforms, such as Participate Nillumbik.
  - Direct written notification to relevant State Government authorities (e.g. Department of Transport and Melbourne Water).
  - Two community information sessions or stalls (dates and venues to be confirmed).
  - An offer to present on the structure plan to key stakeholder groups (e.g. the Eltham Chamber of Commerce and Industry).
13. The public will be invited to provide comment to the draft structure plan, particularly by responding to a series of questions on the Participate Nillumbik website or, if they wish, by writing a standard submission.
14. It is anticipated that the results of the consultation will be presented to the July 2020 Future Nillumbik Committee meeting. The officer report will also recommend any

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**OCM.020/20 Public Engagement on the Draft Structure Plan for the Eltham Major Activity Centre**

changes to the draft structure plan which are considered necessary in response to the public feedback on the document.

**Issues/options**

A draft new structure plan for the Eltham Major Activity Centre

15. Work to draft a new structure plan has been informed by considerable analysis, research and public consultation, including:

- The period of extensive public consultation in mid-2018 (discussed above) to identify the community thought and aspirations for the activity centre.
- A report on economic issues and opportunities for the activity centre.
- An urban design review which drafted a preferred character and design guidelines for the activity centre. This work was assisted by an advisory committee, which comprised two Councillors and six community representatives.
- Research on how best to improve transport and movement within the centre, which has included discussions with the State Government on the matter.
- A review of community and recreational facilities within the activity centre.
- Other background studies and research pertaining to all matters relevant to the activity centre, such as arts, culture and housing.

16. This work has identified the following:

- The major economic issue for the centre is a very high level of escape expenditure. However, actions can be taken to reduce this issue, such as diversifying uses in the BSBA, improving the choice of local entertainment/dining and providing more local employment.
- The size of the activity centre is sufficient, but should have two minor logical extensions to, firstly, include 43 Diamond Street (St Vincent's Care Services facility) and secondly, important recreational land between Youth Road and the Diamond Creek.
- The centre is in need of an anchor employer and there are opportunities which should be pursued, such as the proposed Eltham Community Hospital and the possibility of re-locating the Shire offices into the town centre.
- Eltham's landscape and heritage provide a strong and cherished sense of local character, but this character is not adequately reflected in the centre. A clear definition of a preferred character for the centre is required.
- The urban design provisions (including building heights of 3-5 storeys), which were relatively recently applied to the Eltham Town Centre, are generally sound in balancing growth expectations and requirements, whilst still setting tight restrictions on development to respect Eltham's character and heritage.

Notwithstanding this:

- On certain areas of low-lying urban land adjacent to the railway station, complimentary growth could be enhanced by increasing the maximum

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OCM.020/20 Public Engagement on the Draft Structure Plan for the Eltham Major Activity Centre

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height from 3 to 4 and 4 to 5 storeys, without creating adverse landscape impacts.

- Minor changes to the urban design provisions are required to provide some improvements that would, for example, create a more interesting roof form, promote artistic design, reduce the visual bulk of buildings and, in residential areas, better provide for canopy trees.

Examples of these changes are to increase the setback of buildings in residential areas and to provide more guidance regarding the positioning and area to be set aside for canopy trees.

- Urban design provisions, such as preferred building height limits, are required for the BSBA.
- Improvements are required to provide safe pedestrian movement through the centre for all sections of the community, such as the aged and young, particularly in vicinity of the public transport hub, in the BSBA, across Main Road and between the various retail nodes.
- The public transport hub and surrounds are poorly accessible, highly constrained and under-utilised, particularly due to extensive at-grade car parking and stabling.
- Upgrades could be made to the Diamond Creek Trail to improve its use to community members and to increase public visits to the centre.
- Opportunities to provide a more engaged centre, with more community and social activity, should be optimised.
- The public open space within the centre is of high importance to the centre and all sections of the community.

17. A draft of the new structure plan has now been completed, which is provided as **Attachment 1**, and the content of the draft plan implements the above findings. For example, it:

- Proposes a revised vision for the centre, which places particular emphasis on:
  - A preferred design character which better respects Eltham's landscape and both its artistic and architectural heritage.
  - The centre as a focus for community life that provides a wide range of residences, shopping and professional services, entertainment and employment.
- Proposes no extensions to the activity centre, other than the logical inclusions referred to above regarding recreational land and 43 Diamond Street.
- Recommends the existing urban design settings for the Eltham Town Centre be retained, except to:
  - Increase the maximum height from 3 to 4 and 4 to 5 storeys in some low-lying, centrally located areas of urban land adjacent to the railway station.

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**OCM.020/20 Public Engagement on the Draft Structure Plan for the Eltham Major Activity Centre**

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- Make minor changes to improve the urban design provisions to, for example, reduce the visual bulk of buildings and better provide for canopy trees.
  - Recommends urban design provisions for the BSBA, including to recommend a building height limit ranging from 3-4 storeys.
  - Recommends zone provisions in the BSBA be modified to promote some limited diversification of commercial uses in that area, whilst still protecting sufficient space for light industrial uses and not allowing the BSBA to compete with the primary retail role of the Eltham Town Centre.
  - Encourages an anchor employer, such as the proposed Eltham community hospital or the Nillumbik Shire Offices, to establish in the activity centre.
  - Identifies the area of the former Eltham Shire Offices site as the potential site for a community hub, arts and cultural facility or employment anchor.
  - Recommends Council investigate a series of improvements to the local road and pedestrian network, such as:
    - Improved pedestrian connections between both sides of Main Road in the Eltham Town Centre.
    - Clearer and more effective provision of pedestrian crossing points in the busy side streets of Luck, Pryor, Arthurs and Dudley Streets.
    - Signalised pedestrian crossings at key points at the BSBA, such as across Susan Street (in vicinity of Brougham Street).
    - Improved pedestrian facilities along Bridge Street.
  - Advocates for improvements to the railway station precinct, such as to:
    - Remove the railway crossing on Diamond Street and with that, improve the configuration of Diamond Street with Main Road.
    - Improve pedestrian access into the station from Main and Youth Roads.
    - Better integrate the public transport hub with the rest of the activity centre, particularly by providing more development and activity around the hub.
18. The proposed tenure of the plan is until 2030 when another structure plan review will be required.

Proposed Public Consultation

19. The next scheduled step in the project to develop the new structure plans is to place the draft on public engagement, as outlined above under “Consultation”.
20. It will be extremely valuable to the development of the structure plan to receive and consider the public’s feedback on the draft and to modify it as necessary in response.

**Conclusion**

21. A new structure plan has been drafted for the Eltham Major Activity Centre, with the intent that it replace the current dated document. The proposed draft is based on

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**OCM.020/20 Public Engagement on the Draft Structure Plan for the Eltham Major Activity Centre**

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significant research, analysis and community input. Before proceeding further with this document, it is recommend that Council seeks the community's opinion on its content, particularly its vision, objectives and key moves. The public feedback will be highly beneficial to future development of the document.

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**12. Officers' reports****OCM.021/20 Public Engagement on the Draft Structure Plan for the Diamond Creek Major Activity Centre**

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**Distribution: Public****Manager: Rosa Zouzoulas, Executive Manager Planning and Community Safety****Author: Julie Paget, Strategic Planner  
Paul Fyffe, Senior Strategic Planner****Summary**

This report presents a draft of a new structure plan for the Diamond Creek Major Activity Centre and recommends Council endorses the draft for public engagement and to seek submissions to the draft.

The current Diamond Creek Major Activity Centre Structure Plan was prepared in 2002 (adopted 2006) and forms the basis for local policy 22.14 of the Nillumbik Shire Planning Scheme. The current structure plan is dated and does not adequately reflect current issues and opportunities in Diamond Creek. Consequently, it is an action in the current Council Plan to develop a new structure plan.

A new structure plan has been drafted, which is provided as **Attachment 1**. The draft document is based on a significant feedback resultant from public consultation conducted in 2018, technical reports including economics, traffic and urban design among other matters. These reports were prepared with input from a community advisory group.

The focus of the draft structure plan is to improve the prosperity of the Diamond Creek Activity Centre and the services it provides to the local community, whilst providing a centre which better reflects Diamond Creek's preferred township character and heritage.

Further development of the structure plan would be greatly assisted by public engagement on the document. A six week period of public engagement is proposed to allow the community to fully consider the draft and provide feedback.

<b>Recommendation</b>
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**That Council:**

1. Endorses the draft Diamond Creek Major Activity Centre Structure Plan, provided as **Attachment 1**, for public engagement.
2. Requests a report to the July 2020 Future Nillumbik Committee meeting which considers the public feedback to the draft structure plan and recommends any changes to the document which are considered necessary in response.

**Attachments**

1. Draft Diamond Creek Major Activity Centre Structure Plan
2. Map of Diamond Creek Major Activity Centre Study Area

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**OCM.021/20 Public Engagement on the Draft Structure Plan for the Diamond Creek Major Activity Centre**

**Background**

The Diamond Creek Major Activity Centre – Context, Purpose and Structure Plan

1. The Diamond Creek Major Activity Centre is one of approximately 120 such centres created across metropolitan Melbourne by State Government Planning Activity Centre Policy. The purpose of a major activity centre, such as Diamond Creek, is to provide the community with an attractive, well-designed local centre that optimises access by walking and cycling and is a local hub for employment, community services, retail, affordable housing and public transport services.
2. By this approach, the State government's activity centre policy seeks to create a more sustainable (less car dependant), locally focused urban structure which better responds to current challenges regarding climate change, an ageing population, housing affordability, urban sprawl and community health and well-being.
3. Whilst all activity centres are required to be developed in support of State government policy, Councils are encouraged to develop a structure plan for each of its centres which defines the boundaries, local vision, objectives and planning framework for a centre. For example, to define:
  - A preferred character and what design themes will be used to achieve this;
  - Economic goals and opportunities and how these will be pursued;
  - Opportunities and actions to improve community safety, well-being and cohesiveness; and
  - Major improvements required to local transport infrastructure.
4. The Diamond Creek Major Activity Centre was prepared in 2002 and Council adopted the centre's first and only structure plan in September 2006. The existing structure plan defines the activity centre as the town centre and the shopping, commercial, industrial and residential areas generally within normal walking distance of the town centre. **Attachment 2** provides a map of the centre.
5. The structure plan is now dated and does not adequately respond to the considerable social, economic and environmental change experienced by Metropolitan Melbourne in the last 15 years. Further, most of its actions have already been completed and/or are now obsolete. Considering this, Action 4.3.1 of the 2017-2021 Council Plan is to review and update the structure plan.

**Policy context**

6. This report directly supports the achievement of Council Plan 2017-2021 strategy:
  - Review existing precinct structure plans within activity centres to encourage investment and development.

**Budget implications**

7. The cost of preparing the new structure plan is estimated at \$40,000 and this cost is provided for in the Strategic Planning budget.



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**OCM.021/20 Public Engagement on the Draft Structure Plan for the Diamond Creek Major Activity Centre**

**Consultation/communication**

First Round of Public Consultation: July – Sep 2018

8. An initial extensive round of public consultation to inform the structure plan review was conducted between July and September 2018. This consultation extensively relied on a survey, with complimentary activities, to capture what the community values about the centre, what they don't like and what improvements they would like to see.
9. A substantial community response was received and examples of the key themes provided in the response are:
  - There is no town square or similar civic area in any of the commercial precincts;
  - The centre has various commercial nodes and other key locations (e.g. railway station) which are dislocated and/or isolated from each other, particularly for pedestrians;
  - There is a need to improve transport flow, movement around car parks and traffic congestion;
  - Car parks around key supermarkets are poorly designed, ineffective, ugly and dangerous;
  - The facades and design of key commercial nodes are unattractive and need attention;
  - The railway crossing significantly divides the town, hampers free movement and is a safety issue;
  - Community desire to make the centre more pedestrian and cycle friendly;
  - Opportunities to provide a more engaged centre, with more community and social activity, should be optimised; and
  - The design of the centre is not inclusive, particularly for the aged and young.
10. All of the issues raised in the first round of public consultation have been considered in the drafting of a new structure plan.

Consultation on the Draft Structure Plan

11. It would now be highly beneficial to test the draft structure plan with the community.
12. A six week public engagement period (mid-March to late April 2020) on the draft structure plan is now proposed. This will include at a minimum:
  - Notification in the Diamond Valley Leader newspaper and Council's social media platforms, such as Participate Nillumbik, of the public engagement;
  - Direct written notification to relevant State Government authorities (e.g. Department of Transport and Melbourne Water);
  - Two community information sessions or stalls (dates and venues to be confirmed); and
  - An offer to present on the structure plan to key stakeholder groups (e.g. the Diamond Creek Traders Association).

**12. Officers' reports**

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13. The public will be invited to provide comment to the draft structure plan via Participate Nillumbik website or, if they wish, in writing.
14. It is anticipated that the results of the consultation will be presented to the July 2020 Future Nillumbik Committee meeting. The officer report will also recommend any changes to the draft structure plan which are considered necessary in response to the public feedback on the document.

**Issues/options**

A draft new structure plan for the Diamond Creek Major Activity Centre

15. Work to draft a new structure plan has been informed by considerable analysis, research and public consultation, including:
  - The period of extensive public consultation in mid-2018 (discussed above) to identify the community thought and aspirations for the activity centre;
  - A report on economic issues and opportunities for the activity centre;
  - An urban design review which drafted a preferred character and design guidelines for the activity centre. This work was assisted by an advisory committee, which comprised two Councillors and six community representatives;
  - Research on how best to improve transport and movement within the centre, which has included discussions with the State Government on the matter;
  - A review of community and recreational facilities within the activity centre; and
  - Other background studies and research pertaining to all matters relevant to the activity centre, such as arts, culture and housing.
16. This work has identified the following:
  - The public open space within the centre is of high importance to the centre and all sections of the community;
  - Significant traffic congestion issues due to level crossing and roads not designed for high traffic volumes;
  - Interaction with the State Government Hurstbridge Rail Duplication Project provides opportunities to improve existing infrastructure in and around the station;
  - The Activity Centre experiences high escape expenditure and unrealised night time or weekend economic capacity;
  - There is a need for an employment anchor with employment currently predominantly in retail with some industrial jobs;
  - There is a lack of office floor space, however with the proposed intensification of sites there will be opportunities for office space at ground level or first floors of mixed use development;
  - Changing demographic pattern from families to an ageing population;
  - Increased diversification of housing types (including opportunities for downsizing) will support an economically viable centre; and

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**OCM.021/20 Public Engagement on the Draft Structure Plan for the Diamond Creek Major Activity Centre**

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- There is a noted lack of a multipurpose community building and existing community facilities have been assessed to be mostly ageing, single purpose and of varying quality and use.
17. A draft of the new structure plan has now been completed and is provided as **Attachment 1**. The content of the draft structure plan implements the above findings, including:
- Proposes a revised vision for the centre, which places particular emphasis on:
    - The Activity Centre being a mixed use area with a public plaza at its heart, a place where the community can meet, transact business, recreate, learn, play, shop and work; and
    - Ensuring development responds and reflects the rural setting of Diamond Creek, particularly by a strong presence of native canopy trees.
  - Proposes changes to the land use mix to:
    - Support a diversity of employment opportunities by reviewing the planning controls in the existing light industrial Precincts 3 and 5;
    - Encourage uses that extend the hours of activity of the centre to facilitate the development of a night time economy;
    - Provide a vertical mix of land uses by facilitating the use of shops tops for offices, residencies and other commercial uses within the main streets of the Activity Centre (in particular Precinct 4 aligned to the railway station);
    - Encourage redevelopment to increase housing options at increased residential densities; and
    - Investigate potential sites for an employment anchor.
  - Recommends the existing urban design settings and heights for the Diamond Creek Activity Centre be retained, and proposes to additionally:
    - In Precinct 5, reduce current allowable 5 storey application to 4 storeys in a small area, aligned to Main Hurstbridge Road to soften the interface with existing residential uses located opposite;
    - In Precinct 6, reducing the number of storeys from 4 to 3 interfacing with residential uses, and increasing an area with frontage to Main Hurstbridge Road to 4 storeys;
    - In Precinct 4, which is the main retail core and activity area aligned to the Diamond Creek Station, increasing allowable height by an additional 1 to 2 storeys to a maximum of 5 storeys to optimise this precincts advantage, being removed from sensitive interfaces and immediately positioned to the Station; and
    - Modify the urban design provisions to better achieve the preferred character. For example, to require redevelopment along Main Hurstbridge Road to be built to the front boundary with car parking either at the rear or

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**OCM.021/20 Public Engagement on the Draft Structure Plan for the Diamond Creek Major Activity Centre**

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in provided basements (recognising the finer grain on the south side) and that redevelopment across the centre should respond to the rural village character.

- Recommends Council investigate a series of improvements to the local road and pedestrian network, such as:
  - Investigate the opportunity to make Station Street one way to lessen conflicts between cars parking and pedestrians and reducing vehicular turning movements, minimising congestion;
  - Investigate implementation of indented parking and a footpath on the western side of Elizabeth Street;
  - Implement the Gipson Street bridge duplication;
  - Investigate the opportunity for a raised pedestrian crossing directly east of Fyffe Street connecting the north and south sides of Main Hurstbridge Road;
  - Liaise with / advocate with the relevant authorities for:
    - Implementation of on-road cycle lanes on Main Hurstbridge Road;
    - Reduce the speed limit along Main Road to 40km/h;
    - Creation of a clear cycling route from the train station to Chute Street and the Diamond Creek Trail;
    - Implementation of lighting, paving and landscaping through existing at grade car parks and across the railway line, ensuring they are safe and inviting spaces;
    - Investigate additional pedestrian / cyclist bridge or underpass over railway line to improve connectivity and legibility between the northern and southern sides of the activity centre and beyond; and
    - Removal of level crossing.

18. The proposed tenure of the plan is until 2030 when another structure plan review will be required.

**Conclusion**

19. A new structure plan has been drafted for the Diamond Creek Major Activity Centre, with the intent that it replace the current dated document. The proposed draft is based on significant research, analysis and community input. It is recommended that Council seeks the community's feedback on the content, particularly its vision, objectives and key moves of the draft structure plan. The public feedback will be highly beneficial to future development of the document.

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OCM.022/20 Council Plan Quarterly Performance Report

**Distribution:** Public

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

**Author:** James Hartigan, Business Performance Analyst  
Sue Richards, Business Support Officer

**Summary**

The purpose of this report is to present the Council Plan Quarterly Performance Report for Council's consideration. The Quarterly Performance Report (**Attachment 1**) provides the mid-year update on delivery progress and performance of the 2019-2020 Annual Plan priority actions, which aligns to delivery of the Council Plan 2017-2021.

Of the 40 actions in the 2019-2020 Annual Plan, 32 are "on track", three are "completed", one action is now part of "business as usual" activities, and four actions are "yet to commence".

The year's performance against the delivery of the Council Plan will be published in the Annual Report 2019-2020, which will be presented to the Minister for Local Government before 30 September 2020.

**Recommendation**

**That** Council receives the Council Plan Quarterly Performance Report (**Attachment 1**) for the second quarter of 2019-2020, being the period ended 31 December 2019.

**Attachments**

1. 2019-2020 Quarter 2 Council Plan Performance Report

**Background**

1. The Council Plan 2017-2021 was developed following the general Council Election in October 2016 and adopted by Council on 27 June 2017.
2. The Annual Plan 2019-2020 was developed and endorsed at the June 2019 Ordinary Council Meeting. The Annual Plan 2019-2020 contains 40 actions contributing to delivery of the Council Plan within the corresponding financial year.
3. This report provides Council with an update on the progress delivery of the 40 Annual Plan actions. The report documents how Council is performing and delivering on the Council Plan for the Nillumbik community.

**Policy context**

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

**Budget implications**

5. This report is part of Council's monitoring of the Council Plan and Budget. The resources for the monitoring and the preparation of this report are accommodated within existing operational budgets.

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**Consultation/communication**

6. The Council Plan 2017-2021 was developed following a comprehensive program of workshops and briefings with Councillors following the general Council election in October 2016, as well as a period of consultation with the community in May and June 2017. The Council Plan 2017-2021 was adopted by Council on 27 June 2017.
7. The Annual Plan 2019-2020, developed following briefings with Councillors, was adopted by Council in June 2019 and contains 40 actions contributing to delivery of the Council Plan within the corresponding financial year.

**Commentary on performance report**

8. The 2019-2020 Annual Plan contributes to the delivery of the Council Plan 2017-2021 through 40 priority actions that sit under the five high-level strategic objectives of:
  - Engaged, connected communities – a place where communities and ideas thrive, underpinned by trust, confidence and continuous learning.
  - Active and creative people – active lifestyles and artistic expression are fostered through participation and innovation.
  - Safe and healthy environments – healthy and safe communities enjoy living in our iconic Green Wedge environment.
  - A prosperous economy – a strong local economy that supports business growth, jobs and community wealth.
  - Responsible leadership – collaborative and consultative leadership that builds trust and makes the best use of available resources to the benefit of all in the pursuit of excellence.
9. Of the 40 actions in the 2019-2020 Annual Action Plan, 32 are “on track”, three are “completed”, one action is now part of “business as usual” activities, and four actions are “yet to commence” (**Attachment 1**).
10. Some highlights of activities and deliverables achieved during the second quarter (October to December 2019) include:
  - The Shire Plan 2050 Research Paper has been completed. The Paper provides a high-level overview to assist Council’s understanding of the forecasts and future trends of life in Nillumbik in 2050 (Action 1);
  - Customer Service Training has been delivered to 100 new and existing staff and a Mystery Shopping program is also now operational across five key teams. A highlight in the quarter was that Council received a “Best in Sector” award (benchmarked against 40 councils nationally) for the Mystery Shopping program, and ranked second out of 145 organisations (Action 2);
  - A specialist consultant was engaged to conduct a thorough review of key policy context for community infrastructure planning and development within the Shire (Action 5);
  - A Request for Quotation process for Cultural Awareness Training has been completed. The provider to deliver training has been confirmed and will be rolled out in the third quarter to over 100 Nillumbik staff (Action 8);

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OCM.022/20 Council Plan Quarterly Performance Report

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- Tenders for path and bridge works on the Diamond Creek Trail (between Diamond Creek and Wattle Glen) were released and contracts awarded. It is anticipated that the works will commence in the third and fourth quarters (Action 13a);
- A Solar Farm Feasibility Study Report was completed and approval received to seek offers from the market to develop a solar farm at the former landfill on Yan Yean Road in Plenty, and continuing to explore opportunities to incorporate a community investor element in the solar farm development (Action 14);
- Nominated projects from the capital works program have been completed. These include completion of the Research Park Pavilion, the Eltham Central change rooms and the Eltham North Cricket Pavilion (Action 15);
- Council resolved to continue investigating a Regional/Municipal Gallery at 895 Main Road, Eltham, and another Council-owned site, as well as explore a public/private partnership model (Action 18);
- The Green Wedge Management Plan was adopted by Council in October, with the new plan setting out a vision, principles, goals, objectives and key actions for the next decade (Action 21);
- Actions undertaken to implement the Bushfire Mitigation Strategy included a review, assessment and commencement of a comprehensive Bushfire Mitigation Works Program; development of a Communications Plan that prioritises a program that is inclusive and focused on educating the community; and implementation of a Fire Hazard Inspection and Enforcement Program to strengthen and streamline processes to achieve improved customer outcomes (Action 23);
- Endorsement for the draft Nillumbik Economic Development Strategy 2020-2030 to go out for community consultation (Action 28).

**Conclusion**

11. The Council Plan Quarterly Performance Report provides an update on the outcome of the Council Plan at the mid-point of the 2019-2020 financial year. The report documents how Council performed and delivered over the second quarter and provides an overview of progress on the Council Plan for the Nillumbik community. The overall position suggests that Council continues to make a solid effort at delivering on the priority actions and significant outcomes for the community.

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**12. Officers' reports****OCM.023/20 Local Government Performance Reporting Framework - Service Performance Progress Report - 2019/2020 Financial Year**

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

The purpose of this report is to present to Council the Local Government Performance Reporting Framework (LGPRF) mid-year service performance results for the 2019-2020 financial year. The report measures Council's current performance against the expected range (based on LGPRF guidelines set by State Government) as well as compares Council's current performance against the 2018-2019 end of financial year result. This is the first time Council is completing a mid-year progress update on the LGPRF indicators with the aim of the report to provide more frequent and current data to better monitor and address any issues or trends.

**Recommendation**

**That** Council notes the Local Government Performance Reporting Framework service performance results for the period from July to December 2019.

**Attachments**

1. 2019-2020 Mid Year LGPRF Summary

**Background**

1. The Local Government Performance Reporting Framework (LGPRF) is a mandatory reporting system which was introduced by the State Government in 2014 to ensure all Victorian councils are measuring and reporting on their performance in a consistent way.
2. The LGPRF is comprised of service performance, financial performance and sustainability measures, along with a governance and management checklist.
3. Key objectives of the LGPRF include councils having information to support strategic decision making and continuous improvement, and communities having information about Council performance and productivity.
4. Results for the LGPRF measures are reported in Council's Annual Report each year in accordance with the *Local Government Act 1989* and the Local Government (Planning and Reporting) Regulations 2014. These financial year results are publicly released on the Victorian Government's "Know Your Council" website in November each year. This site provides information on the sector and enables users to benchmark the relative performance of all or similar councils.
5. In readiness for the anticipated reforms and legislative requirements outlined in the Local Government Bill 2019, this is the first mid-year progress report to track Council's performance against the LGPRF.

**12. Officers' reports**

**OCM.023/20 Local Government Performance Reporting Framework - Service Performance Progress Report - 2019/2020 Financial Year**

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**Policy context**

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

**Budget implications**

7. Reporting against the LGPRF is an administrative function, the cost of which is included within Council's operating budget.

**Consultation/communication**

8. Annual results of Council's performance against the LGPRF measures are currently reported on the Victorian Government's "Know Your Council" website in November each year.

**Commentary on LGPRF performance report**

9. This is the first time Council is completing a mid-year progress update on the LGPRF indicators. The data has been collected for the period from 1 July 2019 to 31 December 2019 (**Attachment 1**). The mid-year update is not fully comprehensive as data for some LGPRF measures is only available annually.
10. The primary aim of the mid-year data collection is to provide more frequent and current data to better monitor and address any issues or trends. The report measures Council's current performance against the expected range (based on LGPRF guidelines set by State Government) as well as compares Council's current performance against the 2018-2019 end of financial year result.
11. The report demonstrates that Council is performing well against the LGPRF with the vast majority of results within the expected range based on the LGPRF guidelines. Where there are measures outside the materiality threshold (+/- 10%), commentary has been provided in the report against that particular indicator.

**Conclusion**

12. Mid-year LGPRF service performance indicators for the 2019-2020 financial year are presented in the attached report. The report demonstrates that Council is performing well against the LGPRF with the vast majority of results within the expected range based on the LGPRF guidelines.
13. The 2019-2020 full financial year results will be published in Council's Annual Report in September 2020 and on the Victorian Government's "Know Your Council" website in November 2020.

12. Officers' reports

OCM.024/20 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 28 January 2020.

An Assembly of Councillors record was kept for:

- Councillor Briefing – 21 January 2020;
- Pre-meeting to Ordinary Council Meeting – 28 January 2020;
- Councillor Briefing – 4 February 2020;
- Councillor Briefing and Pre-meeting to Future Nillumbik Committee – 11 February 2020;
- Living & Learning Nillumbik Advisory Committee – 12 February 2020; and
- Positive Ageing Advisory Committee – 14 February 2020.

<b>Recommendation</b>
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**That** Council, in accordance with section 80A(2) of the *Local Government Act 1989*, receives the records of the assemblies of Councillors held on 21 January 2020, 28 January 2020, 4 February 2020, 11 February 2020, 12 February 2020 and 14 February 2020 (**Attachment 1**).

**Attachments**

1. Assembly of Councillors reported 25 February 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.024/20 Assembly of Councillors**

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**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 Councillor forms that have been submitted since the matter was last reported to Council on 28 January 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.025/20 Quarterly Risk and Safety Report

**Distribution:** Public

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

**Author:** Craig Commene, Risk and Safety Lead

**Summary**

This report provides a summary of Council’s Risk and Safety Report for the quarter ended December 2019.

The report is presented in accordance with the Local Government Performance Reporting Framework (LGPRF). This reporting framework requires the presentation of a report to Council at least every six months, detailing the strategic risks, operational risks, the consequences and likelihood of occurrence, and risk mitigation strategies.

Risk and Safety reporting to Council is tabled each quarter following consideration by the Audit and Risk Committee.

A separate confidential report in this agenda provides detailed information for Council’s consideration. It is recommended that this detailed report remain confidential as it includes information which may prejudice the Council or another person.

**Recommendation**

**That** Council notes this report.

**Attachments**

Nil

**Background**

1. Council’s commitment to risk management is outlined in the Risk Management Policy adopted in June 2018, with the following objectives:
  - Ensure that all risks that could affect the achievement of our Council’s goals, strategies and actions are identified, assessed and treated to a commercially, professionally and politically acceptable level of risk;
  - Integrate risk management into decision making processes and embed it into the organisation culture to help make informed choices for the benefit of Council and our stakeholders;
  - Ensure that necessary resources are allocated in support of the policy outcomes;
  - Maintain stakeholders trust and due diligence;
  - Align all risk management practices across the organisation and to promote and support a consistent corporate approach to risk management that can be clearly understood and applied by everyone and provide a basis for higher standards of accountability; and
  - To ensure that risk management is seen as the responsibility of all staff, i.e.: “Risk Management is everyone’s business”.

**12. Officers' reports**

**OCM.025/20 Quarterly Risk and Safety Report**

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2. In addition to the Risk Management Policy, Council's Risk Management Framework 2018 communicates and describes the risk management structure and procedures that are used to identify, analyse, evaluate, treat, monitor and communicate key risks, including management reporting.
3. The context of the Risk Management Policy and Framework takes into account that local government presents a distinct risk character and profile that needs to be taken into account when considering risk management. Many assets and services are available 24 hours a day seven days a week in an unsupervised way, some are managed or provided by volunteers or committees of management or are managed by contractors, others are regulated by compliance legislation.
4. Prior to the introduction of the Local Government Performance Reporting Framework (LGPRF), risk reporting was referred to Council's Audit and Risk Committee and the information included for consideration by Council through the adoption of the Audit and Risk Committee's minutes.
5. Commencing 1 July 2014, the State Government introduced the LGPRF. This framework requires the presentation of risk reporting processes to Council at least every six months on strategic risks to Council operations.
6. The Risk and Safety report is a result of consolidation of these management reports, which broadly reports on:
  - Risk management;
  - Business continuity;
  - Fraud;
  - Insurance premiums;
  - Incident management and insurance claims;
  - Occupational Health and Safety;
  - Other data; and
  - Strategic risk summary report.

**Policy context**

7. 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**

8. The costs for managing and reporting are covered by Council's operating budget.

**Consultation/communication**

9. The Quarterly Risk and Safety Report was considered by the Audit and Risk Committee on 17 February 2020.

12. Officers' reports

OCM.025/20 Quarterly Risk and Safety Report

Issues/options

10. The Quarterly Risk and Safety Report has been prepared in accordance with Council's Risk Management Policy and Framework and is consistent with the Australian Standard AS/NZS 31000:2009 Risk Management.

11. Highlights from the Quarterly Risk and Safety Report for the December 2019 quarter are:

- Data capture of reported incidents now recognises occupational health and safety incidents, hazards and near misses reported through Council's incident reporting system. There were 21 incidents of this nature included in this report and data from previous periods has been updated to provide consistency of information.
- The following table summarises recorded incidents by type for matters involving Council. It should be noted that this table shows all reported incidents, rather than all claims, as not every incident results in a claim being made;

Incidents by type (excluding OHS incidents)	Jan – Mar 19	Apr - Jun 19	Jul – Sep 19	Oct – Dec 19	Total Jan - Dec 19	Last Year Jan - Dec 18	Year to date trend
Property	8	9	6	18	41	21	▲
Motor vehicle	18	27	15	15	75	96	▼
Professional Indemnity	1	6	0	1	8	5	▲
Public Liability	35	28	47	53	163	97	▲
Occupational Health and Safety	30	19	19	21	89	101	▼
Total all incidents	92	89	87	108	376	320	▲

- A high proportion of reported incidents during the December 2019 quarter are generated within the normal course of operations in the Operations and Infrastructure Directorate (81 per cent). These incidents relate to major classes of asset or maintenance type incidents for Council buildings, recreational facilities, playgrounds, trees, drainage, footpath, road damage and major plant.
- Tree related risks are mitigated through the:
  - Tree Management Policy;
  - Reactive tree maintenance program;
  - Proactive electric power line clearance program;

12. Officers' reports

OCM.025/20 Quarterly Risk and Safety Report

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- Proactive box clearance program;
- Proactive inspections of high risk trees; and
- Meeting the objectives of the Municipal Emergency Management Plan and Municipal Fire Management Plan;
- Road, footpath, drainage and roadside related risks are mitigated through the:
  - Road Management Plan;
  - Road Asset Management Plans; and
  - Proactive and reactive maintenance programs.
- Property incidents typically are reported break-ins, vandalism and accidental damage to Council buildings or fixed equipment such as in playgrounds and recreational facilities. Risks are mitigated through maintenance programs and insurance.
  - Ten property theft, break-ins and vandalism were reported during the December 2019 quarter including vandalism to four bus shelters. The shelters have since been repaired and damages reported to the police; and
  - Two Council buildings were repaired following damaged caused by the weather event in November 2019. No claims were lodged with Council's insurer.
- Motor vehicle incidents include accidental damage involving Council's light and heavy fleet, including incidents caused by third parties. Risks are mitigated through maintenance, education and insurance.
  - Failure of a hose on a waste truck caused 200 litres of hydraulic fluid spilled onto Henry Street, Eltham over a distance of 800 metres. Metropolitan Fire Brigade, Police and Council attended. The EPA was notified and the spill was cleaned up with no ongoing issues. The waste truck was repaired and all hydraulic hoses on all Council waste trucks were checked; and
  - There was one significant accident during October 2019, when a Council waste truck accidentally struck a parked car whilst collecting green waste in Diamond Creek. A claim was lodged with Council's insurer.
- Professional indemnity relates to claims for alleged negligence or breach of duty arising from an act, error or omission in the performance of Council services.
- Public liability incidents are reported to Council where the third party is seeking compensation for personal injury, property damage and economic loss. These claims are managed by an external claims manager or Council's insurer. Typical incidents primarily relate to vehicle road damage, property damage, tree related or trip and fall incidents.
  - Five trip and fall incidents were reported at various locations;
  - Nine incidents related to vehicle damage, primarily these are tyre or body work damage caused by the road surface or road related infrastructure. Note that the *Road Management Act 2004* threshold is currently \$1460;



12. Officers' reports

OCM.025/20 Quarterly Risk and Safety Report

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- Two incidents related to trees were reported. All claims were referred to Council's claims manager for assessment; and
- 23 tree damage incidents related to the weather event in November 2019.
- Occupational Health and Safety incidents relates to safety matters reported as incidents, hazards and near misses.
  - Typical incidents relate to cuts and lacerations, musculoskeletal injuries and slip trips and falls. These incidents are managed by Council's Risk and Safety Team through the Occupational Health and Safety Management System; and
  - New Workplace Manslaughter Legislation will come into effect from the 1 July 2020 and applies to Council. In response, Council is reviewing its Occupational Health and Safety Management System to ensure compliance and strengthen focus on organisational culture, due diligence, audit and management assurance, and reporting.
- The annual trend data for year ending December 2019 was higher compared to the same period ending December 2018. This increase is attributed to weather related events and it is not unusual for the number of incidents to vary from period to period.

12. Incident costs including under excess claim costs and insurance excesses are managed within existing budgets.

**Conclusion**

13. This summary, along with the confidential Risk and Safety Report December 2019, have been provided to meet the requirements of the Local Government Performance Reporting Framework (LGPRF) and consolidation of management reporting.
14. Ongoing reporting to Council is presented quarterly following each meeting of the Audit and Risk Committee.

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12. Officers' reports

OCM.026/20 Tender Report - Contract 1819-95 Content Manager Implementation

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**Distribution:** Public

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

**Author:** Sally Johnson, Corporate Information Lead  
Lance Clark, Senior Procurement Specialist

**Summary**

This report is an overview of a separate confidential report recommending the awarding of Contract 1819-95 for the implementation of the Content Manager system to FYB.

This project will involve the decommissioning of the existing document repository and implementing a fully compliant electronic document and records management system (EDRMS - Content Manager). The new system will allow Council to adhere to its records management obligations and provide Council staff and residents with better ways of working with Council.

The contract term is for an initial period of five years, with five by one year options to extend the contract. The total duration of the contract, including the exercise of any options, shall not exceed 10 years.

This approach was taken to ensure there is a continuity of service and reduction of operational risk to the system post year 1 implementation.

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 remain confidential.

**Recommendation**

**That** Council notes this report.

**Attachments**

Nil

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12. Officers' reports

OCM.027/20 Tender Report - Contract 1920-41 Plenty Landfill Capping

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**Distribution: Public**

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

**Author: Enrique Gutierrez, Manager Capital Works**

**Steven Blight, Construction Coordinator**

**Lance Clark, Senior Procurement Specialist**

**Summary**

This report is an overview of a separate confidential report recommending the awarding of Contract 1920-41 Plenty Landfill Capping.

Plenty Landfill is located at 290-304 Yan Yean Road, Plenty and is owned and operated by Council. Plenty Landfill was licensed to accept putrescible and solid inert waste, commencing operations in 1974. It has been closed since 2007 and is currently undergoing rehabilitation in accordance with EPA requirements.

The first two phases of the landfill rehabilitation works will be completed in March 2020. This represents approximately 50% of the original scope of works.

Works included in this contract consist of the staging and managing the rehabilitation program, capping, leachate and gas management, stormwater management, compliance and certification, importation and stockpiling of capping materials and other associated works for the completion of the final two phases. Works are programmed to be completed in 2021.

Landfill rehabilitation work is funded through the Waste Management Charge. Income from this charge is allocated to the Landfill Reserve.

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 remain confidential.

**Recommendation**

**That** Council notes this report.

**Attachments**

Nil

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13. Notices of Motion

**NOM.001/20 – Greensborough Hockey Pavilion**

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Cr Peter Clarke advised of his intention to move the following:

**Motion**

**That** Council writes to the Prime Minister and Treasurer of Australia requesting that the Federal Government agree to contribute \$500,000 to Nillumbik Council from the upcoming 2020 Federal Government budget process as previously requested via the application for the Greensborough Hockey Club Pavilion that despite it scoring highly (89), was not funded from the Australian Government's Community Sport Infrastructure Grant program.

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13. Notices of Motion

**NOM.002/20 – John Street Reserve and John Street and Bridge Street Eltham Road Closure**

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Cr Peter Clarke advised of his intention to move the following:

<b>Motion</b>
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**That** Council:

1. Commences procedures to remove the road reserve status at the non-trafficable eastern end of John Street Eltham and proceeds to rezone the land to Public Park and Recreation Zone linking it to the adjoining linear reserve.
2. Commences procedures to remove the road reserve status at the non-trafficable eastern end of Bridge Street Eltham and proceeds to rezone the land to Public Park and Recreation Zone retaining the footpath currently used as an access way link.
3. Installs bollards at the end of the John Street kerb and channel to prevent vehicles from parking on the reserve and Council-owned land whilst retaining existing constructed driveway access to abutting residential properties.
4. Commences the procedure to create a Friends of John Street Reserve group to assist in the care and maintenance of this small pocket reserve.
5. Immediately calls a meeting of abutting residents to agree to the design and planting schedule for the pocket reserve.

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13. Notices of Motion

**NOM.003/20 – Alcoholic Beverages at Council Meetings and Events**

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Cr Peter Clarke advised of his intention to move the following:

**Motion**

**That** Council officers prepare a draft policy for consideration of Councillors regarding the serving and consumption of alcohol at Council meetings and events utilising an assessment of best practice policies at other Victorian local governments and state government and private agencies.

Until resolution of this policy, the service of alcohol at Council-owned premises, meetings and events will cease where the Council budget is being expended.

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

The Chief Executive Officer, pursuant to section 77(2)(c) of the *Local Government Act 1989* (the Act), has designated the following items to be confidential:

**OCM.028/20 Quarterly Risk and Safety Report**

This item is designated confidential because it is any other matter which the Council considers would prejudice the Council or any person pursuant to section 89(2)(h) of the Act.

**OCM.029/20 Tender Report - Contract 1819-95 Content Manager Implementation**

This item is designated confidential because it is a contractual matter pursuant to section 89(2)(d) of the Act.

**OCM.030/20 Tender Report - Contract 1920-41 Plenty Landfill Capping**

This item is designated confidential because it is a contractual matter pursuant to section 89(2)(d) of the Act.

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

<b>Recommendation</b>
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**That** in accordance with section 89(2) of the *Local Government Act 1989*, Council resolves to close the meeting to members of the public to consider the items designated confidential by the Chief Executive Officer.