

Ordinary Meeting of Council

to be held at the Civic Centre, Civic Drive, Greensborough
on Tuesday 26 July 2016 commencing at 7pm.

Agenda

Stuart Burdack
Chief Executive Officer

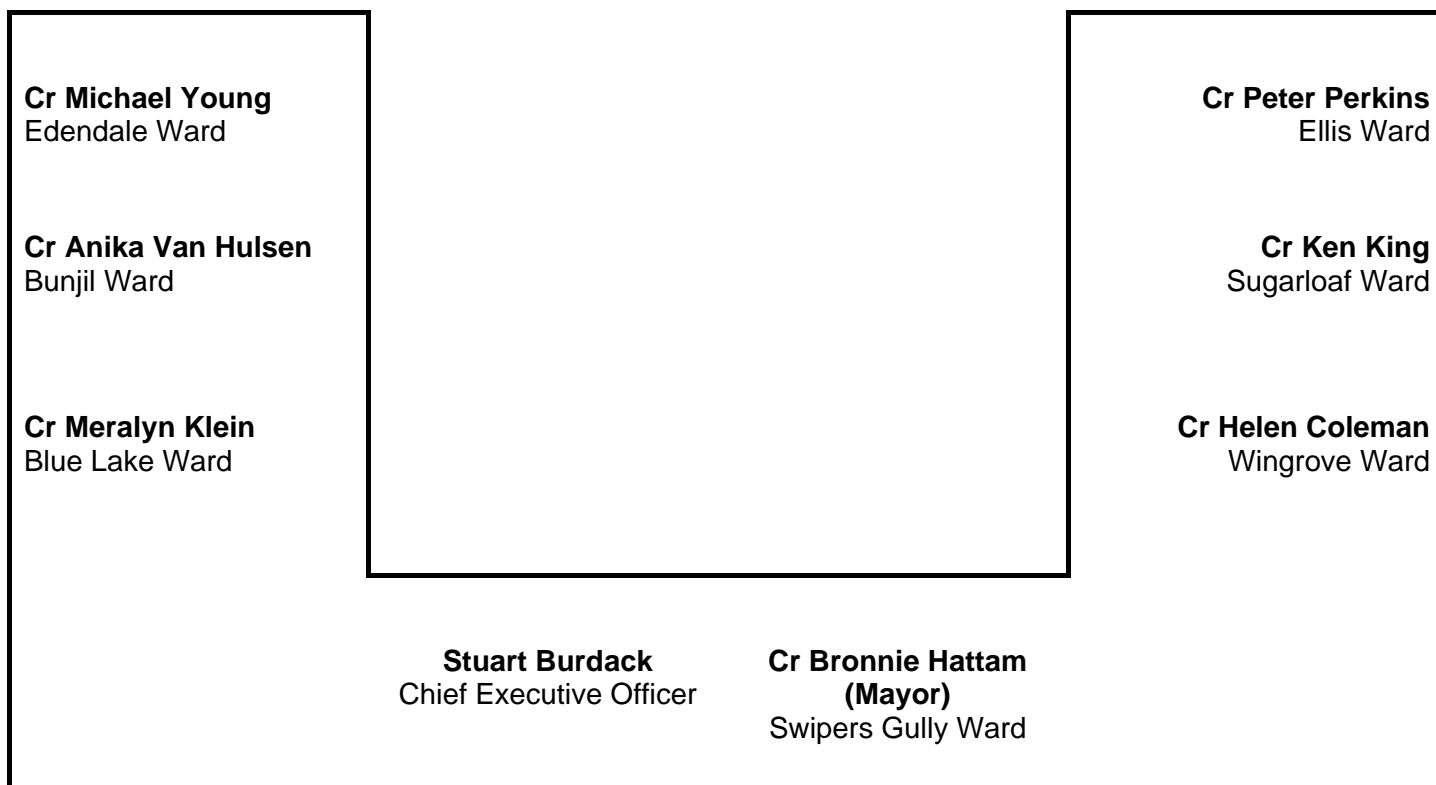
Wednesday 20 July 2016

Distribution:

Civic Drive, Greensborough
PO Box 476, Greensborough 3088
Telephone 9433 3111
Facsimile 9433 3777
Website www.nillumbik.vic.gov.au
Email nillumbik@nillumbik.vic.gov.au

Domin je ka

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 an audio recording of this meeting will be made for the purpose of verifying the accuracy of the minutes.

Nillumbik Shire Council

Contents

Welcome by the Mayor	1
1. Reconciliation statement	1
2. Prayer	1
3. Good governance pledge	1
4. Apologies	1
5. Presentations	1
6. Confirmation of minutes	1
7. Disclosure of conflicts of interest	2
8. Petitions	2
9. Questions from the gallery	2
10. Reports of Advisory Committees	3
AC.007/16 Advisory Committee Report	3
11. Reports of Special Committees	4
12. Officers' reports	5
OCM.109/16 The Growing Suburbs Fund 2016-2017	5
OCM.110/16 Diamond Creek Community Centre Masterplan	11
OCM.111/16 Nillumbik Economic Development Strategy Implementation Update	17
OCM.112/16 Amendment C101 - survey of affected landowners	26
OCM.113/16 Refugee Welcome Zone	30
OCM.114/16 Municipal Fire Management Plan Update	34
OCM.115/16 Submission in response to the 'Protecting the Yarra River (Birrarung)' discussion paper	37
OCM.116/16 Investigation of land located at 20 Wattletree Road, Eltham for the purpose of locating a building for the Eltham Mens Shed group	43
OCM.117/16 Council Plan Quarterly Performance Report June 2016	54
OCM.118/16 June Interim Financial Report	59
OCM.119/16 Audit Committee vacancy	63
OCM.120/16 Eltham Leisure Centre aquatic redevelopment - additional allocation of funds	66
OCM.121/16 Camelot Close Special Charge Scheme, Research	73
OCM.122/16 Worns Lane Special Charge Scheme, Yarrambat - questionnaire results	76
OCM.123/16 Hillmartin Lane Area Special Charge Scheme, Diamond Creek - intention to declare	80

Ordinary Meeting of Council agenda**26 July 2016**

OCM.124/16	Environment and Planning monthly activity report	84
OCM.125/16	Assemblies of Councillors	93
13.	Notices of Motion	98
14.	Delegates' reports	99
15.	Supplementary and urgent business	99
16.	Confidential reports	100

Nillumbik Shire Council

Agenda of the Ordinary Meeting of Nillumbik Shire Council to be held Tuesday 26 July 2016 commencing at 7pm.

Welcome by the Mayor

Members of the public are advised the meeting will be recorded for the purpose of verifying the accuracy of the minutes.

1. Reconciliation statement

The reconciliation statement to be read by the Mayor

Nillumbik Shire Council acknowledges the Wurundjeri as the traditional custodians of the land now known as the Shire of Nillumbik and values the significance of the Wurundjeri people's history as essential to the unique character of the Shire.

2. Prayer

A prayer will be read by Father Vlad Sipovac of St Sava Serbian Orthodox Church, Greensborough.

3. Good governance pledge

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

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

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

4. Apologies

Motion

That the apologies be accepted.

5. Presentations

Sporting Achievement Grants

Emma Rao (Bunjil Ward) receives \$150 as a contribution for her selection in the 2016 School Sport Victoria Swimming Team competing in Darwin.

Nillumbik Shire Council wishes her every success with her future sporting pursuits.

6. Confirmation of minutes

Confirmation of minutes of the Council Meeting held on Tuesday 21 June 2016.

Motion

That the minutes of the Council Meeting held on Tuesday 21 June 2016 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

PT.003/16

Council received a petition on 29 June 2016 containing 50 signatures from residents requesting that Council does not grant a Motorised Toy Vehicle Permit for the use of two-stroke motorbikes at 15 Yarra Braes Road, Eltham.

Motion

That Council:

- 1. Receives the petition.**
- 2. Notes that a Local Law permit for this matter was issued on 27 June 2016, granting permission for this activity to occur until 27 June 2017.**
- 3. Advises the petition organiser accordingly.**

PT.004/16

Council has received a petition containing 120 signatures from residents who have signed the following request:

We the undersigned residents object to Council officer's recommendation to increase the width of the single lane bridge at Diamond Street, Eltham and urge Council to maintain the timber framed single lane bridge including the pedestrian footpath because it:

- Acts as a safety traffic calming device for the local precinct
- Encourages parents to drop off their daughters just outside of the local precinct to safely walk the last 150 metres to school as has been the tradition for CLC attendees
- It reduces traffic and congestion entering local residential precinct and the bottle neck that the CLC entrance is experiencing
- It maintains the aesthetic, historic and architectural neighbourhood character of the area.

Motion

That Council:

- 1. Receives the petition.**
- 2. Notes that, at its meeting of 21 June 2016, Council resolved to rehabilitate the bridge as a single lane bridge and that this will be further discussed under Notices of Motion later in this meeting.**
- 3. Advises the petition organiser of Council's decision.**

9. Questions from the gallery

10. Reports of Advisory Committees

AC.007/16 Advisory Committee Report

Distribution: Public

Manager: Andrew Port, General Manager Corporate Services

Author: Tracey Classon, Personal Assistant to General Manager Corporate Services

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. This month, the following minutes are attached for information:

- Memorial Advisory Committee meeting held 4 March 2016
- Municipal Emergency Management Planning Committee meeting held 23 May 2016
- The Artisan Hills Marketing Committee meeting held 2 June 2016
- Arts Advisory Committee (Acquisition and Strategy) meeting held 4 June 2016
- Living & Learning Nillumbik Advisory Committee meeting held 22 June 2016
- Edendale Advisory Committee meeting held 23 June 2016

Motion

That Council notes the following Advisory Committee minutes:

- 1. Memorial Advisory Committee meeting 4 March 2016**
- 2. Municipal Emergency Management Planning Committee 23 May 2016**
- 3. The Artisan Hills Marketing Committee 2 June 2016**
- 4. Arts Advisory Committee (Acquisition and Strategy) meeting 4 June 2016**
- 5. Living & Learning Nillumbik Advisory Committee meeting 22 June 2016**
- 6. Edendale Advisory Committee meeting 23 June 2016**

Attachments

1. Memorial Advisory Committee minutes 4 March 2016
2. Municipal Emergency Management Planning Committee minutes 23 May 2016
3. The Artisan Hills Marketing Committee minutes 2 June 2016
4. Arts Advisory Committee (Acquisition and Strategy) minutes 4 June 2016
5. Living & Learning Nillumbik Advisory Committee minutes 22 June 2016
6. Edendale Advisory Committee minutes 23 June 2016

11. Reports of Special Committees

Nil

12. Officers' reports**OCM.109/16 The Growing Suburbs Fund 2016-2017****File: 75/20/015****Distribution: Public****Manager: Pauline Gordon, General Manager Community and Leisure****Author: Adrian Cully, Manager Community Participation****Summary**

The State Government announced the Growing Suburbs Fund in the 2016-2017 budget available to Interface Councils. This report discusses the funding objectives and guidelines and recommends suitable candidate projects for this grant program.

Recommendation**That Council:**

- 1. Endorses funding applications and pipeline project applications to the Growing Suburbs Fund for:**
 - a) Edendale Community Environment Farm redevelopment**
 - b) Greensborough Civic Drive Precinct Open Space redevelopment**
 - c) Wattle Glen Pavilion development**
 - d) Kangaroo Ground War Memorial Tower of Remembrance**
 - e) Eltham North Reserve Pavilion upgrade**
 - f) Research Park Pavilion upgrade (Pipeline project)**
 - g) Liveable Nillumbik – Hurstbridge Lot 1 (Pipeline project)**
 - h) Diamond Creek to Hurstbridge Recreational Trail (Pipeline project)**
- 2. Continues to advocate for the Growing Suburbs Fund to become a recurrent State Government program.**

Attachments

Nil

Background

1. Nillumbik along with Cardinia, Casey, Hume, Melton, Mitchell, Mornington Peninsula, Whittlesea, Wyndham and Yarra Ranges Councils make up the Interface group of Councils. The Interface Councils are characterised by large population growth. Interface Councils' research shows the municipalities have absorbed 50 per cent of the state's growth in the past five years. Current forecasts predict that 1.7 million people will reside in interface communities by 2031. The Interface is also responsible for managing 90 per cent of Melbourne's green wedge areas and generally exhibits areas of significant social disadvantage amongst communities living in Interface Councils.

12. Officers' reports

OCM.109/16 The Growing Suburbs Fund 2016-2017

2. Interface Councils are ineligible for most rural and regional funding grants and are not considered part of metropolitan Melbourne.
3. The Interface Councils successfully advocated for the introduction of a Growth Fund to assist with badly needed infrastructure improvements. In the 2015-2016 State Budget, a \$50 million Interface Growth Fund was announced. Nillumbik Shire Council was very successful in obtaining funding through this highly contested funding program.
4. Projects that received funding through the 2015-2016 Interface Growth Fund were:
 - Eltham Leisure Centre Aquatic Redevelopment - \$3.8 million
 - Eltham Community Reception Centre Redevelopment - \$2.55 million
5. The recently announced Victorian Budget 2016-2017 includes a further one year, \$50 million for a community infrastructure program for Interface Councils.
6. The guidelines for the Growing Suburbs Fund 2016-2017 (formerly Interface Growth Fund) have been released. Council has been advised that they will have until 29 July 2017 to submit applications for this contested funding program.

Policy context

7. This report directly supports the achievement of Council Plan 2013-2017 strategy:
 - We will advocate about issues affecting the Nillumbik Shire, supported by informed and clearly articulated policy positions.

Budget implications

8. Council adopted the 2016-2017 budget at its Special Ordinary Meeting on 14 June 2016. The candidate projects identified to be submitted to the Growing Suburbs Fund will not require a change to Council's budget as funding being sought will either:
 - Allow Council to bring forward important projects through the additional external funding; and/or
 - Enable projects to be delivered which could not have been delivered without external funding; and/or
 - Enhance existing projects to meet preferred outcomes through additional external funding.
9. The proposed projects can be accommodated within Council's budget forward estimates by using grant money to bring forward these projects in 2016-2017 with contributions from Council in either 2016-2017 adopted budget, or projected for in the 2017-2018 budget.

Funding objectives

10. The Growing Suburbs Funding objective is to fund infrastructure that improves the liveability, resilience and community and economic development of communities living in the outer suburbs. Grants will be targeted at high priority community infrastructure projects that contribute to:
 - a) Healthier, more resilient and liveable communities

12. Officers' reports

OCM.109/16 The Growing Suburbs Fund 2016-2017

- b) Improved local economies
 - c) Improved capacity for councils to respond to changing community needs and demands.
11. As previously mentioned, the Interface Councils are characterised by high projected population growth. This results in significant infrastructure demands for these growth councils. Nillumbik has advocated strongly to government decision makers for the need to include green wedge Council requirements within an Interface Fund. It is pleasing to see that a category addressing environmental resilience and liveability has now been included within the funding guidelines.

Funding criteria and assessment

12. Successful projects under the Growing Suburbs Funding program will need to demonstrate achievement of a combination of the following project assessment criteria:
- a) Why is the project required? – Projects need to identify the need or gap in infrastructure provision in the community and also demonstrate the breadth and depth of the need or gap. Applications that directly address needs resulting from population growth will be favourably considered.
 - b) Who will benefit and how? – Projects need to identify the expected benefits (social, economic, and/or environmental) that they will deliver. This also includes the breadth and depth of the expected benefits including who will benefit and how.
 - c) What will be delivered? – Projects must demonstrate the relationship of what will be delivered, the identified needs and expected benefits. Also project must demonstrate consistency with climate change, environmentally sustainable design, universal design principles and how the project benefits will be sustained once the infrastructure is delivered.
 - d) How will the project be delivered? – Projects must demonstrate they can be delivered within realistic time-frames, is financially viable and represents value for money.
 - e) The extent of council and community support for the project – projects must be recognised as a strategic council priority and is consistent with key council plans such as Council Plan, Strategic Resource Plan, community plans and policies.
 - f) A council's previous performance in delivering state funded projects will also be taken into account in the assessment.

Funding program timelines

13. Applications for funding must be submitted by 29 July 2016. Funding assessments will be undertaken over the August/October period with funding announcements and funding agreements to be finalised in November 2016. Projects must commence within 12 months of the grant being announced and must be completed within three years from the start of construction.

12. Officers' reports

OCM.109/16 The Growing Suburbs Fund 2016-2017

Nillumbik candidate projects

14. Officers have reviewed Council's major projects and capital works forward plans against the funding criteria. For each application, projects are expected to be well advanced in planning and design so they are shovel ready within the first 12 months of announcement. The short timelines and assessment criterion to be applied in a contested funding program reduces the scope of applications that can be submitted in the 2016-2017 funding round. Three projects will be submitted as partial applications as they do not fully meet assessment criteria due to the timing of construction. They will however be highlighted as pipeline projects for future applications. Following officer assessment, the following candidate projects are proposed:

- Edendale Community Environment Farm redevelopment
- Greensborough Civic Drive Precinct Open Space redevelopment
- Wattle Glen Pavilion development
- Kangaroo Ground War Memorial Tower of Remembrance
- Eltham North Reserve Pavilion upgrade
- Research Park Pavilion upgrade (Pipeline project)
- Liveable Nillumbik – Hurstbridge Lot 1 (Pipeline project)
- Diamond Creek to Hurstbridge Recreational Trail (Pipeline project)

Edendale Community Environment Farm redevelopment

15. This application will be for a range of infrastructure improvements at Edendale Community Environment Farm. The proposed capital works will focus on the construction of a permanent kiosk, nursery point of sale and retail area, provision of additional public toilets and the development of a children's sensory garden. In addition the funding will be used to improve access to the site, upgrade teaching facilities and nursery infrastructure.

Greensborough Civic Drive Precinct Open Space redevelopment

16. Council adopted the Civic Drive Precinct Development – Community Facilities Upgrade Masterplan at the Ordinary Meeting on the 24 May 2016. The masterplan provides an overview of the enhancements and developments which will facilitate improved use and enjoyment by the local community and current user groups at Civic Drive.

Wattle Glen Pavilion development

17. To ensure the facilities meet club needs and sporting association standards the pavilion requires renovation to improve building accessibility, the kitchen and stores and the current toilets along with the provision of new change rooms, bathrooms and storage spaces. The new change facilities will also cater for the increasing number of female members playing soccer at the club and encourage more to participate in the sport.

12. Officers' reports

OCM.109/16 The Growing Suburbs Fund 2016-2017

18. Work also includes upgrading the car park to provide dedicated disabled parking and access to the pavilion and ground from the car park along with landscaping to enhance spectator viewing and access around the ground.

Kangaroo Ground War Memorial Tower of Remembrance

19. Recent works to commemorate the anniversary of the First World War have been undertaken at Kangaroo Ground War Memorial Tower of Remembrance. Further infrastructure works have been identified to enhance the site and make it more attractive as a tourist destination that showcases Kangaroo Grounds local history and heritage.
20. These works include restoring the caretaker's cottage which is in total disrepair, extending the Moor-rul Platform to improve sight lines over Kangaroo Ground through to the city and upgrading the entrance to improve safety and enhance the landscape to reflect the Tower's unique rock wall feature.

Eltham North Reserve Pavilion upgrade

21. Planning has been undertaken with the local sporting clubs and scouts to upgrade the existing pavilion and construct a new pavilion to accommodate demand on the precinct with the growing number of participants in soccer, cricket and scouts. The new pavilion will also offer additional meeting room space for community groups such as U3A.

Research Park Pavilion upgrade (Pipeline project)

22. To ensure the facilities meet club needs and sporting association standards the pavilion requires renovation to improve building accessibility and upgrade to the current toilets along with the provision of new change rooms, bathrooms and storage spaces.

Liveable Nillumbik – Hurstbridge Lot 1 (Pipeline project)

23. This application will focus on funding the required community infrastructure works as a result of the precinct work to be conducted for the publically owned land around Graysharps Road. The Draft precinct plan will be completed in September 2016 and be available for public exhibition/comment in early 2017.
24. The precinct will serve as a key destination for tourism, a connection to the proposed Diamond Creek Trail extension, will provide enhanced active and passive recreation opportunities. The actions from the precinct plan will ensure a sense of place is created in a location dominated by a new housing development and a mix of community facilities and open space that are currently disconnected from each other.

Diamond Creek to Hurstbridge Recreational Trail (Pipeline project)

25. The proposed extension of this trail is to provide a connection from Diamond Creek to Hurstbridge via Wattle Glen. The trail extension is a high priority for Council and is noted in the Nillumbik Trails Strategy 2011. It is also a metropolitan priority and has been included in the Northern Regional Trails Strategy and Parks Victoria's Linking People and Places.

12. Officers' reports

OCM.109/16 The Growing Suburbs Fund 2016-2017

26. There is strong community support and strategic justification for the extension of the Diamond Creek Trail to Hurstbridge. This would 'unlock' access to key components in Council's Trails Strategy and provide economic, social and environmental benefits and will provide a tourism destination for Hurstbridge.

Future funding

27. Interface Councils have worked collectively to demonstrate a significant pipeline of important projects and an ability to deliver the economic, social and environmental benefits sought through the funding guidelines within the tight timeframes proposed. This collaborative approach to delivering projects funded in 2015-2016 within the timeframe and seeking funding for projects in excess of \$100 million, has resulted in extension of the funding program.
28. The announcement of the Growing Suburbs Fund benefits Council in its ability to deliver the major projects plan, which is subject to obtaining external funding, to which many of these projects don't have identified external funding sources at this point in time.

Conclusion

29. This report is seeking Council endorsement for the Nillumbik funding applications for the Growing Suburbs Fund. Officers are undertaking preparatory work and obtaining additional information in order to ensure that these projects can demonstrate that they meet the funding criteria.
30. Officers and Councillors must continue to advocate strongly for this funding program to become recurrent. The Interface group of Councils provides an excellent platform for this advocacy and is supplemented through regular ongoing meetings between Councillors and officers with Members of Parliament and senior bureaucrats.

12. Officers' reports**OCM.110/16 Diamond Creek Community Centre Masterplan**

File: 80/14/013**Distribution: Public****Manager: Pauline Gordon, General Manager Community and Leisure****Author: Rachel Deans, Coordinator Community Development and Inclusion
Adrian Cully, Manager Community Participation****Summary**

Council has committed to preparing a concept level masterplan for Diamond Creek Community Centre to thoroughly explore the redevelopment potential, particularly opportunities to better accommodate integrated community spaces.

There is opportunity to undertake broader strategic planning around community infrastructure and services in Diamond Creek. Diamond Creek is divided by the railway line, main Hurstbridge road and the creek, which provides challenges for access to services and development within the suburb. Council infrastructure provision must be optimised and delivered strategically to address gaps in service provision to ensure the community's needs are met.

Broader strategic planning for Diamond Creek will further inform the Diamond Creek Community Centre Masterplan. Planning projects have commenced and include development of the Early Years Community Infrastructure Project for Nillumbik, sub-regional planning for indoor sports to guide future stadium provision across the Shire and the current Diamond Valley Sport and Fitness Centre masterplan.

Council Officers will seek opportunities to re-engage with the Community to seek further input from stakeholder groups and other potential users to determine the preferred use of a redeveloped model for the Diamond Creek Community Centre.

Recommendation**That Council:**

- 1. Undertakes broader strategic planning around community infrastructure and services for Diamond Creek to further inform development of the concept level masterplan for Diamond Creek Community Centre.**
- 2. Re-engages with the community and seeks further input from stakeholders and other potential users about the preferred use of a redeveloped model for the Diamond Creek Community Centre.**

Attachments

1. Diamond Creek Community Centre Masterplan Existing Floor Plan
2. Diamond Creek Community Centre Masterplan Proposed Floor Plan - Stage 1

12. Officers' reports

OCM.110/16 Diamond Creek Community Centre Masterplan

Background

1. Diamond Creek Community Centre was initially designed and constructed as a community facility suitable for a range of community activities. Original plans include an area for youth activities, community lounge, function and multi-purpose rooms and an indoor sports court.
2. Diamond Creek Community Centre is located on Main Hurstbridge Road. The site is subject to a number of planning provisions including a public acquisition overlay for future road widening works, land subject to inundation overlay due to proximity of the Diamond Creek, and a heritage overlay that applies to the 1899 Diamond Creek cricket reserve, Marngrook Oval. Location of the railway line, road, creek, site topography and prevalence of rock on the site significantly constrain site development opportunities.
3. Use of the building has changed over time and is now predominantly used by community centre members and basketball users. Council currently contracts YMCA Victoria to manage the community centre, with the exception of the Maternal and Child Health service which is operated by Council staff. Attachment 1 includes the existing floor plan for Diamond Creek Community Centre.
4. This proposed project responds to Diamond Creek twenty20 – Major Activity Centre Structure Plan which has two key objectives for the Diamond Creek Community Centre, to:
 - Provide a range of community facilities that serve as a meeting place which can accommodate a range of social, community, health, art and leisure programs and activities in-line with the Municipal Health and Wellbeing Plan
 - Cluster a range of community activities at the Diamond Creek Community Centre as a venue for community and culturally based programs and services
5. Development of the Diamond Creek Community Centre masterplan commenced in 2012 and has involved significant background research, financial modelling, development of a number of concept plan options and consultation.
6. Consultation undertaken within the Diamond Creek township in 2012 identified that there is a desire within the community to expand the breadth of community programs and services to address known service provision gaps within Diamond Creek.
7. The rationale for undertaking the concept masterplan is that:
 - Centre infrastructure is ageing, and the design and layout is not sufficiently functional to accommodate contemporary needs.
 - Space available for the existing gym/fitness operation is inadequate and does not meet contemporary standards. This has resulted in health and fitness activities being undertaken throughout the centre including the indoor court and function space.
 - Living & Learning Nillumbik, Diamond Creek are located in a building with poor accessibility, away from the centre of the township. There are opportunities to relocate this community training, learning and outreach service to a more central and accessible position.

12. Officers' reports

OCM.110/16 Diamond Creek Community Centre Masterplan

- There is no permanent library to service 22,000 residents in the northern part of the Shire.
- Marngrook Oval has no change rooms to support sport activity. Initial consultation identified that resolving the lack of change rooms is a key community priority.
- There is opportunity to better integrate the Maternal and Child Health service with other community activities in the Centre

Vision and initial concept design

8. The Diamond Creek Community Centre Reference Group, chaired by Cr Peter Perkins, was established in 2012. This group includes representatives from key community service providers and community groups and has provided community input, local knowledge and advice to Council throughout the project.
9. The initial community consultation process was completed in November and December 2012 and included nearly 100 contacts with community members and representatives of community groups. The intent of this consultation was to inform the community about the project and explore a long term vision for the Diamond Creek Community Centre.

Masterplan development response

10. An initial draft concept masterplan was developed during 2013 to respond to priority project outcomes identified by participants through the community consultation. This initial concept plan was for a two staged development to assist with service transition and the timing of project funding availability.
11. Feedback on the initial two staged concept sought more information about the size of community spaces, traffic flow, car parking and child care.
12. In 2013, a consultant was engaged to review car parking and traffic flow within the precinct. This included assessing use of the site during peak periods and on weekends and considering future growth in use of the precinct. The review determined that there is adequate existing car parking within the precinct to accommodate proposed changes within the community centre.
13. A revised two stage concept plan that responded to initial feedback was developed. Supporting operational financial modelling was also commissioned. This visionary concept responds well to community priorities however, was considered to be cost prohibitive.
14. Concept development was refocussed to refurbishing much of the existing Diamond Creek Community Centre building to minimise capital cost, whilst allowing for design and construction of a library as a second stage.

Draft Diamond Creek Community Centre Masterplan 2014

Community consultation 2015

15. At the February 2015 Policy and Services Committee Meeting, Council approved for public exhibition the draft concept masterplan for a period of three months. The recommendation included presentation of a report detailing public submissions to a Policy and Services Committee meeting.

12. Officers' reports

OCM.110/16 Diamond Creek Community Centre Masterplan

16. The concept masterplan exhibited in 2015 was based on using much of the existing footprint in an attempt to minimise cost. The concept included: change rooms to support activity on Marngrook Oval, a small crèche for occasional/sessional care, Maternal and Child Health rooms, a community gym, training rooms for Living & Learning Nillumbik, kitchen, community living room and a small amount of landscaping.
17. A significant amount of community consultation was undertaken during the public exhibition period. This included a community breakfast outside the Diamond Creek Community Centre which was attended by approximately 230 people.
18. Sixty-five submissions were received online, via email, letters, and feedback slips at the community breakfast. Submissions included letters from U3A, Friends of Nillumbik, Diamond Creek Basketball Club and Diamond Creek Junior Football Club.
19. At that time it was identified that there was strong community support for broadening services and programs delivered from the Centre to provide for a wider cross-section of the community.
20. Since project inception, use of the indoor court by basketball has significantly increased. This has occurred despite development of the three-court Community Bank Stadium in Diamond Creek which was developed in response to the community's growing need for additional sports courts across the Shire. The indoor court and function spaces within the community centre are also programmed by the YMCA for group exercise classes.
21. Through community consultation, strong themes emerged regarding existing use of the Community Centre for basketball and group fitness. Generally, basketball players, families and the Diamond Valley Basketball Association are not supportive of the concept masterplan as it results in loss of an indoor sports court which impacts on availability of training and junior match space. Loss of the indoor court is also opposed by many existing Diamond Creek Community Centre members who view it as a loss of available group fitness program space.
22. Existing Diamond Creek Community Centre members are not supportive of the concept masterplan as the facility management group uses the stadium and function spaces for group fitness classes. The concept masterplan does not include continued use of these large areas.

2015 Masterplan development response

23. Key themes raised through the 2015 public consultation process were carefully considered and where possible addressed within the revised concept masterplan. Changes incorporated into the concept masterplan include:
 - Reduction and reconfiguration of the toilets and change facilities
 - Addition of a toilet on the second floor of the centre
 - Increasing the number of gym program rooms suitable for group fitness
 - Changing the layout of the Maternal and Child Health Centre and sessional crèche to improve crèche access and functionality of the Maternal and Child Health activity space

12. Officers' reports

OCM.110/16 Diamond Creek Community Centre Masterplan

- Reconsidering oval connectivity between Marngrook Oval changerooms, and providing flexibility around canteen and storage
 - A small amount of landscaping that will improve connections between the mobile library service and the building
24. The concept, as it now stands, would provide in Stage 1- a refurbished community gym, crèche and Maternal Child Health, new Living & Learning spaces, sports change facilities, and a community lounge/reading space (Attachment 2).
25. The concept masterplan incorporates a small amount of landscaping that will assist with connecting the mobile library to the centre, as well as providing an aesthetic improvement to the existing centre.

Revised Diamond Creek Community Centre Masterplan 2015

Public Exhibition 2016

26. The revised masterplan was endorsed by the Diamond Creek Community Centre Reference Group in December 2015. The Plan was re-exhibited and all community members and groups who made submissions in 2015 were updated about the project and informed that it would go to a Policy and Services Committee meeting on 8 March 2016.
27. Officers and Councillors received written submissions and had many conversations with interested community members, both in support and in opposition to the masterplan.
28. Ten people addressed the Policy and Services Committee regarding the Masterplan on the 8 March 2016. Nine of the speakers opposed the Masterplan. The substantive motion from the Policy and Service meeting included providing a further progress report to the Ordinary Meeting of Council in July 2016.

Policy context

29. This report directly supports the achievement of Council Plan 2013-2017 strategy:
- We will plan and deliver accessible community services that enhance health and wellbeing across all life stages.

Budget implications

30. In 2012-2013, Council signed a funding agreement with Department of Transport, Planning and Local Infrastructure who have contributed \$30,000 towards the Diamond Creek Community Centre Masterplan project.
31. There is \$4.4 million identified for stage one of redevelopment of the Diamond Creek Community Centre within Council's Major Projects Plan. Funding has been allocated over two years: 2018-2019 and 2019-2020.
32. It is anticipated that State Government funding will be sought for this project.

12. Officers' reports

OCM.110/16 Diamond Creek Community Centre Masterplan

Issues/options

33. The overall objective of the current management and operations contract is to provide for leisure and recreation opportunities that support and encourage community health and wellbeing, community connectedness and enjoyment of life. The centre's management seeks to deliver a balance of sport, leisure, recreational, social or life-style-based activities to ensure the greatest appeal to the community.
34. The majority of Centre patrons are Diamond Creek Community Centre members, Diamond Valley Basketball Association members, and parents visiting the Maternal and Child Health Service.
35. Nillumbik's provision of indoors sports courts serves a sub-regional catchment, exacerbated by the lack of indoor sports court provision in neighbouring councils, particularly Banyule where only seven courts are available for 120,000 residents.
36. Nillumbik Shire Council has commenced a sub-regional planning study on indoor sports court provision and needs in collaboration with Darebin City Council and Banyule City Council. Planning will consider demands on and required future provision of indoors sports courts across the sub-region to respond to the wider community's need for a broad range of indoor-based sport, recreation and leisure opportunities. Investigations will take into consideration Latrobe University's proposal for a new 4-court stadium (long-term, 8-courts) at the Bundoora campus, in neighbouring Banyule.
37. A masterplan for Diamond Valley Sports and Fitness Centre will be undertaken in 2016-2017. This study will be informed by the sub-regional indoor court provision across the catchment which includes Diamond Creek.
38. Shire-wide strategic community infrastructure and services planning has begun. Some of this work has commenced with development of the Early Years Community Infrastructure Project and the open space planning.
39. Recent conversations with State Government have identified that Diamond Creek Community Centre is considered to be a priority project that is suitable for external funding. The concept is considered to be innovative and forward thinking.

Conclusion

40. The resolution from the Policy and Services Committee Meeting on 8 March 2016 identifies that a further progress report be provided to the Ordinary Meeting of Council in July 2016. Given the need to complete further strategic work around community infrastructure planning, there is a need to delay endorsement of the concept masterplan until it can be reviewed in the broader context of the region as well as the Diamond Creek community.
41. Council Officers will discuss opportunities to re-engage with the Community to seek further input from stakeholder groups and other potential users to determine the preferred use of a redeveloped model for the Diamond Creek Community Centre.

12. Officers' reports**OCM.111/16 Nillumbik Economic Development Strategy Implementation Update**

File: 15/70/012**Distribution:** Public**Manager:** Chad Griffiths, Manager Strategic and Economic Planning**Author:** Darko Popovski, Coordinator Tourism and Business**Summary**

Council's Economic Development Strategy 2011-2016 (Strategy) was adopted in December 2010 to guide Council's work on economic development. It identified objectives compatible with the Council Plan and other strategies, and formed the basis for the delivery of an implementation program comprised of specific actions grouped by five key themes.

The Strategy actions outlined in this report directly support the achievement of the following goal within Council Plan 2013-2017 'to develop a prosperous local economy through partnerships with local businesses, governments and the community consistent with our Green Wedge values'.

Economic development is just one facet of Council's overall program to deliver its vision for Nillumbik as defined within Council Plan and other documents. But a strategic, well-coordinated approach to local economic development involves a wide range of Council services and projects, across a number of Council's departments and units.

Ongoing engagement with the local business community is provided by the Nillumbik Economic Development Advisory Committee (NEDAC). The committee has been instrumental in identifying actions and priorities for the implementation of the Strategy over the past five years.

One of the major projects undertaken by the Economic Development and Tourism team over the past two years is The Artisan Hills brand and strategy development.

Yearly action plans and reports have previously been endorsed by both Council and the Nillumbik Economic Development Advisory Committee. Over the five-year implementation period, 50 actions out of 54 have been delivered or are ongoing. All 12 actions highlighted as Priority Actions in the Economic Development Strategy 2011-2016, have been completed, see Attachment 1.

This report provides an overview of Council's diverse role in economic development across multiple areas; provides an update on actions undertaken to implement the Action Plan and; suggested actions to review the implementation and develop a new Economic Activity Plan for the next cycle 2017-2021.

Recommendation**That Council:**

- 1. Notes the five-year implementation plan outcomes and achievements as discussed in this report.**
- 2. Endorses the process for the review of the previous strategy and the commencement of the development of the new Economic Activity Plan for 2017-2021 cycle.**

12. Officers' reports

OCM.111/16 Nillumbik Economic Development Strategy Implementation Update

Attachments

1. Economic Development Strategy Implementation Overview 21 June 2016

Background

1. Whilst many Nillumbik residents enjoy good levels of prosperity, the local economy has a number of challenges that require further attention if the municipality is to be sustainable and prosperous into the future. Many of the challenges highlighted in the current strategy remain, including:
 - Lack of adequate public transport options
 - High levels of car dependency and commuting times
 - Significant retail expenditure leakage
 - Lack of local jobs opportunities
 - A rapidly ageing population
2. Council has a direct influence on economic development through the decisions it makes on investment and development approvals. It is also the largest employer in the Shire and across its whole range of programs is a significant investor in the municipality. Furthermore, through its information systems, business support programs and advocacy, Council has the opportunity to positively influence outcomes by supporting local initiatives and advocacy to higher levels of Government.
3. It is therefore important for Council to ensure that its decisions are consistent and lead to desired outcomes overall. As previously reported, Council's most important roles in economic development are as follows:
 - Leadership and strategic planning
 - Attracting and retaining investment
 - Improving the asset base
 - Developing human capital
 - Provision of community resources
4. To better define the nature of economic development within Nillumbik and to guide Council's actions in this area, in December 2010 Council adopted the Nillumbik Economic Development Strategy 2011-2016.
5. The Strategy identifies objectives which are compatible with Council's goals as identified in the Council Plan and other strategies, and forms the basis for the delivery of an implementation program comprised of a number of specific actions under each of the key themes as outlined in the Strategy. The Strategy is organised into the following five inter-linked themes:
 - Activity Centres: revitalise our commercial heart - maximise retail spending and reduce leakage, increase jobs and improve living opportunities in Nillumbik's Activity Centres.

12. Officers' reports

OCM.111/16 Nillumbik Economic Development Strategy Implementation Update

- Tourism: nature, culture, food and wine - develop attractions and improve visitor infrastructure, cross promotion and networks.
- Arts and Culture: celebrate our creative heritage - capitalise on the creative heritage of our Shire and position it as a continuing centre for the arts.
- Rural/Green Wedge Economy: make the most of our green wedge environment - create opportunities for sustainable agriculture and improved bushland management.
- Business Development: focus on success and growing the base - assist business formation, longevity and networks.

Policy context

6. This report directly supports the achievement of Council Plan 2013-2017 strategies:
- We will plan for economic development that is consistent with the Nillumbik Planning Scheme and supports Council's objectives.
 - We will partner with local businesses and groups to promote Nillumbik as a unique destination for nature, recreation, culture, food and wine.
 - We will support productive land use and sustainable agriculture.
 - We will encourage business investment that enhances and benefits our activity centres and townships.
 - We will foster home-based businesses in Nillumbik.
 - We will maintain regional partnerships that enhance opportunities for our local businesses.

Budget implications

7. Actions identified in the Strategy are funded from the operating budget of the Strategic and Economic Planning Unit, and/ or from funds provided by Council for specific projects via budget new initiatives.
8. Council's Economic Development team consists of 1.5 effective full time staff members. The size of the team is modest by local government standards.
9. Also, Council allocated funds towards the development of The Artisan Hills strategy, marketing plan, brand development and funding for a part-time Business Development and Tourism officer.
10. As outlined in Attachment 1, over \$250,000 in State and Federal Government grants has also been received over the five-year period for various programs and initiatives.

Consultation/communication

11. The development of the Economic Development Strategy involved broad consultation with all local business and wider community stakeholders, regional partners and State Government departments.

12. Officers' reports

OCM.111/16 Nillumbik Economic Development Strategy Implementation Update

12. Ongoing input was also provided by a Council appointed Economic Development Advisory Committee that was instrumental in identifying actions and priorities for the yearly implementation plans, including regular feedback from local businesses and trader associations.

Issues/options

13. Council policies seek to enhance the wellbeing of our community by encouraging the development of a vibrant and sustainable local economy. This is to be achieved by a focus on the five key areas as outlined in the Economic Development Strategy: investment in activity centres; growing and supporting local businesses; promoting tourism; celebrating our artistic heritage and; supporting sustainable development in the Green Wedge.
14. Specifically, this is achieved by the following programs and services:
- Supporting local business associations and networks, including establishment and administration of special rates/ charges schemes.
 - Producing the quarterly Pure Business newsletter.
 - Establishing and maintaining the Enterprise Nillumbik business portal www.enterprisenillumbik.com.au
 - Directly funding the Nillumbik Tourism Association (NTA), Nillumbik Business Network (NBN) and managing the Hurstbridge Farmers' Market.
 - Liaising and networking with local business operators and peak bodies, and facilitating the Nillumbik Economic Development Advisory Committee.
 - Offering business mentoring and business training, workshops & seminars and the business breakfast series.
 - Advocating to both, state and federal governments, on economic development issues.
 - Undertaking projects, studies and developing strategies to evaluate local economic conditions.
 - Introducing policies - such as amending the Nillumbik Planning Scheme and the Economic Development Strategy to guide Council decision making.
15. Each of the actions in the Action Plan has its own performance indicators. Some more general indicators that can be used to assess how the Nillumbik economy is performing include:
- The output generated by the Nillumbik economy is estimated at \$2.97 billion. The main industries by output are: Construction; Rental, Hiring and Real Estate Services; Professional, Scientific and Technical Services, Manufacturing and Education and Training.
 - The main employment industries are: Education and Training; Construction; Retail Trade and the Health Care sector.
 - Of the 15,089 people working in Nillumbik it is estimated that over 500 jobs are supported by tourism.

12. Officers' reports

OCM.111/16 Nillumbik Economic Development Strategy Implementation Update

- There is significant increase in building approvals.
 - The Business Counts have been steady over last 12 months.
 - The Unemployment rate slightly increased over last 12 months.
 - Managers, Professionals and Technicians represent almost 50 per cent of workers in Nillumbik which is one of the highest in the State.
 - For 63 per cent of workers, the method of travel to work remains car as a driver.
16. Ongoing engagement with the local business community is provided by the Nillumbik Economic Development Advisory Committee (NEDAC). The committee has been instrumental in identifying actions and priorities for the implementation of the Strategy over the past five years.
17. One of the major projects undertaken by the Economic Development and Tourism team over the past two years is The Artisan Hills brand and strategy development.
18. The Strategy contains 54 actions, associated with each of the above themes. Yearly Action Plans were developed and endorsed by Council and the Nillumbik Economic Development Advisory Committee:
- Over the five-year implementation period, 50 of the 54 of the actions have either been delivered or are ongoing, see Attachment 1.
 - All 12 actions highlighted as Priority Actions in the Economic Development Strategy 2011-2016, have been completed.
 - Four actions were not able to be completed within available resources.
19. Some of the outcomes relating to Activity Centres over the past five years include:
- Finalisation of Amendments C51 and C53 which seek to expand opportunities for investment in Eltham and Diamond Creek, and implement the majority of actions within the Major Activity Centre Structure Plans.
 - Preparation of the St Andrews Township Plan which investigated demand for development within the town, and the Yarrambat Township Plan development, which examine the future potential for economic development within this area.
 - Commencement of the second stage of the Eltham Precincts 3 and 4 project, which seeks to encourage increased opportunities for local employment and investment in this under-utilised area of the Major Activity Centre.
 - Council finalised the redevelopment of the Eltham Town Square, which included additional restaurant, public toilet, public art and additional opportunities for outdoor seating and recreation.
 - Commenced a number of amendments aimed to increase the opportunities for investment in the Bridge Street Business Area, which was informed by investigations into local economic conditions, car parking and access and built form.
 - Successful renewal of the Special Rates and Charges for Eltham Town, Diamond Creek and Hurstbridge Village in 2011-2012 five-year cycle. Eltham Town and Hurstbridge Village Special Rate/Charge 2016 renewals in progress.

12. Officers' reports

OCM.111/16 Nillumbik Economic Development Strategy Implementation Update

20. Some of the outcomes relating to Tourism over the past five years include:
- The 'Brand Nillumbik' project was completed with the development of the Marketing Strategy and the Destination Management Plan to better define visitation in the region with the support of local industry and stakeholders. The new brand was developed, 'The Artisan Hills', and successfully launched in early 2016. The Artisan Hills implementation plan progress will be reported to Council separately.
 - Restructured financial arrangement with the Nillumbik Tourism Association, now part of The Artisan Hills implementation program, including continued financial support (grant) for the Open Cellars and Open Studios programs.
 - Business Development and Tourism position funded, the part-time officer was appointed in December 2012.
21. Some of the outcomes relating to Arts and Culture over the past five years include:
- Continued support and funding for the Artist Open Studios and Open Cellars programs.
 - Funding for the mud-brick housing tour.
 - Continuing support for local festivals, including the Eltham Jazz Festival, Craft markets, artist in residency programs, Council art collection, Nillumbik Art Prizes.
22. Some of the outcomes relating to Rural/ Green Wedge Economy over the past five years include:
- Leading the expansion and growth of the Hurstbridge Farmers Market with improved awareness, performance and patronage.
 - Continued support for the agribusiness networks.
 - Ongoing pursuit of the economic development actions within the Green Wedge Management Plan, including advocacy for state planning reform to allow the establishment of appropriate tourism activities in association with agricultural activities, already reported to Council.
23. Some of the outcomes relating to Business Development over the past five years include:
- Completion of the State Government funded Bushfire Business Recovery Program (including the establishment of the new Nillumbik Rural Business Network, the buy local campaign in the bushfire affected areas and rural business website).
 - Continued delivery of various business development programs under the Enterprise Nillumbik initiative, including seminars and workshops, business expos, mentoring service, business breakfasts and group programs.
 - Publication of the 'Pure Business' newsletter, books such as the Green Produce Guide and the Hurstbridge Farmers Market Cookbook, mobile app, promotional and investment attraction pack and online marketing.

12. Officers' reports

OCM.111/16 Nillumbik Economic Development Strategy Implementation Update

- Convened the Nillumbik Economic Development Advisory Committee.
- Conducted an audit and analysis of industrial land across the Shire which explored opportunities for expansion.
- Continued support for the Nillumbik Small Business Network including rebranding, network restructuring and joint events such as regular networking opportunities, workshops and small business expo during the Small Business Festival.
- Council commissioned a feasibility study into the establishment of a Business incubator within Nillumbik, with a particular focus on the Melbourne Polytechnic Greensborough site. It appears that this advocacy has been successful, and an announcement and more detail about the incubator are expected soon.

Enterprise Nillumbik

24. Over last few years, Enterprise Nillumbik has established itself as a main vehicle in the delivery of business support programs. Enterprise Nillumbik is a dedicated Council service to support local businesses. It's a unique mix of services and programs to assist business owners and managers to improve and grow their businesses into stronger and more sustainable enterprises; encourage and assist new business start-ups; and foster innovation locally. The program includes:

- Support for business organisations in the Shire, including traders associations, Nillumbik Tourism Association and the Nillumbik Business Network.
- Support to businesses and individuals seeking to invest in the municipality, including promoting Nillumbik as a preferred place to do business.
- Continued support for home-based businesses to establish in Nillumbik by promoting such businesses.
- Establishment of the one-stop-shop business portal to provide timely information on business issues, including contacts and opportunities locally.
- Delivery of special projects and external funding, received over \$250,000 over five-year period.

25. Enterprise Nillumbik business services and programs include:

- A one-stop-shop for information and advice, providing local businesses with easy access to information, referrals, mentoring and assistance.
- An industry wide business development program delivered in partnership with key local stakeholders and providing more opportunities for local businesses to participate in improvement programs and networking.
- Assists local businesses (and Council) with strategic support and policy development, research and analysis, business tools, special projects and marketing activities.
- Broadband business needs assessment and the NBN roll-out.
- Online green business community and resources, including marketing support to local stakeholders and Council.

12. Officers' reports

OCM.111/16 Nillumbik Economic Development Strategy Implementation Update

26. The Strategic and Economic Planning unit has an important role in advocacy and linkages with the main regional and State Government stakeholders. Officers participate and are actively involved in many regional groups and initiatives such as:
- Northern Region RDA/RDV and NorthLink.
 - Northern Alliance for Greenhouse Action (NAGA).
 - Destination Melbourne and Visit Victoria.
 - Economic Development Australia.
 - State Government Economic Development Department/Business Victoria.
 - Inter-council collaboration and MAV.

Review of the Economic Development Strategy

27. Having reached the end of the five-year implementation period for the current Economic Development Strategy, Council has commenced a process to review the implementation of the strategy, undertake research into economic activity across the Shire, and prepare a new four year economic activity plan.
28. Council has engaged the firm Urban Enterprise to undertake research and consultation to inform the development of an issues and options paper, which will provide the basis for a broader discussion. This will be undertaken over the next three months and involve the following:
- Review of the previous strategy to identify the elements that have been delivered and areas where the past strategy could be improved.
 - Review of existing strategic and policy documents.
 - Compilation of existing data from past economic analysis to support the review.
 - Industry survey using Urban Enterprises Monitor Industry Tracking program.
 - Consultation including Council staff workshop, Councillor workshop and individual discussions with industry leaders.
 - Preparation of a discussion paper which identifies the focus for economic development for the 2017-2021 period including objectives and economic development framework.
29. Following elections in late 2016, the new Council will be asked to consider the issues and options paper, the results from consultation and then adopt a new four year Economic Activity Plan early in 2017, which will ensure that the planning and delivery cycle for economic development aligns with the term of Council and the setting of a new Council Plan.

Conclusion

30. As highlighted in this report, excellent progress with the implementation of the Strategy has been made with 50 of the actions have either been delivered or are ongoing. All 12 actions marked as Priority Actions in the Economic Development Strategy 2011-2016, have been completed.

12. Officers' reports

OCM.111/16 Nillumbik Economic Development Strategy Implementation Update

31. Therefore, it is recommended that Council note the five-year implementation plan outcomes and achievements as discussed in this report; and that Council endorse the process for the review of the previous strategy and the commencement of the development of the new Economic Activity Plan for 2017-2021 cycle.

12. Officers' reports

OCM.112/16 Amendment C101 - survey of affected landowners

Distribution: Public

Manager: Andrew Port, General Manager Corporate Services

Author: Allison Watt, Manager Governance and Communications

Summary

At the Ordinary Council Meeting on Tuesday 24 May Council resolved to initiate an online survey of landowners directly impacted by the C101 and C81 amendments to the Nillumbik Planning Scheme.

After consultation with market research companies, Council officers have obtained quotations along with advice regarding the content and format of the survey. It is now proposed that a number of additional survey questions are included which are designed to:

- Gather information from affected landowners that would assist Council in understanding the views of these landowners about their engagement with Council in relation to this amendment, with a view to improving Council's future engagement practices, particularly in relation to complex and controversial issues.
- Understand the views of the affected landowners in relation to the broader issue of environmentally conscientious and responsible landownership. These questions are designed to help Council clearly understand the community's views and to assist in future policy development, and to assist Council in better engaging with the community on these issues.

It is also proposed that the survey be undertaken as a hard-copy survey directly mailed to all affected landowners to provide an equal opportunity to participate in the survey.

The additional survey questions, advice, methodology and costs are detailed in this report for Council consideration.

Recommendation

That Council:

- 1. Agrees to proceed with a survey of landowners affected by Amendment C101 asking the questions detailed in Attachment 1.**
- 2. Agrees to conduct the survey in hard copy directly mailed to all affected landowners.**
- 3. Reports the results of the survey to a future Council Meeting.**
- 4. Approves the unbudgeted cost of \$15,000 and refers this to the Mid-Year Financial Review.**

Attachments

1. Amendment C101 Draft Survey Questions

12. Officers' reports

OCM.112/16 Amendment C101 - survey of affected landowners

Background

1. At the Ordinary Council Meeting on Tuesday 24 May Council resolved the following:

That:

Council initiates an online survey of landowners directly impacted by C101 and C81 with simple yes or no answers to the following questions:

- a) Do you feel that there has been appropriate Council engagement in relation to proposed C101 and C81?
- b) Are you satisfied with the accuracy of information you have been provided by Council on this matter?
- c) Are you satisfied with the timing of communications that have been sent to you on this matter?
- d) Are you satisfied that Council has responded adequately and appropriately to submitters?
- e) Do you feel that you and your family's interests are being properly listened to and represented by Councillors?
- f) Ordinarily, do you consider yourself to be an environmentally conscientious and responsible landowner who cares for the land and environment?
- g) Do you believe that C101 and C81 will better encourage you as a landowner to improve and enhance environmental attributes of your property?
- h) Do you believe that Council is performing its duty to procedural fairness and natural justice adequately and properly?

The survey requires landholders directly impacted by C101 to state verifiable property and personal details as shown on their latest rates notice and only one response will be allowed for each property.

For clarity, owners of land within the various urban growth boundaries (UGBs) of Nillumbik Shire Council, such as those not materially impacted by the imposition of C81 and C101, shall not be included in the survey.

The survey be conducted and the results validated by an independent and well regarded company specialising in the field.

The survey be active for a period of seven days and the results reported back to Council as soon as is practicable.

2. Council officers have sought quotes and advice from market research companies about the survey questions and methodology so Council can gain useful information from affected residents about Amendment C101 and the consultation process, so similar future processes can be improved.

Policy context

3. This report directly supports the achievement of Council Plan 2013-2017 strategy:

- We will involve the community in our decision-making through public participation and representation and we will keep them informed through frequent and effective communication.

12. Officers' reports

OCM.112/16 Amendment C101 - survey of affected landowners

Budget implications

4. The cost of conducting the proposed survey is about \$15,000 and is not a budgeted item in Council's 2016-2017 budget. The survey cost needs to include postage and printing costs. Even if the survey is conducted online, Council will need to write to affected landowners to inform them of the survey and provide details of how to log on and complete it.
5. Quotes were sought from three market research companies with experience in conducting community surveys for local government. One company declined to quote.
6. Written quotes were received from two companies. One provided costs for conducting an online survey and one provided costs for conducting both an online and hard-copy postal survey.
7. Once postage and printing is factored in, the costs involved in conducting the survey solely online is comparable to the costs of conducting a hard-copy survey which is directly mailed.
8. As detailed later in this report, there are advantages in conducting the survey as a hard-copy rather than online, particularly in making the survey accessible and providing all affected landowners with an equal opportunity to take part.

Consultation/communication

9. This report is responding to a Council resolution and did not require community consultation.

Issues/options

10. An internal project group was convened to implement the survey following the Council resolution of 24 May.
11. After consultation with market research companies, it is proposed to include a number of additional survey questions which are designed to:
 - Gather information from affected landowners that would assist Council in understanding the views of these landowners about their engagement with Council in relation to this amendment, with a view to improving Council's future engagement practices, particularly in relation to complex and controversial issues.
 - Understand the views of the affected landowners in relation to the broader issue of environmentally conscientious and responsible landownership. These questions are clearly designed to help Council understand the community's views and to assist in future policy development, and to assist Council in better engaging with the community on these issues.
12. Given that Amendment C81 has already been adopted by Council and that there is some confusion among landowners about the differences between Amendments C101 and C81, it is proposed that the survey focus only on Amendment C101 as affected landowners are still able to take part in this process.

12. Officers' reports

OCM.112/16 Amendment C101 - survey of affected landowners

13. Officers sought professional advice about these additional questions and the best methodology to use for the survey. This included advice regarding consistency of the survey format and content with relevant professional standards (as issued by the Australian Market and Social Research Society). While it is possible to conduct the survey online in the proposed format, there are some limitations.
14. It is highly likely that not all affected landowners will either have access to the internet, or feel comfortable with completing an online survey. By denying these residents an alternative method of participating, these residents are effectively denied the opportunity to have their voices heard.
15. An online survey will require respondents to enter a code or other information that identifies them to Council and it will be difficult to assure respondents that their answers to the questions are confidential. Given the controversial nature of the survey and the issues around amendment C101, this should be seen as a significant limiting factor about the appropriateness of the online survey methodology in this circumstance.
16. The simplest method of ensuring that each affected property is provided an equal opportunity to participate in the research confidentially is to conduct the research via a mail-out /reply-paid survey.
17. Council would write to each affected property owner with an invitation to complete the survey and to place it in an enclosed reply-paid envelope and mail it back to Council free of charge. This methodology will ensure that:
 - a) Only Council provided survey forms are included in the research (as they will need to be the proper printed version of the survey form, and have to be returned in the formal Council envelope provided by Council).
 - b) That all affected property owners have an equal opportunity to participate, as each is provided a single hard-copy of the survey form, and they do not need access to or the ability to engage with the internet.
 - c) Allows for the respondents to be assured that their survey form is confidential, as the survey form is not numbered and they do not need to identify themselves when completing the survey. This aspect will be critical to the success of this project, given the controversial nature of the issues involved.

Conclusion

18. The draft survey in Attachment 1 maintains the original intent of the Council resolution to understand the views of affected landowners both about Amendment C101, as well as the quality of Council's engagement with affected landowners in relation to the amendment.

12. Officers' reports

OCM.113/16 Refugee Welcome Zone

File: 50/10/023

Distribution: Public

Manager: Pauline Gordon, General Manager Community and Leisure

Author: Gabrielle Castellan, Coordinator Social Development and Service Planning

Corrienne Nichols, Acting Manager Community Services and Social Development

Summary

A Refugee Welcome Zone is a Local Government Area which has made a commitment to welcoming and supporting refugees into the community and publically declares the contribution refugees have made to Australian society.

In Victoria 43 Local Government Areas are declared Refugee Welcome Zones, an increase of 33 percent since 2014.

In the Northern Region of metropolitan Melbourne, all councils have signed the public declaration except for the Shire of Nillumbik.

It is timely for the Shire of Nillumbik to demonstrate its commitment to create an inclusive, cultural and religiously diverse community by signing a public declaration to acknowledge and welcome refugees (Attachment 1).

Recommendations

That Council:

1. **Acknowledges the opportunity to commit to welcoming and supporting refugees in the Shire of Nillumbik.**
2. **Approves the Refugee Welcome Zone Declaration for signature by the Mayor at the Nillumbik Citizenship Ceremony on Thursday 28 July 2016.**

Attachments

1. Refugee Welcome Zone Declaration

Background

1. Nillumbik Council can influence and lead positive community values that align with our rights and obligations under relevant legislation including:
 - *Local Government Act 1989*
 - *Public Health and Wellbeing Act 2008*
 - *Racial and Religious Tolerance Act 2001*
 - *Equal Opportunity Act 2010*
 - *Charter of Human Rights and Responsibilities Act 2006*
 - *United Nations Universal Declaration of Human Rights 1948.*

12. Officers' reports

OCM.113/16 Refugee Welcome Zone

2. In understanding and accepting this context, Council can be proactive in emphasising the importance of social cohesion, inclusion and acceptance at a local level.
3. The Nillumbik Council Plan 2013-2017 and Nillumbik Health and Wellbeing Plan 2013-2017 provide the policy platform on which Council demonstrates its principles, values and behaviours to enhance community connectedness, resilience and wellbeing for all population groups in the municipality.
4. The Refugee Welcome Zone declaration provides the municipality with a symbolic gesture of that celebrates diversity and inclusion of all residents regardless of their ethnicity and faith.

Policy context

5. This report directly supports the achievement of Council Plan 2013-2017 strategies:
 - We will create opportunities and places for all individuals, regardless of age or ability, to volunteer and participate in community life and enjoy the Green Wedge Shire;
 - We will plan and deliver accessible community services that enhance health and wellbeing across all life stages;
 - We will partner with health and community sector agencies to ensure residents have access to services they need;
6. Council is required to protect and promote health and wellbeing under the *Victorian Public Health and Wellbeing Act 2008*.

Budget implications

7. The 2016-2017 Health and Wellbeing Plan New Initiative allows for limited attention to this policy area, and if a greater focus on this area is required over an extended timeframe, consideration of additional budget allocation to allow for more project officer support in this matter would be required.

Consultation/communication

8. Council officers have consulted with the Refugee Council of Australia regarding the process for signing the Refugee Welcome Zone Declaration in preparation of this report.
9. Following Council agreement to sign the Refugee Welcome Zone Declaration, it is intended to exhibit the declaration in Civic Drive foyer. It is also intended to publically acknowledge and conduct a special signing ceremony of Council's commitment at the Citizenship Ceremony planned for Thursday 28 July 2016.
10. A statement to this effect will also be placed on Council's website and social media.

12. Officers' reports

OCM.113/16 Refugee Welcome Zone

Definition of refugee

11. For the purposes of clarifying the public's understanding of the definition of a refugee, the United Nations Refugee Convention defines a refugee as a 'person who owing to a well-founded fear of being prosecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of their nationality and is unable or, who, not having a nationality and being outside the country of their former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.'
12. In the community the term refugee is 'someone who has been granted the right to seek protection in a country other than their own for fear of persecution if they return home' (City of Whittlesea 2016).

Process for signing the declaration

13. The process for becoming a Refugee Welcome Zone is straightforward.
14. It involves Council signing the Refugee Welcome Zone Declaration, which is a commitment to welcoming refugees into the community, upholding the human rights of refugees and demonstrates a symbolic gesture of compassion for refugees.
15. Signing the Declaration is a public commitment to promote harmony, social cohesion and respect for human rights in the local community. It demonstrates support for refugees and enables communities to take a stand against racism and discrimination.
16. Importantly it can motivate Local Government and local organisations and support groups to work together more effectively so as to improve settlement outcomes for refugees.
17. The Refugee Welcome Zone Declaration does not confer any formal obligations and Refugee Welcome Zones are not required to uphold any statutory responsibilities or financial commitments.
18. The signing of the Declaration is a way of demonstrating broad support for the principles it contains. Any actions or activities undertaken by Refugee Welcome Zones to implement the Declaration are voluntary.
19. Some of the actions Council could undertake to welcome refugees in the community include:
 - Signing the Refugee Welcome Zone declaration at a signing ceremony
 - Develop a Cultural Diversity and Inclusion Policy relating to refugees and asylum seekers or review existing policies
 - Offer funding for community-based projects which support the settlement of refugees
 - Hold community picnics and gatherings to encourage families from different backgrounds and community organisations to meet
 - Build partnerships and work collaboratively with local community groups and service providers to enhance support for refugees settling in the area
 - Organise an event during Refugee Week, such as a street fair or festival

12. Officers' reports

OCM.113/16 Refugee Welcome Zone

- Host a community meeting with newly arrived refugees and guest speakers from refugee support organisations to identify ways in which Council can best support refugees in the community.
20. It is proposed that the signing ceremony take place at the next Nillumbik Citizenship Ceremony on Thursday 28 July 2016.
21. This ceremony will present a timely public opportunity for Council to demonstrate its commitment and support of inclusion, harmony, social cohesion and diversity in the community.

Conclusion

22. By signing the Refugee Welcome Zone Declaration Nillumbik Council will not only acknowledge a public commitment to refugees and reducing racism and discrimination, but will also join the other list of Victorian Councils who have pledged their support in this way.

12. Officers' reports

OCM.114/16 Municipal Fire Management Plan Update

Distribution: Public

Manager: Conal Creedon, General Manager Infrastructure Services

Author: Justin Murray, Executive Officer Emergency Management

Summary

In accordance with the recommended three year planning cycle, the Municipal Fire Management Planning Committee has reviewed and updated the Municipal Fire Management Plan.

The Plan has been endorsed by the Municipal Emergency Management Planning Committee with a recommendation that the plan be adopted by Nillumbik Shire Council as a Plan that meets the requirements of section 55(a) of the *Country Fire Authority Act 1958*.

Recommendation

That Council adopts the updated Nillumbik Municipal Fire Management Plan as a plan that meets the requirements of section 55(a) of the *Country Fire Authority Act 1958*.

Attachments

1. Municipal Fire Management Plan
2. 2020 Vision

Background

1. The *Country Fire Authority Act 1958* requires municipal councils to prepare and maintain a municipal fire prevention plan.
2. In 2013 Council adopted the first iteration of the Nillumbik Fire Management Plan as a plan to meet the requirements for a fire prevention plan.
3. In accordance with the three year planning cycle, the plan has been reviewed and updated. The Municipal Emergency Management Committee has made a recommendation that Nillumbik Shire Council adopt the updated plan as a plan that meets the requirements of Section 55(a) of the *Country Fire Authority Act*.

Policy context

4. This report directly supports the achievement of Council Plan 2013-2017 strategy:
 - We will strive to make our Shire safe by meeting our statutory responsibilities for emergency management including the risks of natural disasters such as fire and flood.

Budget implications

5. Costs associated with the development and implementation of the Municipal Fire Management Plan are met though the operational budgets of Emergency Management and Infrastructure Maintenance.

12. Officers' reports

OCM.114/16 Municipal Fire Management Plan Update

Consultation/communication

6. The updated plan was published on the 'Have Your Say' section of Council's website, with an opportunity for the community to make comments over a four week period. This was publicised through a media release published in the *Diamond Valley Leader* as well as through social media outlets.
7. Three responses were received suggesting changes to the plan. Suggestions included: inclusion of Mittons Bridge Road and Bells Hill Road as secondary roads and the rewording of some sections. The issue of community representation in fire management was also raised.
8. The Committee accepted that Mittons Bridge Road should be included. The suggestion of including Bells Hill Road has not been included but will be further discussed at the next Committee meeting. Some of the suggested rewording was included in the updated draft.
9. Regarding the issue of community representation, the MEMPC has identified the need for all agencies to have a more coordinated approach to community engagement to implement the Fire Management Plan. A strategy '2020 Vision' has been developed to achieve this (Attachment 2) and is part of the implementation planning for greater community resilience in Nillumbik.

Issues/options

10. The *Country Fire Authority Act 1958* requires municipal councils to prepare and maintain a municipal fire prevention plan.
11. The Nillumbik Municipal Emergency Management Planning Committee (MEMPC) has formed a Fire Management Planning Committee (FMPC) as sub-committee of the MEMPC.
12. The FMPC has representation from: the Country Fire Authority, Melbourne Water, The Metropolitan Fire Brigade, Nillumbik Shire Council, Parks Victoria, Vic Roads and Victoria Police.
13. The MEMPC has tasked the FMPC to develop and maintain a Municipal Fire Management Plan that is a sub plan of the Municipal Emergency Management Plan and meets the requirements of section 55 (a) of the *Country Fire Authority Act 1958*.
14. Council adopted the first iteration of the Municipal Fire Management Plan in 2013. This plan has now been reviewed and updated in accordance with the three year planning cycle.
15. The plan lists four fire management strategies to meet the objectives of the plan. These strategies remain unchanged from the previous iteration. Added to the updated plan is a summary of actions taken to implement these strategies over the previous planning cycle. A summary of planned actions to implement the strategies for the current planning cycle is also included.
16. Some changes in terminology have occurred. The use of the term 'Priority Roads' has been replaced with the terms 'Primary and Secondary Roads'. This is consistent with terminology used in other plans including the CFA Local Response Plans.

12. Officers' reports

OCM.114/16 Municipal Fire Management Plan Update

17. The committee has reviewed the list of 'Primary and Secondary Roads'. Some minor changes have occurred including the addition of Mittons Bridge Road as a secondary road. The method of determining what are 'Primary and Secondary Roads' has been clarified.
18. On 23 May 2016 the Municipal Emergency Management Planning Committee endorsed the updated plan as a sub-plan of the Municipal Emergency Management Plan. The committee also made a recommendation that Nillumbik Shire Council adopt the updated plan as a plan that meets the requirements of section 55(a) of the *Country Fire Authority Act 1958*.

Conclusion

19. The Municipal Fire Management Planning Committee has reviewed and updated the Nillumbik Municipal Fire Management Plan.
20. The fire management strategies have not changed. The plan has been updated to ensure currency and to incorporate feedback received through the consultation process.
21. The Municipal Emergency Management Planning Committee has identified the need for all agencies to have a more coordinated approach to community engagement to implement the plan. A strategy, '2020 Vision', has been developed by the Committee to achieve this.
22. The Municipal Emergency Management Planning Committee recommends that Nillumbik Shire Council adopt the updated plan as a plan that meets the requirements of Section 55(a) of the *Country Fire Authority Act 1958*.

12. Officers' reports

OCM.115/16 Submission in response to the 'Protecting the Yarra River (Birrarrung)' discussion paper

Distribution: Public

Manager: Chad Griffiths, Manager Strategic and Economic Planning

Author: Jackie Donkin, Senior Strategic Planner

Summary

The Yarra River corridor is significant and highly valued by the residents of Melbourne and Nillumbik. The Yarra River is under pressure from a metropolitan '...growth phase comparable in scale and consequence to those triggered by the gold rush in the mid-19th century and the long post-World War II population boom' (page 39 of the discussion paper).

The challenge facing Melbournians is to manage the demands placed on the Yarra River as a consequence of this growth and change.

In December 2015 the Victorian Government announced that it planned to protect the Yarra River by strengthening planning controls and management.

The government appointed a Yarra River Protection Ministerial Advisory Committee (Yarra MAC) to assess the effectiveness of current governance arrangements along the Yarra River and make recommendations for change, including legislation to effect the change. Its advice covers the entire length of the river from its source in the headwaters above the Upper Yarra Reservoir to Port Phillip Bay, a distance of 242km. It does not cover the waters of the Port of Melbourne.

In July 2016 the Yarra MAC published a discussion paper '*Protecting the Yarra River (Birrarrung)*' '...to promote community discussion about opportunities to improve the oversight and management of the Yarra River'. The discussion paper puts forward some ideas and questions about how the Yarra River can be managed in the future and invites submissions from the community by 5 August 2016. The discussion paper suggests a new model of governance is required which takes a broader and holistic view of the Yarra corridor and suggests six areas of work which need addressing in order to achieve this outcome.

It is recommended that Council endorse the submission to the Yarra MAC at Attachment 1 to this report which generally supports the initiative for a new model of governance for the Yarra River.

Recommendation

That Council:

- 1. Commends the Victorian Government for initiating this review of the management of the Yarra River and,**
- 2. Endorses the submission at Attachment 1 to this report and submits it to the Yarra River Protection Ministerial Advisory Committee by 5 August 2016.**

12. Officers' reports

OCM.115/16 Submission in response to the 'Protecting the Yarra River (Birrarrung)' discussion paper

Attachments

1. Draft submission in response to 'Protecting the Yarra River (Birrarrung)' discussion paper

Background

1. In December 2015 the Victorian Government announced that it planned to protect the Yarra River by strengthening planning controls and management along its 242km length.
2. The significance of the Yarra was recognised in 2015 by including a dedicated Yarra River protection planning policy in the State Planning Policy Framework (SPPF) at Clause 12.05-2 with the objective to 'Maintain and enhance the natural landscape character of the Yarra River corridor in which the topography, waterway, banks and tree canopy are dominant features providing a highly valued, secluded, natural environment for the enjoyment of the public.'
3. The government appointed a Yarra River Protection Ministerial Advisory Committee (Yarra MAC) to assess the effectiveness of current governance arrangements along the Yarra River and make recommendations for change including legislation to effect the change. Its advice covers the entire length of the river from its source in the headwaters above the Upper Yarra Reservoir to Port Phillip Bay, a distance of 242km. It does not cover the waters of the Port of Melbourne.
4. In July 2016 the Yarra MAC published a discussion paper 'Protecting the Yarra River (Birrarrung)' '...to promote community discussion about opportunities to improve the oversight and management of the Yarra River'. The Yarra MAC invited submissions from community with a closing date of 5 August 2016.
5. In tandem, the Department of Environment Land Water and Planning (DELWP) is working with councils from Richmond to Warrandyte, including Nillumbik, to establish a consistent approach to planning controls along this stretch of the river.

Policy context

6. This report directly supports the achievement of Council Plan 2013-2017 strategies:
 - We will plan so that any development is sympathetic to the Shire's unique heritage and protects neighbourhood character and our tree canopy.

Budget implications

7. There is no direct cost to Council for consultation associated with new legislation and the appointment of a trust or similar entity. The cost of preparing a submission from Council to the State Government will be accommodated within the Strategic Planning 2016/2017 budget.

12. Officers' reports

OCM.115/16 Submission in response to the 'Protecting the Yarra River (Birrarung)' discussion paper

Consultation/communication

8. The Victorian Government has released a discussion paper on the future of the Yarra River: 'Protecting the Yarra River (Birrarung)' and the Yarra Ministerial Advisory Committee would like to hear what people think about the ideas in its paper and any other ideas people may have about protecting the Yarra River (Birrarung). Anyone can make a written submission on the discussion paper. A copy of the discussion paper and more information on how to make a submission can be found at the following website: <http://haveyoursay.delwp.vic.gov.au/protecting-the-yarra-river>.
9. The deadline for submissions to the Yarra MAC is 5 August 2016.

Issues/options

10. The State Government recognises the Yarra River as a valuable natural asset for all of Melbourne and is committed to protecting its amenity and significance by introducing new legislation, stronger planning controls and a trust or similar entity to manage it.
11. In July 2016 the Yarra MAC published its discussion paper 'Protecting the Yarra River (Birrarung)'. The paper covers a history of the river, its current condition and contemporary management, challenges and issues, the case for change and suggestions for a new management model which considers the whole river corridor in an holistic way.
12. The Yarra River and its floodplains traverse 242km of urban and rural landscapes including private and public land managed by state and local authorities. The Yarra MAC has identified that the river has the following ecological, cultural, social, amenity and economic values (p 25 of the discussion paper).
 - An inseparable part of Melbourne's identity
 - Vital significance for Aboriginal cultural heritage
 - Diverse water dependent ecosystem
 - The main source of Melbourne's drinking water
 - Supports primary sector production – agriculture and fisheries
 - A commuter transport corridor
 - Recreation opportunities
 - Public open spaces where people can go to enjoy nature
 - A tourism attraction and place for events
 - Home to Australia's largest container port
 - Has a significant influence on health of Port Phillip Bay

12. Officers' reports

OCM.115/16 Submission in response to the 'Protecting the Yarra River (Birrarung)' discussion paper

13. The discussion paper identifies four reaches of the river each having different characteristics: inner-city Yarra reach; suburban Yarra reach; rural Yarra reach and upper Yarra reach (descriptions page 27 of the discussion paper). The Shire of Nillumbik straddles two of the reaches: suburban Yarra reach comprising the area from Dight's Falls to Warrandyte and taking in Eltham and North Warrandyte and rural Yarra reach comprising the river from Warrandyte to the Upper Yarra Reservoir and including the Bend of Islands (see maps in appendices pages 64-66 of the discussion paper).
14. The challenges and issues for the suburban Yarra reach and rural Yarra reach include climate change, pest plants and animals, stormwater and nutrient run off, river flows, development encroaching on views to and from the river, changing land uses resulting in increased urbanisation (pages 30-31). Opportunities are noted as (page 30-31):
- developing a clear vision statement for the river's full length
 - implement stronger and consistent planning controls
 - develop hubs or popular visitor attractions to make the river a destination
 - improve the trail network and make then continuous along the length of the river
 - increase recreation, community and sporting events
 - develop a parklands and open space strategy
 - Currently the waterway is managed by more than 10 organisations across four areas of governance:
 - Land use and development
 - Environmental health
 - Provision of amenity services e.g. recreation, leisure, tourism, water transport
 - Stewardship of cultural heritage for Aboriginal people and the wider Victorian community
15. The Yarra MAC concludes that management of the Yarra River is fragmented and there is a case for change to create '...an overarching mechanism for a joined up approach that aligns the objectives and decisions of organisations across regulatory and spatial boundaries' (page 34).
16. Section 5 of the discussion paper proposes a new management model with work required to achieve it in the following six key areas:
- A vision for the Yarra
 - A Yarra strategic plan to integrate management along the whole of the Yarra and give effect to the vision
 - An improved management model to implement the strategic plan.
 - Legislation to provide statutory backing to establish the improved management model and arrangements.

12. Officers' reports

OCM.115/16 Submission in response to the 'Protecting the Yarra River (Birrarung)' discussion paper

- A Yarra (Birrarung) Protection Act would establish the rights and obligations of individuals, organisations, agencies and councils to align their actions and accountabilities with the Yarra S strategic plan. The Act is necessary to develop and implement the Yarra Strategic Plan and to provide a framework to establish any new entity required for a new management model e.g. a board of management or a trust.
 - Identification of a lead agency, either existing or newly created, to develop the vision and strategic plan and to report on delivery. 'The lead agency must be able to exercise influence across the relevant portfolios. It would sponsor any new budget bids and would (by developing the Yarra strategic plan) be responsible for refining the management partnership with Traditional Owners and establishing community partnerships' (page 49). Existing agencies continue with service delivery.
 - A Yarra strategic plan is likely to identify gaps in service delivery and there needs to be clear funding in place.
17. The discussion paper invites submissions on the issues and opportunities identified, particularly the future new management model. Questions for discussion include (page 52):
- What would you like to see included in a vision for the Yarra River?
 - What elements would you like to see covered in the Yarra strategic plan?
 - What would you like to see included in legislation to protect the Yarra River?
 - What do you think are the key criteria for the evaluation of options for management arrangements of the Yarra River and its riverscape?
 - What are your thoughts on the options for a new management model for the Yarra River and its environs?
 - What are your thoughts about establishing a new organisation to oversee development and monitor delivery of the Yarra strategic plan?
 - Are there any other management models /options we should consider?
18. The discussion paper has identified the issues facing the ongoing management of the Yarra River and suggests actions to address them. In relation to the proposed management model, it is difficult to evaluate the options proposed because of the lack of detail provided (page 51) but, in general, the proposal for a new body to be established and charged with developing a vision and implementing the strategic plan seems sound. Further, it may be reasonable to establish the new body within an existing agency, allowing the new body to access the existing organisation's structure, support, knowledge and networks. A key issue would be securing a dedicated funding stream for the implementation of the strategic planning and consideration could be given to 'ring-fencing' parts of the metropolitan parks charge and/or the Waterways and Drainage Charge.

12. Officers' reports

OCM.115/16 Submission in response to the 'Protecting the Yarra River (Birrarung)' discussion paper

19. A draft submission has been prepared in response the discussion paper and is at Attachment 1. The draft submission generally supports the findings of the discussion paper and supports the initiative for a new model of governance for the Yarra River.

Conclusion

20. The Yarra is significant to Melbourne and Victoria and is under pressure. The discussion paper concludes that 'Melbourne is undergoing a growth phase comparable in scale and consequence to those triggered by the gold rush in the mid-19th century and the long post-World War II population boom' (page 39). The challenge is to manage the demands placed on the Yarra River.
21. The Yarra MAC discussion paper 'Protecting the Yarra River (Birrarung) July 2016' puts forward some ideas and questions about how the Yarra River can be managed in the future and invites submissions from the community. The discussion paper suggests a new model of governance is required which takes a broader and holistic view of the Yarra corridor and suggests six areas of work which need addressing in order to achieve this outcome.
22. It is recommended that Council endorse the submission at Attachment 1 to this report, which generally supports the initiative for a new model of governance for the Yarra River and submits it the Yarra Ministerial Advisory Committee.

12. Officers' reports

OCM.116/16 Investigation of land located at 20 Wattletree Road, Eltham for the purpose of locating a building for the Eltham Men's Shed group

Distribution: Public

Manager: Conal Creedon, General Manager Infrastructure Services

Author: Jon Miller, Manager Assets and Property

Summary

The purpose of this report is to provide Councillors with an understanding of the feasibility of constructing a facility for the Eltham Men's Shed group at Dansey's Paddock, located at 20 Wattletree Road, Eltham. This is in response to the Notice of Motion 004/16 (the NoM), which was moved at the Ordinary Meeting of Council held on 26 April 2016, and which is shown as Attachment 1.

In determining the feasibility of such a project, officers have worked closely with members of the Eltham Men's Shed group.

The report includes discussion on the location, site conditions, access and egress, planning permit requirements, siting and design, construction staging as well as benefits and partnerships that may be gained by such a project.

The report considers the feasibility of constructing a 360m² building and car parking as required by the NoM, but also considers the cost and feasibility of a larger building and additional access/egress in response to a concept plan submitted by the Eltham Men's Shed group.

Whilst the report concludes that the site at Dansey's Paddock does provide a location to construct a facility, it also advises that site constraints add to the substantial estimated cost, which is not currently funded in Council's Major Projects Plan.

The report also concludes that there may be future opportunities to re-purpose existing but underutilised facilities, or to utilise more appropriate land within the Eltham area, and that officers should continue to work with members of the Eltham Men's Shed to identify such opportunities.

Recommendation

That Council:

- 1. Notes the contents of this report.**
- 2. Notes that officers will continue to liaise with representatives from Eltham Men's Shed to explore other sites and options, including the exploration of more affordable men's shed models.**

Attachments

1. Notice of Motion 004/16
2. Aerial photograph of 20 Wattletree Road, Eltham.
3. EMS Site Concept Plan
4. EMS - Proposal for a Men's Shed in Eltham

12. Officers' reports

OCM.116/16 Investigation of land located at 20 Wattletree Road, Eltham for the purpose of locating a building for the Eltham Men's Shed group

Background

1. The Eltham Men's Shed (EMS) was formed in 2014 and has a current membership of 45. They currently meet and undertake activities in a facility located within the Eltham Retirement Centre, Diamond Street, Eltham.
2. The EMS considers their current venue as temporary accommodation, as its size limits activities that can be undertaken and the numbers that can participate. They are seeking an appropriate location for a new facility that more meets their requirements, and offers an opportunity for expansion. They have recently negotiated a further three year lease at their current location in Eltham.
3. Whilst the NoM requested specific information relating to a proposed building of approximately 360m², the Eltham Men's Shed have submitted an alternative concept plan which is for a building of 575m².
4. This report includes discussion and estimated building costs for the NoM and the Eltham Men's Shed proposals in relation to the same Dansey's Paddock site.

Policy context

5. This report directly supports the achievement of Council Plan 2013-2017 strategy:
 - We will plan and deliver accessible community services that enhance health and wellbeing across all life stages.

Budget implications

6. The NoM requested that approximate project costs be formulated, assuming a shed size of 360m² is achievable and that 1,000m² minimum of land is available at Dansey's Paddock. The cost for this project including associated access, egress, car parking and supply of services is estimated at \$1,027,065.
7. The EMS also submitted an alternative concept plan which includes a building of 575m² and additional access/egress requirements. The cost for this project is estimated at \$1,683,150.
8. For detailed discussion on the cost estimates see paragraphs 50-52 of this report.
9. For the EMS concept, the group have provided an estimated project cost of \$700,000, but have not provided a cost break down for any of the project works. They have also suggested possible funding sources other than Council of up to \$240,000 and the possibility of sourcing additional funds from grants.
10. The project is currently not budgeted for in Council's Major Projects Plan.

Consultation/communication

11. As requested in the NoM, officers worked closely with members of the Eltham Men's Shed group whilst investigating the feasibility of the project.
12. Internal consultation with relevant Council officers resulted in inclusion in this report of information relating to planning, environment, egress/access requirements, as well as cost estimates, community partnerships and possible funding sources.

12. Officers' reports

OCM.116/16 Investigation of land located at 20 Wattletree Road, Eltham for the purpose of locating a building for the Eltham Men's Shed group

13. Officers located at Edendale Farm were consulted in relation to the existing use of Dansey's Paddock and possible relationships that could be formed if the project proceeds.
14. A request was made to VicRoads in relation to access/egress matters; however no response has been received by Council.

Issues/options

15. In general, Men's Sheds are established as part of health infrastructure. They support programs to improve men's health and wellbeing by providing a venue to meet and connect with other people, learn new skills and/or utilise existing skills, especially in the trade areas, such as woodwork and metal work.
16. There are currently Men's Shed groups located in Council owned facilities at St Andrews, Hurstbridge and Diamond Creek. These facilities are repurposed existing buildings or have been built as part of a larger development in the case of the St Andrews Men's Shed.

Feasibility of Notice of Motion 004/16 proposal

17. The Eltham Men's Shed is currently located in the Eltham Retirement Village in Diamond St, Eltham and the group is seeking alternative accommodation for the longer term. Dansey's Paddock may provide an alternative location and the following feasibility discussion includes consideration of:
 - a) The location
 - b) The site conditions
 - c) Access and egress
 - d) Planning permit requirements
 - e) Siting and design
 - f) Construction staging
 - g) Benefits and partnerships

Location

18. 20 Wattletree Road Eltham is Council owned land, and is commonly known as Dansey's Paddock. It is located on the western side of the Diamond Creek, opposite Edendale Farm and immediately to the south of the Eltham North Reserve and is shown in Attachment 2.
19. The land covers an area of approximately two hectares, the majority being flat and within the Diamond Creek 1:100 year flood level. The exception to this is an elevated portion adjacent to Wattletree Road, which has an area of approximately 700m², this being the area identified in the NoM as the potential site for establishing an Eltham Men's Shed.

12. Officers' reports

OCM.116/16 Investigation of land located at 20 Wattletree Road, Eltham for the purpose of locating a building for the Eltham Men's Shed group

20. Edendale Farm currently uses Dansey's Paddock for a range of activities including hay production and occasional animal grazing. On an annual basis the site produces between 150-200 bales of hay that is used to feed the animals at Edendale. It is also used for over-flow car parking for festivals and events held at Edendale, as it provides a safe and effective means of getting a large number of people to Edendale.
21. Whilst there are no current Council adopted concept or management plans for Dansey's Paddock, informal plans have previously flagged the site as a location for an integrated water treatment corridor, including the establishment of a wetland.
22. Edendale staff have indicated they would be supportive of a Masterplan process being undertaken at Dansey's Paddock to look at the range of options that have been discussed.

Site conditions

23. As previously outlined, the land has a number of physical constraints that will influence its use, including the proposal to establish an Eltham Men's Shed.
24. Foremost of these constraints is the 1:100 year flood level that covers most of the site. Whilst this would not restrict construction of car parking and associated driveways, it does restrict any building works to the 700m² (approximately) elevated section to the west of the site.
25. A geotechnical contractor was engaged to undertake soil testing of the elevated area. The results indicate it consists mostly of non- structural fill, up to a depth of five metres to the natural ground level (which matches the majority of the site). Whilst this does not preclude construction, footings and slabs would need to be specifically designed, adding to overall project costs.

Access and egress

26. In relation to access, egress and car parking, there is an existing gate and unsealed crossover that provides access to Dansey's paddock. This access is currently used for maintenance of the land and occasionally for event parking.
27. If the land was to be developed for regular use, the crossover would need to be upgraded to a sealed surface and the gate widened to a minimum of five metres (ideally six), to allow for two way traffic. The sealed shoulder of the road would also need to be widened by two metres for approximately thirty metres on the north side of the crossover to provide a decelerate area for left turns into the site. Right turns in and out of the site would be prohibited; therefore vehicles needing to travel north from the site would be required to turn right into Progress Road and then right into Ryan's Road.
28. Preliminary advice on requirements for vehicle access to the paddock if it was developed has been sought from VicRoads. No response has been received to date.

12. Officers' reports**OCM.116/16 Investigation of land located at 20 Wattletree Road, Eltham for the purpose of locating a building for the Eltham Men's Shed group**

29. In relation to car parking, a portion of the lower area of the site was used to accommodate contractor construction sheds and vehicle parking during the Wattletree Road Bridge reconstruction. The rock base was covered over with top soil to allow it to be used in the future as a carpark and for event parking. The area that has the rock base would accommodate a carpark of approximately 30 cars. If the EMS shed was constructed, the existing area could form the basis of a car park but the topsoil would need to be removed, the rock topped up and asphalt installed if it was to be formalised as a permanent carpark.

Planning considerations

30. Building works with an estimated cost of \$1,000,000 or less carried out by or on behalf of a municipality are not required to have a planning permit. However, because the land at Dansey's Paddock is zoned Public Park and Recreational Zone and Neighbourhood Residential Zone (Schedule 7), a planning permit is required for the building's intended use as a place of assembly.
31. The site is affected by the Environmental Significance Overlay (ESO) 4 along the eastern boundary approximately 35m deep and relates to the creek environment. A planning permit is required for all buildings and works and native vegetation removal; however a building within a residential zone that is less than 6m high does not need a permit. A permit is also required for fencing that does not consist of posts and wire.
32. The ESO1 affects the entire site and relates to habitat value for flora and fauna. A planning permit is required for all buildings and works and for the removal or destruction of native vegetation. A permit is also required for fencing that does not consist of posts and wire.
33. The LSIO (Lands Subject to Inundation) affects a majority of the site and relates to flooding. The implication of this is if a planning permit is required for the project, it would need to be referred to Melbourne Water. As the current concept plan shows finished floor levels above the nominated flood level this may not be problematic.
34. The site is also located within the Bush Garden Precinct of the neighbourhood Character Policy (Clause 22.12). The implication being that any development should be well set back from boundaries and surrounded by vegetation.
35. As the land abuts Wattletree Road, which is classified as a Category 1 Road i.e. a VicRoads managed road, any planning permit which is seeking to create or alter access to the road would need to be considered and approved by VicRoads. Council's Transport and Development Coordinator sought VicRoads feedback on the proposed concept, but to date has not received a response.
36. Clause 52.06 of the Planning Scheme would require car parking be provided at a rate of 0.3 spaces per patron permitted. If this cannot be achieved, a car parking variation would need to be sought. A car parking assessment report would be required in order to justify the reduction.
37. The site is also within an area of declared aboriginal cultural sensitivity and as such an approved Cultural Heritage Management Plan would be required – a permit cannot be granted until one has been submitted.

12. Officers' reports

OCM.116/16 Investigation of land located at 20 Wattletree Road, Eltham for the purpose of locating a building for the Eltham Men's Shed group

Siting and design

38. Siting and design requirements include the use of natural materials such as timber and stone to complement the natural environment and all external finished would be required to be muted and non- reflective.
39. Earthworks should be minimised so building and works should be designed to the fall of the land The design of the building should be well articulated and the height kept to a minimum, if possible, reducing overall bulk and the visual impact to the streetscape.
40. The site is considered to be rather small for such a use, especially when considering the car parking requirements, landscaping and appropriate setbacks that would be required to ensure an appropriate design outcome. In considering the above, it may be that the size of the site means that the relevant planning objectives many not be achievable. The proposal would need to be supported by a comprehensive Landscaping Plan which demonstrates that a vegetated landscape consisting of indigenous canopy trees that can grow to full maturity over time can be achieved.
41. Consideration should also be given as to the appropriateness of constructing a large building within a PPRZ site.

Construction staging

42. The NoM requested investigation of a possible staged construction program. It is Council's normal practice to complete such projects in a single stage to enable user groups to move in and utilise them as quickly as possible. In this case, if a staged construction program was required, an EMS facility could be constructed to 'lock up' stage. Further fit out and commissioning work be completed as funding and resources become available. This may be advantageous, as EMS project costings have assumed they would contribute labour and donated materials to the project.
43. The risk for Council of allowing this type of construction program and process is that if intended funding, volunteer labour and donated materials don't eventuate, then Council would be either obliged to complete and fund all works, or be content to have an unfinished facility on its land. In either circumstance, Council would need to rectify the issue.

Benefits and partnerships

44. The NoM also requested investigation of possible future benefits and partnerships that could be engendered with Edendale and other like-minded community groups.
45. In relation to Edendale, positive relationships could be formed with an EMS situated at Dansey's Paddock, particularly in relation to nest box construction programs and other light works programs undertaken at Edendale. Interest has also been expressed in relation to establishing a community garden at Dansey's Paddock, which may present another opportunity for collaboration with the EMS.
46. In the wider community, the EMS have strong existing community relationships. Included in these are solid organisations, such as Rotary Club of Eltham, U3A and Eltham High School. The EMS hope to strengthen these relationships once a permanent facility is established for their use.

12. Officers' reports**OCM.116/16 Investigation of land located at 20 Wattletree Road, Eltham for the purpose of locating a building for the Eltham Men's Shed group**

Eltham Men's Shed proposal

47. The NoM requested Council officers collaborate with members of the EMS that are undertaking the accommodation project on their behalf.
48. As a part of those discussions, EMS members submitted a Concept Site Plan, as shown in Attachment 3. It was drafted in response to the EMS requirements which include but are not limited to:
 - a) Site with an area of approximately 1000m²
 - b) Main building of 300-350m²
 - c) Additional space for storage (approx. 110m²), social activities (approx. 100m²) and workshop (approx. 150-200m²)
 - d) Car parking for 30-40 cars
 - e) Readily accessible by public transport.
49. A more expansive requirement discussion is also contained in the EMS 'Proposal for a Men's Shed in Eltham' document that is included as Attachment 4 to this report.
50. Taking the requirements into consideration, as well as the slope of available land at Dansey's Paddock, the EMS have subsequently drafted a concept design for a building, which is shown on page 26 of Attachment 4. The building provides approximately 575m² of floor space constructed over two levels, with an overall building footprint of approximately 400m² that makes use of the sloping site. It includes provision for a workshop and storage areas on the lower level, and kitchen, toilets, meeting rooms and social areas on the upper level. Attachment 3 shows the proposed overall concept layout, including car parking on the lower section of Dansey's paddock, and provision for more accessible parking adjacent to the upper storey entrance.
51. The EMS proposal also identified advantages of gaining access to the site from the northern end of Dansey's Paddock, which would utilise a short section of the existing Wattletree Preschool driveway. The advice received in relation to this aspect of the EMS proposal is that it would require approximately one hundred and seventy metres of additional access way to be constructed. There is also a concern over additional interactions between vehicles and children which would require construction of safe pedestrian access to the pre-school.
52. To provide some perspective into the 575m² requirement, the recently completed St Andrews Community Centre has a total floor area of 440m², with an additional 100m² of covered veranda, and the public meeting area within Council's Civic Centre has a floor area of approximately 600m² (excluding deck area).

Cost estimates – NoM and Eltham Men's Shed proposals

53. The cost estimates outlined in the table below are for both building concepts – the 360m² building from NoM and the 575m² building in the Eltham Men's Shed concept plan.

12. Officers' reports

OCM.116/16 Investigation of land located at 20 Wattletree Road, Eltham for the purpose of locating a building for the Eltham Men's Shed group

Notice of Motion 004/16		EMS concept plan	
Item	Cost estimate	Item	Cost estimate
Building Construction	\$792,000	Building Construction	\$1,265,000
Access/Egress	\$100,000	Access/Egress	\$100,000
Additional Access Egress	N/A	Additional Access Egress	\$100-150,000
Road Shoulder Sealing	\$5,000	Road shoulder Sealing	\$5,000
Construction Cost Total	\$897,000	Construction Cost Total	\$1,470,000 - \$1,520,000
Project Management (4.5% construction cost)	\$40,365	Project Management (4.5% of lower construction cost estimate)	\$66,150
Detailed design (10% construction cost)	\$89,700	Detailed design (10% lower construction cost estimate)	\$147,000
Total project cost estimate	\$1,027,065	Total project cost estimate	\$1,683,150

- 54. Note that building construction cost estimates utilised an average rate of \$2,200/m², which would include wet areas (toilets/showers), semi commercial kitchen, heating and cooling, carpets and other building components.
- 55. Utilisation of the \$2,200/m² for building costs is based on recent previous Council experience in obtaining tender constructions costs, and completing construction projects such as the Eltham State Emergency Services sheds in Susan Street, Eltham. This project cost in the vicinity of \$600,000 (ex GST) with an area of 360m², giving a construction cost of \$1666/m². It must be taken into account that this was for a simple shed, concrete slab, retaining walls, drainage and car park, and did not include building components such as a kitchen, wet areas, heating and cooling systems.

Funding options

- 56. The 26 April 2016 NoM requested officers seek out funding options, including grants, sponsorships and Council contributions for the project.
- 57. The EMS are seeking \$400,000 from Council as a financial contribution towards the project. This amount is based on their assumed construction cost of \$700,000 which as previously outlined, may be considered optimistic if agreement to construct a 575m² building is pursued.

12. Officers' reports

OCM.116/16 Investigation of land located at 20 Wattletree Road, Eltham for the purpose of locating a building for the Eltham Men's Shed group

- 58. Contributions from Council could be funded from the Major Projects Fund. The Major Projects Fund provides Council with a ten year program of project and funding requirements. Whilst it is updated annually, Council would need to consider priorities for project funding.
- 59. The project could be eligible for partial funding under the Growth Suburbs Fund (formerly Interface Growth Fund), under the 'Community health, well-being, and social interaction' category, where a target for funding leverage of \$1 for \$1 has been set. Council has successfully obtained several previous grants under this program, and is currently applying for further project funds. This project would need to be 'shovel ready' to be considered for funding.
- 60. Men's Shed Grants are available through The Department of Health and Human Services, under the 'Building and Strengthening Victorian Communities' banner for up to \$60,000 for new construction – matched funding is expected on a 2 to 1 ratio. There is an annual grant pool of \$1,000,000. The EMS have included a contribution of \$60,000 funding from this source.
- 61. The EMS has also provided other funding contribution options for the project. These are listed on page 13 of Attachment 4, and include the following:
 - a) Department of Social Services \$20,000 grant funding
 - b) Eltham Community \$100,000 sponsorship
 - c) Members \$20,000 fundraising
 - d) In-kind labour (various) \$100,000
- 62. In considering the feasibility of such a project, it should be taken into account the above listed funding sources are not secured.

Governance

- 63. The EMS have advised in their proposal that primarily the building would be used by the EMS, and therefore only limited opportunities would be available to form partnerships in relation to its management and use. They have though indicated their intention of forming a building management committee that would include stakeholders and a member of the community, with responsibility of managing bookings, stakeholder relationships, minor maintenance and security.
- 64. A Council tenancy agreement with the EMS would need to be agreed to prior to any construction project commencing. As with other Men's Shed organisations within the Shire, this would most likely take the form of a lease agreement, with Council agreeing conditions such as term, rental consideration and maintenance responsibilities.

Summary and general discussion

- 65. The NoM requested investigation into the feasibility of construction of a 360m² building to accommodate the EMS group at Dansey's Paddock. The EMS group are requesting Council provide a suitable site and contribute substantial funds toward construction of a 575m² facility that the EMS work out of, manage, and share with other community organisations.

12. Officers' reports

OCM.116/16 Investigation of land located at 20 Wattletree Road, Eltham for the purpose of locating a building for the Eltham Men's Shed group

66. The size of the building envisaged by the NoM and the EMS concept plan is substantial, and significantly larger than existing Men's Shed facilities including. The St Andrews Men's Shed is a 128m² concrete slab, corrugated iron shed with a mezzanine constructed in 2014 with a project cost of \$53,000 with \$10,000 grant funded. The cost is for the building only with services and car parking provided by the St Andrews Community Centre construction.
67. The Diamond Creek Men's Shed utilise an existing 150m² facility (the former Guides Hall in Challenger St) with plans for an approximate 110m² extension for which the group are currently fundraising.
68. The proposed site at Dansey's Paddock is approximately 2.5km from Challenger St, Diamond Creek, where the Diamond Creek Men's Shed is located. Construction of a new Men's Shed at 20 Wattletree Road may create a situation where both organisations are competing against each other for members.
69. A building of this size and primarily funded by Council would normally remain a Council run community facility, such as the Hurstbridge Hub and the Eltham Community Centre, and would not be in the control of one single community group.
70. There may be other locations within central Eltham that would be more appropriate for constructing a facility to house the EMS. Council is currently proceeding with the Eltham Major Activity Centre (Precincts 3 and 4) Project. Investigation through this project may identify opportunities to consolidate existing community infrastructure, and nominate sites for potential new community infrastructure such as a Men's Shed.
71. In addition there is work currently being undertaken to identify surplus community infrastructure in the early year's area given the decline in local birth registrations in Eltham.

Conclusion

72. The site at Dansey's Paddock does provide a location to construct a facility.
73. The constraints in terms of site conditions and planning permit requirements add to project costs.
74. Ancillary services such as access, egress, car parking and supply of services (electricity, water, sewerage etc.) would also need to be supplied to the site which adds to cost.
75. The size of the buildings considered in this discussion are significantly larger than other Men's Shed and may be scaled back to reduce costs.
76. There are potential partnerships for the Eltham Men's Shed but they are not, in general, dependent on use of this site. There may be a disbenefit in locating the Eltham Men's Shed in relatively close proximity to the Diamond Creek Men's Shed
77. Council funding for the project is currently not included in the Major Projects Plan and the Eltham Men's Shed co funding has not been secured.

12. Officers' reports

OCM.116/16 Investigation of land located at 20 Wattletree Road, Eltham for the purpose of locating a building for the Eltham Men's Shed group

78. Officers are in the process of undertaking community infrastructure planning which may identify potential opportunities for shared use or reuse of facilities. Whilst the Eltham Men's Shed project has not been identified as a strategic priority for Council, it is proposed that further consultation occurs with the EMS group to explore other sites and options, including the exploration of more affordable men's shed models.

12. Officers' reports**OCM.117/16 Council Plan Quarterly Performance Report June 2016**

File: 25/10/002**Distribution:** Public**Manager:** Andrew Port, General Manager Corporate Services**Author:** Naomi Ellis, Corporate Planner**Summary**

This report presents the Council Plan Quarterly Performance Report to Council for consideration, documenting progress of key actions for 2015-2016 that demonstrate how Council is delivering the objectives of the Council Plan 2013-2017 for the Nillumbik community.

The attached Council Plan Quarterly Performance Report provides the fourth and final update on the progress of the Annual Plan actions for the 2015-2016 financial year. Previous reports were considered by Council in October 2015 and January and April 2016.

Of the 51 actions identified in the Annual Plan, at the close of the quarter (30 June 2016) 42 actions were on target with a green light status (action completed or 90 per cent of target achieved), six actions have an amber light (between 40-90 per cent of action target achieved), two actions have a red light (less than 40 per cent of action target achieved), and one action has been deferred.

Recommendation

That Council:

- 1. Receives the Council Plan Quarterly Performance Report for the period ending 30 June 2016.**
- 2. Notes the first quarterly report for 2016-2017 will be presented to Council in November instead of October due to the Council elections.**

Attachments

- Council Plan Quarterly Performance Report June 2016

Background

- The Council Plan was developed following the general council election in October 2012 and adopted by Council on 25 June 2013. It is reviewed annually as required by the *Local Government Act 1989*. The most recent reviews were considered by Council in May 2015 and May 2016.
- In conjunction with the May 2015 Council Plan review and development of the Budget 2015-2016, Council developed and formally adopted in June 2015 an Annual Plan of actions, a list of 51 specific activities Council would be undertaking during 2015-2016 to achieve the strategic objectives in the Council Plan. These actions reflect Council priorities, major projects, capital works, major initiatives and service improvements.

12. Officers' reports

OCM.117/16 Council Plan Quarterly Performance Report June 2016

3. The Annual Plan was also developed to ensure Council will meet its legislated performance reporting requirements under the new Planning and Reporting Regulations (Local Government Performance Reporting Framework).
4. The Framework became law in April 2014 and imposed an additional performance reporting requirement on Council from 1 July 2014. Under the regulations, Council has a legislative requirement to report annually on 49 service performance measures, 13 financial performance measures, six sustainable capacity measures and 24 governance and management measures.
5. Council also has a legislative requirement as part of the Framework's Governance and Management Checklist to provide six-monthly reports on Council Plan strategic indicators and Performance Statement indicators.
6. To ensure Council meets this legislative requirement, these indicators and measures are included in the Annual Plan and reported as part of the Quarterly Performance Report (Attachment 1). The first, second and third quarter reports were adopted by Council in October 2015, January 2016 and April 2016. This is the final report on the Annual Plan 2015-2016 to be presented to Council.

Policy context

7. The Council Plan 2013-2017 is a key strategic plan for Council. It sets out Council's strategic objectives for the four-year life of the plan and the strategies Council will undertake for achieving those objectives.
8. The Quarterly Performance Report directly supports the achievement of Council Plan 2013-2017 strategies:
 - We will meet our legal responsibilities and manage our risks.
 - We will involve the community in our decision-making through public participation and representation and we will keep them informed through frequent and effective communication.
9. This report also fulfils Council's statutory requirement to report six-monthly on Council Plan strategic indicators and Performance Statement indicators.

Budget implications

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

Consultation/communication

11. The Council Plan 2013-2017 was developed following a comprehensive program of workshops and briefings with Councillors following the general election in October 2012.
12. Its development was informed by:
 - Councillor priorities
 - The *Picture Nillumbik* community visioning process
 - The 2013 Annual Community Survey

12. Officers' reports

OCM.117/16 Council Plan Quarterly Performance Report June 2016

- Council plans, policies and strategies
 - Government legislation and policies.
13. The draft Council Plan 2013-2017 was placed on public exhibition for 28 days and community comment was invited through a number of communication channels including Council's website, newspaper advertisements, social media and at the Civic Centre and library branches.
14. Public submissions on the draft Council Plan were presented to the Policy and Services Committee meeting on Tuesday 11 June 2013 and the Council Plan was adopted by Council on 25 June 2013.
15. Reviews of the Council Plan are conducted as part of Council's annual planning workshops and in light of recent legislative changes and the Annual Community Satisfaction Survey. In 2015, community survey respondents were asked to rate the importance to themselves and members of their households of each of the Council Plan's five strategic objectives. Respondents rated each of the objectives as very important with scores well over eight out of 10.
16. As a result of the 2015 Council Plan review, six changes to the strategic indicators were proposed and placed on public exhibition for 28 days. An advertisement appeared in the *Diamond Valley Leader* on Wednesday 1 April 2015. Copies of the proposed changes were made available at the Civic Centre and on Council's website. Council adopted the changes at the May 2015 Ordinary Council Meeting.

Progress during the quarter

17. The Quarterly Performance Report contains 51 high level actions Council will undertake during the 2015-2016 financial year to deliver the Council Plan strategies.
18. At the close of the fourth quarter (30 June 2016):
- forty-two actions are considered on target and have a green light (action completed or at least 90 per cent of action target achieved)
 - six actions have an amber light (between 40 and 90 per cent of action target achieved)
 - two actions (1.1.6.13 and 3.1.6.5) are returning a red light (less than 40 per cent of action target achieved)
 - one action (3.1.1.8) has been deferred by a decision of Council.
19. Some of the actions that were successfully achieved or delivered by Council during the 2015-2016 financial year include:
- Additional teaching spaces at both Eltham Childcare Cooperative and Woodridge Preschool were completed and are fully operational. (1.1.4.4 and 1.1.4.5)
 - Council delivered 24,583.2 hours of Home and Community Care and 9,167 meals to eligible frail, aged, disabled residents. (1.1.4.6)
 - Upgrade works at Plenty Park Oval and Wattle Glen Soccer Oval were completed. (1.1.6.8 and 1.1.6.9)

12. Officers' reports

OCM.117/16 Council Plan Quarterly Performance Report June 2016

- A feasibility plan for Eltham North Reserve Pavilion was completed and two design concepts finalised for community consultation in 2016-2017. (1.1.6.14)
- Council's non-aquatic recreation facilities recorded 855,047 visits for the year. (1.1.6.15)
- Council's two aquatic facilities recorded 138,815 visits for the year. (1.1.6.16)
- Edendale environmental programs were attended by 11,572 participants, an increase over the 2014-2015 total of 11,255. (1.1.7.4)
- Living & Learning Nillumbik recorded 3,159 enrolments in courses and activities. (1.1.7.5)
- Year Five of the Cultural Plan *Now Look Here* was delivered, celebrating visual arts and new media. (1.1.7.6)
- Eltham library loaned 544,366 items for the year and Diamond Valley 225,348. (1.1.7.7)
- Construction of the animal housing and farm infrastructure project commenced as part of the Edendale Farm site improvement works. (2.1.3.1)
- Work continued on increasing Council's stormwater harvesting and recycling options within the Diamond Creek Catchment from Eltham North to the Yarra River. (2.1.5.7)
- 69.3 per cent of waste collected from kerbside bins during the year was diverted from landfill. (2.1.6.1)
- Heating replacements, draught proofing and lighting replacement projects were completed across Council facilities to reduce Council buildings' electricity and gas consumption. (2.1.7.5)
- The Liveable Nillumbik Project progressed with a Community Reference Group appointed and meetings held, Amendment C85 adopted by Council and approved by the Minister for Planning, Council endorsing the evaluation criteria for Expressions of Interest and Request for Proposal processes in February. (3.1.1.3)
- The Yarrambat Township Plan progressed with community reference group meetings and Council requesting a township boundary amendment from the Minister for Planning. (3.1.1.7)
- Work began on the Diamond Creek footbridge, with completion expected in mid-July. (3.1.6.3)
- Improvement works at Eltham Community and Reception Centre commenced. (3.1.8.2)
- The Eltham Town Square redevelopment was completed and the square opened to the public. (4.1.4.1)
- Eighty per cent of planning applications were determined within the 60-day statutory requirement. (4.1.7.1)

12. Officers' reports

OCM.117/16 Council Plan Quarterly Performance Report June 2016

- A community panel was established, meeting four times throughout September and October, to inform Council's decision to stay within the 2.5 per cent rate cap for 2016-2017. (5.1.5.11)

20. Six actions are slightly behind their scheduled target date:

- The detailed design of Eltham North Reserve Pavilion did not commenced in line with the target date of June as Council was still awaiting confirmation of external funding at the close of the financial year. (1.1.6.14)
- The Domestic Wastewater Management Plan project to consolidate septic tank data into a single database was not completed by the target date of June. Work is well underway with 80 per cent of the project complete. (2.1.5.4)
- Installation of solar panels at the Civic Centre was not completed by the June target date after Council had to appoint an alternative tenderer in June. (2.1.7.4)
- Completion of the civil construction works for the subdivision of land at Civic Drive, Greensborough was impacted by wet weather and not completed by the target date of June. They are now scheduled to be completed by September. (3.1.1.1)
- The draft Housing Strategy was unable to be presented to Council by June as scheduled after the State Government announced another review of residential zones. (3.1.1.9)
- Construction of the Diamond Creek footbridge was not completed as scheduled in May due to Melbourne Water delays. The bridge is now scheduled to be completed in mid-July. (3.1.6.3)

21. Two actions are significantly delayed and are returning a red light status: the sportsground management review (1.1.6.13); and the commuter section of the Diamond Creek Trail (3.1.6.5). Both actions will be delivered during the 2016-2017 financial year.

22. A complete review of Council's performance in the 2015-2016 financial year will be published in mid-September as the Annual Report. The Annual Report will provide a thorough account of Council's performance against the five strategic objectives set out in the Council Plan and Budget 2015-2016, comprehensive governance information and audited financial statements. The Annual Report also includes issues impacting the sustainability of Nillumbik and the organisation, and provides details of the elected Council, the organisation, and statutory reporting and legislative information.

Conclusion

23. The Council Plan Quarterly Performance Report outlines Council's progress on delivering key strategic activities during the fourth quarter of 2015-2016. At 30 June 2016, 42 of the 51 actions contained in the Annual Plan were completed; eight are underway and will be completed early in the 2016-2017 financial year. The Quarterly Performance Report demonstrates that Council was successful during 2015-2016 in delivering significant outcomes for the community.

12. Officers' reports**OCM.118/16 June Interim Financial Report**

File: 20/10/004**Distribution: Public****Manager: Andrew Port, General Manager Corporate Services****Author: Vince Lombardi, Manager Finance****Robert Malignaggi, Management Accountant****Summary**

This report outlines Council's interim financial performance for the period ending 30 June 2016.

The June interim financial report is the fourth report presented to Council on the year-to-date performance against the approved 2015-2016 Budget, which includes changes resulting from the Mid-Year Financial Review process.

Quarterly reports are presented to Council for the September, December and March quarters. However due to the timing and preparation of the Annual Report, an interim quarterly report is prepared for the June quarter. This is to comply with the provisions of the *Local Government Act 1989* which requires that a financial report be presented to Council every three months.

The interim financial report shows an overall surplus (on a rate determination basis) of \$3.097 million. This is an improvement of \$3.044 million compared to the Mid-Year Financial Review in December 2015, when a surplus of \$52,962 was forecast. This favourable variance of \$3.044 million has been achieved through a combination of increased income received, and savings in expenditure, and is comprised of the following:

- Net Operating favourable variance of \$2.890 million comprising of;
 - \$825,000 of additional income
 - \$2.065 million in expenditure savings
- Savings in New Initiatives – \$106,000
- Savings in Rates Funded Capex – \$48,000

This surplus enables Council to make additional allocations to its financial reserves, which will strengthen Council's financial position and reduce risk exposure.

Recommendation

That Council:

1. **Receives and notes the Interim Financial Report for the period ended 30 June 2016.**
2. **Endorses the proposed allocation of the surplus into Council's financial reserves as detailed in this report.**

Attachments

1. Interim Financial Report

12. Officers' reports

OCM.118/16 June Interim Financial Report

Background

1. In June 2015, Council adopted the 2015-2016 Budget, which projected a total budget rate determination (cash basis) surplus of \$150,213.
2. In December 2015, Council adopted the Mid-Year Financial Review, which forecast a revised net surplus of \$52,962 (Ordinary Council Meeting of 25 December 2015 report number OCM 150/14).
3. With the end of the financial year at 30 June 2016, a final result is now available.
4. With the introduction of rate capping in the 2016-2017 financial year, Council has identified a range of savings on operating expenditure. In some cases, these savings measures have been able to be introduced during 2015-2016, and as a result, the year-end result has benefitted from these savings.
5. The reporting process compares actual performance to budgeted targets. It should be noted that this is only an interim report as the annual external financial audit is yet to be completed. The audited financial statements will be presented in August.
6. The result shown in the Rate Determination Statement differs from the result presented in the Income Statement. This is because the Income Statement includes non-cash items (such as Depreciation), and excludes Balance Sheet items (such as Debt Redemption) which require cash allocations.

Policy context

7. This report directly supports the achievement of Council Plan 2013-2017 strategy:
 - We will undertake long-term financial planning to ensure our budget decisions are responsible and sustainable.

Budget implications

8. This is a standard reporting item to Council, the associated costs for which are included in the current budget.

Consultation/communication

9. Nil

Issues/options

10. The Interim Financial Report for the period ended 30 June 2016 is provided in Attachment 1.
11. Council closed the period ending 30 June 2016 with a surplus of \$3.097 million. This represents a favourable variance of \$3.044 million above the forecast surplus of \$52,962 which was forecast in the Mid-Year Financial Review in December 2015.
12. The overall variance is comprised of the following:
 - Net Operating favourable variance of \$2,890,379 comprising:
 - \$825,000 of additional income
 - \$2.065 million in expenditure savings
 - New Initiatives favourable variance of \$106,395 for projects not proceeding

12. Officers' reports

OCM.118/16 June Interim Financial Report

- Capital Works favourable variance of \$47,765 for minor underspends
- This variance is detailed in the below table:

Item	Variance \$	Commentary
Materials	830,000	Underspend across Council on materials and service costs.
Employee costs	605,788	Underspend attributable to vacant positions during the year.
Interest income	515,335	Better than expected interest earned, partly due to extra cash held due to timing of major capital works projects.
Minor variances	299,430	Minor underspends identified in expenditure line items throughout the organisation.
Statutory fees and fines	212,088	Additional fees and fines revenue during the year.
Corporate insurance	194,407	Savings on insurance premiums across the portfolio.
Leisure and community facilities	135,422	Savings in maintenance costs across facilities in the Shire.
Rates and charges	97,909	Additional Rates and Charges revenue.
Total operating	\$2,890,379	
New initiatives	\$106,395	Projects not proceeding
Capital works	\$47,765	Minor underspends across program
Total variance	\$3,044,540	Overall favourable variance

13. The improved surplus result provides the opportunity for Council to make additional allocations into its financial reserves. It is proposed to allocate the favourable variance as follows:

12. Officers' reports

OCM.118/16 June Interim Financial Report

Item	Amount \$	Commentary
Major Projects Reserve	1,500,000	Allocation to the reserve for the Eltham Leisure Centre project.
Bond Reserve	891,000	This reserve holds funds set aside to repay the principal component of borrowings previously taken out by Council. This additional allocation into the reserve will generate future interest income, and also provide capacity to repay some existing loans ahead of schedule, which will save interest costs in future years.
Defined Superannuation Benefits Reserve	605,800	Underspend relating to staffing costs to be set aside to cover future potential calls made in relation to the Defined Benefits Superannuation Scheme.
Waste Management Reserve	45,000	Statutory obligation to set aside any year end surplus of funds from the Waste Management Charge. This can then be used to fund landfill rehabilitation costs in future years.
Total allocation to Reserves	3,041,800	
Surplus	55,702	To be transferred to retained earnings.
Total	3,097,502	Surplus as per attached financial report.

Conclusion

14. Council's interim financial position at the end of June 2016 reflects an improved result compared to the original Budget and the mid-year Financial Review.
15. This has been achieved through a combination of increased income received and reduced expenditure incurred.
16. The higher surplus enables Council to allocate additional funding to the Major Projects Reserve, and to also make advance allocations for future debt repayments and potential superannuation calls, both of which will strengthen Council's financial position and reduce risk exposure in future years.

12. Officers' reports

OCM.119/16 Audit Committee vacancy

File: 20/15/006

Distribution: Public

Manager: Andrew Port, General Manager Corporate Services

Author: Vince Lombardi, Manager Finance

Summary

Council currently has one vacancy for an independent member on its Audit Committee, following the recent retirement of long standing committee member Roger Male.

The *Local Government Act 1989* requires each Council to have an Audit Committee to oversee the Council's management of risk, internal controls and financial reporting.

The Committee meets four times each year and the minutes are presented at a subsequent Council meeting.

The Audit Committee comprises three positions for independent members, and two positions for Councillors (currently Cr King and Cr Klein). The position of Chairperson is held by one of the independent members, Linda MacRae, and the remaining independent member is John Watson.

Applications for the vacant position have been invited through advertisements on the LinkedIn website. Council received 17 applications.

The recommended applicant for the vacant position is Gregory Hollyman, who holds extensive experience as an internal auditor and across different sectors.

Recommendation

That Council:

1. **Appoints Gregory Hollyman as an independent member of the Audit Committee for a three year term concluding 30 June 2019 and advise Mr Hollyman accordingly.**
2. **Notifies the other applicants to thank them for their application and advise them of Council's decision.**

Attachments

1. Terms of Reference

Background

1. Council is required by the *Local Government Act 1989* to have an Audit Committee to oversee Council's financial reporting, risk management and internal controls.
2. At Nillumbik, the Audit Committee has five members. Two members are Councillors, currently Cr King and Cr Klein.
3. The other three positions are held by independent members with expertise in audit, risk management and financial reporting, with one of the independent members acting as Chairperson.

12. Officers' reports

OCM.119/16 Audit Committee vacancy

4. The terms of reference for the Audit Committee are in Attachment 1.
5. The independent members are each appointed for a three year term, and may be reappointed by Council once that term concludes. The terms of the three members are staggered over the three year period, so that one member's term concludes each year.
6. The current Chairperson is Linda MacRae who is currently appointed until 2017. John Watson is the other independent member and is appointed until 2018.
7. Roger Male has been an independent member for over 14 years with his current term concluding on 30 June 2016 and he advised that he did not wish to seek a further term. As a result, Council needs to appoint a new independent member.
8. Applications were invited through an advertisement on the LinkedIn website over the period of four weeks in June 2016. Seventeen applications were received.
9. The applications were short-listed based on the experience and qualifications of the applicants and the quality of the applications. An evaluation was then conducted for the short-listed applicants.
10. Four applicants were shortlisted and invited to be interviewed on Tuesday 5 July.
11. An assessment was then carried out at the conclusion of the interviews to determine if a further round of interviews would be required or if there was an outstanding candidate from the shortlist.
12. Upon review of the four candidates there was one candidate who was preferred by all panel members.
13. Mr Hollyman was the preferred candidate based both on his experience and performance during the interview process.
14. A final stage of the process was to conduct reference checks on Mr Hollyman to verify his credentials and professional experience listed. In addition, the reference checks also provided subjective insight to Mr Hollyman's conduct and approach within a committee environment.
15. The Referees contacted gave sound feedback which complemented Mr Hollyman's application and interview.
16. Mr Hollyman has demonstrated extensive experience in the internal audit and risk area of organisations both through previous work experience and membership to other audit committees.
17. Mr Hollyman's local and international experience will add significant value to the audit committee.

Policy context

18. This report directly supports the achievement of Council Plan 2013-2017 strategy:
 - We will meet our legal responsibilities and manage our risks.

12. Officers' reports

OCM.119/16 Audit Committee vacancy

Budget implications

19. Council pays a fee to each independent member of the Audit Committee, being \$8,000 per annum to the Chairperson, and \$5,000 per annum to each of the other independent members.
20. Costs associated with advertising for the vacancy have been met from operating budgets.

Consultation/communication

21. Applications were invited through advertisements on the LinkedIn website.
22. An interview process was then undertaken to assist in the assessment of applicants. The interview panel consisted of the Manager Finance and the Financial Accountant.

Recommended appointment

23. On the basis of the evaluation conducted, the recommended applicant is Gregory Hollyman.
24. Mr Hollyman has extensive experience in internal audit and governance matters.
25. Mr Hollyman is a very experienced and well-credentialed candidate for the role of independent member on Council's Audit Committee and it is recommended that Council accept his application.

Conclusion

26. The Audit Committee performs a crucial role in overseeing Council's risk management, internal control and financial reporting framework.
27. The appointment of well-qualified and experienced independent members to the Audit Committee is an important decision by Council in ensuring that the Committee has the necessary skills and capabilities to undertake this role.

12. Officers' reports**OCM.120/16 Eltham Leisure Centre aquatic redevelopment - additional allocation of funds**

File: 80/46/007
Distribution: Public
Manager: Pauline Gordon, General Manager Community and Leisure
Author: Naomi Paton, Manager Leisure and Social Infrastructure
Frances Duncan, Coordinator Leisure Facilities

Summary

The Eltham Leisure Centre (ELC) aquatic redevelopment is a strategic priority and Council's most significant infrastructure project, replacing existing aquatic and associated facilities some of which are more than thirty-five years old. The aquatic facilities closed to the public in June 2016.

The redevelopment, due for completion in November 2018, will deliver an eight-lane 25 metre pool, integrated program pool and leisure pool, a dedicated warm water pool, accessible spa, sauna and steam room, new change facilities including dedicated group change rooms and landscaped outdoor area incorporating water play features.

Redeveloping ELC is Council's highest infrastructure priority, accounting for \$5.8 million of Council's \$10 million renewal needs.

Eltham Leisure Centre is the Shire's only major leisure facility which delivers a financial return to Council, currently \$0.42 per visit. Following redevelopment, the return to Council is modelled to deliver a \$1.03 return per visit to Council with an average of 1 million visits per annum anticipated over ten years post redevelopment. This return contributes to the organisation's overall stable financial position and outlook detailed in the Strategic Resource Plan.

The current project budget totals \$16.45 million consisting of Council funding of \$9.65 million through rates and reserves and \$6.8 million State Government contributions- the largest State investment in a metropolitan municipal-level facility. Successful grant applications reduced Council's contribution from the previously committed \$13 million.

Construction tenders were received in May 2016. Upon receipt of the tenders, it became clear that a value management exercise would need to be undertaken due to the substantial cost overrun when comparing with the construction budget estimation. The value management exercise sought to drive down the cost without compromising significantly on design intent, and long-term facility operations and maintenance.

Officers have completed extensive tender negotiations and a value management exercise with the two lowest tenderers. All items in the scope which optimises facility amenity and user experience, such as noise amelioration, and maximises the potential future operational performance have been retained in the scope. Based on final tendered sums, there is requirement for additional funding of \$2.9 million, with the below items contributing to escalated costs:

- The cost of steel will increase by up to 10 per cent from 1 July 2016.
- A weakening Australian dollar means the cost of required goods only manufactured overseas is more expensive.

12. Officers' reports**OCM.120/16 Eltham Leisure Centre aquatic redevelopment - additional allocation of funds**

-
- The EBA for construction workers from 1 July 2016 allows for a five per cent increase and removes time and a half and replacing it with double time.
 - State Government's requirement for a ramp entry into the 25 metre pool rather than lift access which resulted in additional design and construction costs.
 - The cost of the pool structure was estimated on 2012 prices which have now been reviewed by the Quantity Surveyor and is an additional \$1 million above original cost estimates.

This report proposes a funding package for the extra \$2.9 million for the ELC aquatic redevelopment, which can be met by Council without impacting on Council operations, forward commitments or overall financial sustainability. Identifying funding sources through reconciling the 2015-2016 year-end financial estimates is fortuitous timing for this project.

A separate confidential report in this agenda considers the ELC aquatic redevelopment construction tender. Construction is due to commence by August 2016.

Recommendation**That Council:**

1. **Endorses an additional \$2.9 million allocation for the Eltham Leisure Centre Aquatic Redevelopment to be funded as detailed in this report.**
2. **Notes that a separate confidential report in this agenda considers the tenders received for the project.**

Attachments

Nil

Background

1. Eltham Leisure Centre (ELC) is the Shire's most patronised community leisure facility with attendances in excess of 718,000 per annum including an estimated 250,000 visits to the aquatic facilities alone.
2. ELC is the only revenue generating leisure facility for Council. It consistently performs well financially and has historically enjoyed one of the highest members per square metre rates in Australia.
3. The Centre is a highly valued community asset that is ageing and its ongoing fit for purpose operation is critical to Council's delivery of community health and wellbeing outcomes across all population age groups, particularly our ageing community, and community's growing demand for informal active recreation opportunities.
4. The existing aquatic facility was constructed in two-stages, with the first-stage 25 metre pool, spa, sauna and associated plant and change facilities now in operation for more than 35 years. The condition of the facility and structures have deteriorated to such a state that renewal is required.

12. Officers' reports

OCM.120/16 Eltham Leisure Centre aquatic redevelopment - additional allocation of funds

5. Council's 2011 Recreation Strategy identified the need for the aquatic areas to be replaced to contemporary standards to meet the Shire's current and future aquatic needs. The Eltham Leisure Centre aquatic redevelopment is a strategic priority and Council's most significant infrastructure project.
6. Council has made a number of decisions informing the facility's redevelopment.
 - a) At the December 2012 Ordinary Meeting of Council, Council considered options for the ongoing provision of indoor aquatic facilities services, and resolved to prepare a functional design brief and funding strategy for an expanded aquatic offering.
 - b) At the September 2013 Ordinary Meeting of Council, Council resolved to redevelop the facility with an expanded offering and commenced the staged implementation subject to the securing of \$3 million in external funding.
 - c) At the July 2014 Policy and Services Committee meeting Council resolved to commit \$13 million to the project and submitted a State Government Better Pools funding application seeking \$3 million towards a \$15.89 million redevelopment. The successful grant was announced in October 2014.
 - d) A further funding application to the State Government's Interface Growth Fund, lodged in July 2015, secured an additional \$3.8 million to support enhanced outdoor water play and landscaping features, upgrades to the existing wet area change facilities and further enhanced universal design outcomes.
7. The redevelopment will deliver contemporary aquatic facilities that will complement the Centre's dry health and fitness areas. Key features includes:
 - Replacement of the existing six-lane 25 metre pool with a new eight-lane 25 metre pool.
 - An integrated program pool and leisure pool incorporating a range of interactive leisure water play features including a slide. The program pool will support the lower level learn to swim participants, while the leisure components will provide for the children and family market.
 - A dedicated warm water pool to provide for growing demands for rehabilitation, therapy and gentle exercise programs, adjacent an accessible spa, sauna and steam room.
 - Replacement of the entire pool structure and plant due to significant structural and plant deficiencies identified through structural and plant technical audits.
 - A multi-purpose room enabling a range of activities such as school holiday programs, user group functions and events, and children's birthday parties.
 - Conversion of the existing wet change room to a family change area, and accessible change rooms including a fully-accessible changing places facility providing for people with severe or profound disabilities.
 - Dedicated group change facility with a separate entry to support school usage and swimming club programs and events.

12. Officers' reports

OCM.120/16 Eltham Leisure Centre aquatic redevelopment - additional allocation of funds

- Universal design outcomes delivering inclusive and equitable access to the facility. This includes zero-depth access to all pools, raised concourse to remove internal level changes across the entire facility, improved access to the pool hall from the foyer and improved linkages to the food services which also encourages social interaction and secondary spend opportunities.
 - Development of a new aquatic administration area currently housed in a portable building.
 - Upgraded landscaped outdoor area including an elevated viewing deck, and water play and picnic facilities overlooking the Diamond Creek environs.
8. By redeveloping ELC to deliver a contemporary and expanded aquatic offering, the Centre is forecast to attract on average 1 million visitations per year, an increase of 39 per cent on today's attendance levels.
 9. The redeveloped facility will make a significant contribution towards Council's long term financial sustainability. Council's Strategic Resource Plan identifies that ELC will deliver a net annual return to Council of \$1 million averaged over 10 years, contributing to the organisation's overall stable financial position and outlook.
 10. The ELC redevelopment is Council's highest infrastructure renewal priority. Reducing the renewal gap over the next 10 years to zero is a key objective within Council's 2013 Financial Sustainability Plan. The ELC redevelopment accounts for \$5.8 million of Council's \$10 million renewal need.
 11. The \$6.8 million funding from State Government - the largest State investment in a municipal aquatic facility – delivers expanded programming opportunities and increased participation outcomes within Council's original funding commitment of up to \$13 million. State Government funding is conditional on delivering many of the facility components detailed in paragraph 7.
 12. The 2015 financial business model updated to reflect the components for which external funding has been secured, indicates that the redeveloped facility is forecast to generate an annual financial return to Council of approximately \$1,060,000 per annum over the 10 years of operation, an improvement on \$635,337 on the 2012 Business Model to replace like-for-like.

Financial model	Average annual return to Council over 10 years
Business Model 2012: Redevelop like for like	\$424,663
Business Model 2015: Expanded aquatic offering	\$1,060,000

There is a 12 year payback period for Council's investment from rates and major projects.

12. Officers' reports

OCM.120/16 Eltham Leisure Centre aquatic redevelopment - additional allocation of funds

13. Eltham Leisure Centre is the only major leisure facility which delivers a financial return to Council. Council receives \$0.42 per visit (based on 714,000 attendances in 2014-2015) which is forecast to increase to \$1.03 per visit post redevelopment based on financial and visitation projections. In comparison, all other Council owned leisure facilities are currently operating at a net cost to Council of between \$0.36 - \$4.71 per visit.
14. Works are programmed to commence in August 2016. Any delays to the anticipated date of contract award will result in negative financial impacts to Council. The re-opening of the facility is planned to be November 2017 to ensure the 2017-2018 summer season is captured to meet the projections of the financial business model and Council's Strategic Resource Plan.
15. The aquatic facilities closed on 30 June 2016. The process of decommissioning the plant has commenced. Aquatic members and learn to swim participants have been relocated and enrolled at nearby facilities including City of Manningham's Aquarena and Mill Park Leisure Centre in the City of Whittlesea. Contract YMCA staff have been redeployed to these facilities.

Policy context

16. This report directly supports the achievement of Council Plan 2013-2017 strategy:
 - We will responsibly manage our existing assets to maximise the life of the Shire's important community and civic infrastructure.

Budget implications

17. The current project budget totals \$16.45 million consisting of \$9.65 million from Council (under the original \$13 million Council funding commitment) and \$6.8 million from State Government. Council's contribution is funded from rates and reserves. The budget allocation structure is as follows:
 - a) \$1.2 million in 2015-2016 for detailed design (completed).
 - b) \$11.95 million in 2016-2017 to commence construction.
 - c) \$3.3 million in 2017-2018 to complete construction.
18. Based on tendered prices, there is a budget shortfall of up to \$2.9 million following extensive negotiations and an exhaustive value management process. Negotiations sought to protect the projected financial return to Council by not omitting items that would negatively impact on protected Centre visitations or operations such as increased maintenance.
19. The final tendered sums includes the following escalated costs:
 - a) The cost of steel will increase by up to 10 per cent from 1 July 2016.
 - b) A weakening Australian dollar means the cost of required goods only manufactured overseas is more expensive.
 - c) The EBA for construction workers from 1 July 2016 allows for a five per cent increase and removes time and a half and replacing it with double time.

12. Officers' reports

OCM.120/16 Eltham Leisure Centre aquatic redevelopment - additional allocation of funds

- d) State Government's requirement for a ramp entry into the 25 metre pool rather than lift access which resulted in additional design and construction costs.
 - e) The cost of the pool structure was estimated on 2012 prices which have now been reviewed by the Quantity Surveyor and is an additional \$1 million above original cost estimates.
20. The \$2.9 million shortfall needs to be funded by Council to enable the project to proceed, increasing Council's contribution from \$9.65 million to \$12.55 million (still under the \$13 million Council contribution detailed in the original funding strategy).
21. The proposed budget structure is:
- a) \$1.2 million in 2015-2016 for detailed design (completed)
 - b) \$14.85 million in 2016-2017 to commence construction
 - c) \$3.3 million in 2017-2018 to complete construction.
22. Whilst the construction costs have increased since the project was first identified, the additional \$2.9 million can be funded without impacting on other projects in Council's Major Projects Plan and capital works program, and without any negative impact on Council's overall financial sustainability.
23. A proposed funding package has been developed to fund the \$2.9 million shortfall on current Council commitments, drawn from four sources identified in parallel with the reconciliation of year-end financial estimates as the 2015-2016 financial year draws to a close.

Item	Description	Contribution
1	Major Projects Reserve (land sales)	\$ 1,100,000
2	Projected 2015-2016 surplus	\$ 1,500,000
3	Diamond Creek On-Road Bike Lane (savings)	\$ 200,000
4	Eltham Leisure Centre – Profit Share Reserve	\$ 100,000
Total		\$ 2,900,000

24. This funding package results from ongoing efforts to deliver efficiencies in operating costs (which is reflected in the improved 2015-2016 projected surplus), along with better than budgeted results from land sales, savings on a capital works project, and additional profit-share funding from the Eltham Leisure Centre operations. Further detail on the funding sources, fortuitous in its timing coinciding with 2015-2016 year-end, is provided in the June Interim Financial Report.

Consultation/communication

- 25. Planning for the ELC redevelopment has involved extensive community consultation and stakeholder engagement.
- 26. Community input has informed past Council decisions on the facility components sought through the redevelopment.

12. Officers' reports

OCM.120/16 Eltham Leisure Centre aquatic redevelopment - additional allocation of funds

27. There has been strong community support for the project at all stages of planning, with recent and final consultation focussing specifically on the outdoor area. The landscape plans are now finalised reflecting community feedback which highlighted the importance of green space, play equipment, additional shelter and picnic areas.
28. The planning permit was issued without receiving any objections through the permit advertising period.

Issues/options

29. Reducing the project scope to deliver the facility's redevelopment within the available budget would be in breach of Council's funding agreements with State Government's Sport and Recreation Victoria (Better Pools) and Department of Environment, Land, Water and Planning (Interface Growth Fund [IGF]).
30. In addition, delaying construction commencement to seek additional external funding or delay additional Council contributions to future financial years will be in breach of IGF funding requirements to commence construction by August 2016.
31. All available external funding opportunities have been exhausted, including an unsuccessful funding application to the 2015 Federal National Stronger Regions Fund.

Conclusion

32. The Eltham Leisure Centre Aquatic Redevelopment is consistent with Council's commitment and strategies to deliver functional, contemporary facilities that are designed to meet identified community needs within a municipal context.
33. The renewal of recreational infrastructure is an important function of Council with regard to delivering improved health and wellbeing outcomes for the whole of community.

12. Officers' reports

OCM.121/16 Camelot Close Special Charge Scheme, Research

Distribution: Public

Manager: Conal Creedon, General Manager Infrastructure Services

Author: Aashish Pandey, Engineer

Summary

On 20 January 2016, Council received a petition signed by property owners in Camelot Close, Research requesting that Council investigate road sealing.

Questionnaires were then sent to all property owners in Camelot Close on 18 May 2016 to establish the level of support to construct the road.

The level of support established for a Special Charge Scheme for Camelot Close is 60 per cent. This represents support from three of the five property owners.

Given that the level of support is 60 per cent, it is recommended that Council proceed with consultation for the construction of Camelot Close, Research.

Recommendation

That Council:

- 1. Proceeds with the development of a Special Charge Scheme for the sealing of Camelot Close, Research.**
- 2. Invites affected property owners to an information session to outline the next steps in the process of construction under Council's Special Rates and Charges Policy and Procedure.**

Attachments

1. Proposed scheme area
2. Apportionment to affected properties

Background

1. On 20 January 2016, Council received a petition signed by property owners in Camelot Close, Research requesting that Council investigate road sealing.
2. Questionnaires were then sent to all property owners in Camelot Close, Research on 18 May 2016 to establish the level of support to construct the road.

Policy context

3. This report directly supports the achievement of Council Plan 2013-2017 strategy:
 - We will provide a safe and accessible network of local roads, footpaths and trails.

Budget implications

4. The cost of the investigation undertaken to date is accommodated in the current services budget.

12. Officers' reports

OCM.121/16 Camelot Close Special Charge Scheme, Research

5. If a scheme proceeds, Council would incur a cost for survey, design and construction. These costs would be included in the scheme and recovered when construction commences and the charge is levied.

Consultation/communication

6. Consultation to date has been carried out in line with Council's Special Rates and Charges Policy and Procedure. This involved questionnaires being sent to all property owners in Camelot Close, Research on 18 May 2016 (refer to Attachment 1).
7. Further consultation will occur through an information session for all residents, selection of task group representatives to work with Council officers on the detailed design and a final information session for all residents.
8. Progress on the development of the Special Charge Scheme is typically reported to Council at three points in the process:
 - Advise Council of the level of support for construction and recommend proceeding or abandonment (this report).
 - At completion of the design when Council is required to commence the statutory part of the process by notifying residents and publicly advertising its intention to declare the Special Charge.
 - Via a Policy and Services Committee report to consider any objections or submissions on Council's intention to declare the Special Charge. At this time Council can decide to formally declare the Special Charge, amend or abandon it.

Issues/options

9. On 20 January 2016, Council received a petition signed by property owners in Camelot Close, Research requesting that Council investigate road sealing.
10. On 18 May 2016, questionnaires were sent to property owners in Camelot Close, Research to establish the level of support to construct the road.
11. The results of these questionnaires are shown in Table 1 below.

Table 1 – Results for Camelot Close Special Charge Scheme questionnaires

	Construction	No change	No response	Total
Votes	3	2	0	5
Percentage	60%	40%	0%	100%

12. The level of support established for a Special Charge Scheme for Camelot Close, Research is 60 per cent. This represents support from three out of five property owners. If a scheme is to proceed, Council would incur a cost for survey, design and construction. These costs would be included in the scheme and recovered when construction commences and the charge is levied.

12. Officers' reports

OCM.121/16 Camelot Close Special Charge Scheme, Research

13. The questionnaires also asked property owners to comment in respect to amenity, environment, street character, construction standard and any other factors considered relevant to the proposed scheme.
14. Generally, the comments received from property owners were reflective of the way they voted. Comments from those in favour of the scheme included:
- The proposed road construction would improve road safety and reduce the dust problem.
 - Drainage needs to be improved.
- Comments from property owners opposed to the scheme included:
- The road is satisfactory in its present state.
 - The cost apportionment is inequitable.
 - Constructing the road will detract from the rural character.
15. Indicative costs for property owners involved in the proposed Special Charge Scheme for Camelot Close, Research are outlined in Attachment 2.
16. The special benefit of the road construction is considered to be improved access and amenity to property owners and the residents in the scheme. There is no Council land, non-rateable land or Crown land within the scheme and the standard of the road will not need to increase beyond the normal residential standard in the area. Considering this, it has been determined that there is no special benefit to the community and no special benefit to properties not included in the scheme.

Conclusion

17. The results of the questionnaire demonstrate support from a majority of property owners in Camelot Close, Research, for the construction of the road via a Special Charge Scheme.
18. Based on this support, it is recommended that the consultation process proceed, and all affected property owners be invited to an information session to outline the next steps in the process of construction under Council's Special Rates and Charges Policy and Procedure.

12. Officers' reports

OCM.122/16 Worns Lane Special Charge Scheme, Yarrambat - questionnaire results

Distribution: Public

Manager: Conal Creedon, General Manager Infrastructure Services

Author: Vladimir Mistic, Engineer

Summary

On 19 February 2016, Council received a petition signed by property owners requesting that Council investigate road sealing for a section of Worns Lane between Latrobe Road and Licola Street, Yarrambat.

Questionnaires were then sent to all affected property owners in Worns Lane on 18 April 2016 to establish the level of support to construct the road.

The level of support established for a Special Charge Scheme for a section of Worns Lane between Latrobe Road and Licola Street, Yarrambat is above 60 per cent. This represents support from seven of the eleven property owners.

Given that the level of support is above 60 per cent it is recommended that Council proceed with consultation for the construction of Worns Lane, Yarrambat.

Recommendation

That Council:

- 1. Proceeds with the development of a Special Charge Scheme for sealing the section of Worns Lane between Latrobe Road and Licola Street, Yarrambat.**
- 2. Invites affected property owners to an information session to outline the next steps in the process of construction under Council's Special Rates and Charges Policy and Procedure.**

Attachments

1. Proposed scheme area
2. Apportionment to affected properties

Background

1. On 19 February 2016, Council received a petition signed by property owners requesting that Council investigate road sealing, for a section of Worns Lane between Latrobe Road and Licola Street, Yarrambat.
2. Questionnaires were then sent to all affected property owners in Worns Lane on 18 April 2016 to establish the level of support to construct the road.

Policy context

3. This report directly supports the achievement of Council Plan 2013-2017 strategy:
 - We will provide a safe and accessible network of local roads, footpaths and trails.

12. Officers' reports

OCM.122/16 Worns Lane Special Charge Scheme, Yarrambat - questionnaire results

Budget implications

4. The cost of the investigation undertaken to date is accommodated in the current services budget.
5. If a scheme proceeds, Council would incur a cost for survey, design and construction. These costs would be included in the scheme and recovered when construction commences and the charge is levied.

Consultation/communication

6. Consultation to date has been carried out in line with Council's Special Rates and Charges Policy and Procedure. This involved questionnaires being sent to all affected property owners in Worns Lane, Yarrambat on 18 April 2016 (refer to Attachment 1).
7. Further consultation will occur through an information session for all residents, selection of task group representatives to work with council officers on the detailed design and a final information session for all residents.
8. Progress on the development of the Special Charge Scheme is typically reported to Council at three points in the process:
 - Advise Council of the level of support for construction and recommend proceeding or abandonment (this report).
 - At completion of the design when Council is required to commence the statutory part of the process by notifying residents and publicly advertising its intention to declare the Special Charge.
 - Via a Policy and Services Committee report to consider any objections or submissions on Council's intention to declare the Special Charge. At this time Council can decide to formally declare the Special Charge, amend or abandon it.

Issues/options

9. On 19 February 2016, Council received a petition signed by property owners requesting that Council investigate road sealing, for a section of Worns Lane between Latrobe Road and Licola Street, Yarrambat.
10. On 18 April 2016, questionnaires were sent to all affected property owners in Worns Lane, Yarrambat to establish the level of support to construct the road.11. The results of these questionnaires are shown in Table 1 below.

Table 1 – Results for Worns Lane Special Charge Scheme questionnaires

	Construction	No change	No response	Total
Votes	7	4	0	11
Percentage	63.6%	36.4%	0%	100%

12. Officers' reports

OCM.122/16 Worns Lane Special Charge Scheme, Yarrambat - questionnaire results

12. The level of support established for a Special Charge Scheme for Worns Lane, Yarrambat is above 60 per cent. This represents support from seven out of eleven property owners. If a scheme is to proceed, Council would incur a cost for survey, design and construction. These costs would be included in the scheme and recovered when construction commences and the charge is levied.
13. The questionnaires also asked property owners to comment in respect to amenity, environment, street character, construction standard and any other factors considered relevant to the proposed scheme.
14. Comments from property owners in favour of the scheme included:
 - Dust hazard will be reduced
 - The road has potholes and is slippery in wet weather
 - Road construction will improve safety
 - Vehicle operating costs will be reduced
 - Access to properties will be improved
 - It is required due to increased volume and speed of vehicles
 - Council should contribute to the scheme
 - It would reduce erosion and pollution of waterway

Comments from property owners opposed to the scheme included:

 - The scheme is too expensive
 - Happy with the existing unsealed road
 - Unsealed road fits in with the rural character of the area
15. Generally, comments received from property owners were supportive of the scheme. Among those mentioned above, the most prevalent comments were regarding improving safety, reducing the dust hazard and that the estimated road sealing costs are expensive.
16. Indicative costs for property owners involved in the proposed Special Charge Scheme for Worns Lane, Yarrambat are outlined in Attachment 2.
17. The special benefit of the road construction is considered to be improved access and amenity to property owners and the residents in the scheme. There is no Council land, non-rateable land or Crown land within the scheme and the standard of the road will not need to increase beyond the normal residential standard in the area. Considering this, it has been determined that there is no special benefit to the community and no special benefit to properties not included in the scheme.

Conclusion

18. The results of the questionnaire demonstrate support from a majority of property owners in the section of Worns Lane between Latrobe Road and Licola Street, Yarrambat for constructing the road via a Special Charge Scheme.

12. Officers' reports

OCM.122/16 Worns Lane Special Charge Scheme, Yarrambat - questionnaire results

19. Based on this support, it is recommended that the consultation process proceed, and all affected property owners be invited to an information session to outline the next steps in the process of construction under Council's Special Rates and Charges Policy and Procedure.

12. Officers' reports

OCM.123/16 Hillmartin Lane Area Special Charge Scheme, Diamond Creek - intention to declare

Distribution: Public

Manager: Conal Creedon, General Manager Infrastructure Services

Author: Anita Devi, Project Engineer

Summary

On 10 April 2015, Council received a petition from property owners in Hillmartin Lane, Diamond Creek (north of Starling Road) and from property owners in the area comprising Larch Crescent, Sutherland Road (between Larch Crescent and Diamond Creek Road), Hillmartin Lane (south of Starling Road), Fielding Road and Starling Road requesting these roads to be sealed.

After conducting a survey and determining that 68.4 per cent of property owners support road sealing, Council resolved on 22 September 2015 to proceed with the consultation process for the Hillmartin Lane Area Special Charge Scheme, Diamond Creek (Item OCM.125/15).

Council officers have held information sessions and task group meetings, including two onsite meetings, in line with Council's policy for Special Charge Schemes. The final information session for all interested property owners involved in the scheme was held on 23 June 2016.

The next stage in the process is for Council to give notice of its intention to declare a Special Charge Scheme for the Hillmartin Lane area. This allows any affected person to make a submission or objection before Council decides on levying the Special Charge.

Recommendation

That Council:

1. **Council give notice of its intention to declare a Special Charge Scheme in accordance with Part 8 of the *Local Government Act 1989*, for the construction of Hillmartin Lane, Sutherland Road (between Larch Crescent and Diamond Creek Road), Larch Crescent, Fielding Road and Starling Road, Diamond Creek subject to the following conditions:**
 - a) **The Special Charge Scheme shall apply to the properties in the Hillmartin Lane area, Diamond Creek as shown in Attachment 1.**
 - b) **The apportionment cost to each property is based on the method shown in the report and Attachment 3.**
 - c) **The total estimated cost to each property is shown in Attachment 2 and may be paid as a lump sum or by quarterly instalments over a ten year period with interest as provided by section 163(1)(b) of the *Local Government Act 1989*.**
 - d) **The interest rate applicable to instalments paid by each due date is to be one per cent higher than the rate applying to Council in relation to funds borrowed for this project.**

12. Officers' reports

OCM.123/16 Hillmartin Lane Area Special Charge Scheme, Diamond Creek - intention to declare

- 2. The Special Charge Scheme for the Hillmartin Lane area shall remain in force for 10 years.**
- 3. Within 12 months of the completion of works a final cost statement will be issued to all properties in the Hillmartin Lane area, Diamond Creek and any adjustment to liabilities will be made at the time.**
- 4. The estimated total project cost is \$773,303.31 with a benefit ratio of 'one' (100 per cent). The total amount to be levied under this Special Charge is \$773,303.31.**

Attachments

1. Properties included in proposed scheme
2. Apportionment to affected properties
3. Guidelines for Apportionment of Costs for Road Construction

Policy context

1. This report directly supports the achievement of Council Plan 2013-2017 strategy:
 - We will provide a safe and accessible network of local roads, footpaths and trails.

Budget implications

2. Council has incurred costs for investigating the level of support for construction, survey and design which have been incorporated in the current budget. If a scheme proceeds these costs will be recovered when the charge is levied.

Consultation/communication

3. Consultation has been carried out in line with Council's Special Rates and Charges Policy and Procedure. Questionnaires were sent on 28 July 2015 to property owners included in the scheme to investigate the level of support for road construction.
4. An information session was held for the property owners involved in the scheme on 29 October 2015.
5. Task group meetings were held on 17 February, 6 April, 13 April and 4 May 2016.
6. A final information session for all property owners in the scheme was held on the 23 June 2016 and was attended by 13 property owners.
7. This report commences the statutory process to levy the special charge. Council must first give notice of its intention to declare a special charge, hear any submissions and/or objections to the scheme. Following this, Council may resolve to declare, vary or abandon the scheme.

Issues/options

8. Following the receipt of a petition from property owners to seal roads in the Hillmartin Lane area, Diamond Creek, it was determined that the overall level of support for sealing the road was 68.4 per cent, representing 26 out of 38 properties.

12. Officers' reports

OCM.123/16 Hillmartin Lane Area Special Charge Scheme, Diamond Creek - intention to declare

9. At its meeting on 22 September 2015 Council resolved to proceed with consultation for the Hillmartin Lane Area Special Charge Scheme (Item OCM.125/15).
10. Following Council's resolution to proceed with the scheme, an information session for all property owners was held on 29 October 2015 to discuss the proposed design, the remainder of the Special Charge Scheme and the consultation procedure.
11. A task group was formed following the information session. The task group met with Council officers on 17 February, 6 April, 13 April and 4 May 2016, to develop the proposed design.
12. The proposal for Hillmartin Lane Area Special Charge Scheme is a rural construction standard with open table drains and a spray seal surface. This standard is considered appropriate as property sizes are greater than 0.4ha and are considered able to absorb storm water on site.
13. One of the topics raised by task group members was the potential inclusion of traffic calming along Hillmartin Lane. A proposal that involved traffic calming devices being installed at 3 locations on Hillmartin Lane was put forward to all residents in a questionnaire sent on 16 May 2016. Residents were informed of the estimated increase in their liability as traffic calming measures were not included in the original estimate.
14. The results of the questionnaire are shown below:-

	Construction	No change	No response	Total
Votes	7	22	9	38
Percentage	14%	58%	24%	100%

15. The level of support established for traffic calming was not sufficient to include traffic calming measures in the scheme.
16. Residents were informed that this does not prevent traffic calming from being considered in the future and that any proposal following the scheme would need to be considered in accordance with Council's Local Area Traffic Management (LATM) Policy.
17. The proposed design was presented at a final information session held on 23 June 2016 which was attended by 13 property owners. The final estimated cost of the project has increased by approximately 3.6 per cent due to modifications to the project. These modifications include widening of the road at different sections, sealing of some table drains and an asphalt seal for steeper sections of road.
18. The special benefit of the road construction is considered to be improved access and amenity to property owners and the residents in the scheme. There is no Council land, or Crown land within the scheme and the standard of the road will not need to increase beyond the normal residential standard in the area. Considering this, it has been determined that there is no special benefit to the community and no special benefit to properties not included in the scheme. Therefore, the benefit ratio is 'one' (100 per cent).

12. Officers' reports

OCM.123/16 Hillmartin Lane Area Special Charge Scheme, Diamond Creek - intention to declare

19. The next stage in the process for the Hillmartin Lane Area Special Charge Scheme is for Council to commence the statutory process by giving notice of its intention to declare the scheme.

Appeal rights

20. Property owners have two further avenues for input during the statutory process.
21. The first is when Council serves notice of its intention to declare a Special Charge Scheme for Hillmartin Lane. At this time:
- Any person may make a submission in accordance with section 223 of the *Local Government Act 1989* in relation to Council's proposal to declare a scheme.
 - Any person required to pay the special charge may object to the proposed declaration. If objections are received from more than 50 per cent of affected properties, Council will not be able to proceed with the scheme.
22. The second opportunity is when Council formally declares a Special Charge Scheme for the Hillmartin Lane area, property owners will have the right to appeal to the Victorian Civil and Administrative Tribunal (VCAT).

Apportionment method

23. The apportionment of costs for the scheme is based on 75 per cent for benefit and 25 per cent for frontage. A more detailed explanation of the apportionment can be found in Attachment 3.

Conclusion

24. The consultation process for the Hillmartin Lane Area Special Charge Scheme has been completed in line with Council's Special Rates and Charges Policy and Procedure. This included questionnaires to establish the level of support for road construction, two information sessions and four task group meetings, including two onsite meetings.
25. The next stage in the process is for Council to commence the statutory process by resolving to issue a notice of intention to declare the scheme, publicly advertise the intention to declare the scheme and notify all affected property owners.

12. Officers' reports

OCM.124/16 Environment and Planning monthly activity report

File: 45/25/007

Distribution: Public

Manager: Ransce Salan, General Manager Environment and Planning

Author: Chad Griffiths, Manager Strategic and Economic Planning
Jeremy Livingston, Manager Planning and Health Services
Phil Lovelace, Manager Regulatory Services
Pat Vaughan, Sustainability and Environment Executive Officer

Summary

This report provides a status update on planning, regulatory and policy activities in Council's Environment and Planning Department for the month of June 2016.

Recommendation

That Council receives the Environment and Planning Department Activity Report for June 2016 and notes the following items:

- 1. Eighty-one per cent of planning applications were determined within 60 statutory days.**
- 2. Two VCAT decisions were handed down during June, relating to 157 Scenic Crescent, Eltham North and 81 Glen Park Road, Eltham North.**
- 3. A Directions Hearing to consider preliminary matters has been set for Amendment C101 'ESO Review'. The Directions Hearing will be conducted at 11am on Thursday 4 August 2016, at the Council office.**
- 4. A contract was executed to purchase carbon offsets for the period January to June 2016.**

Attachments

1. Information on statutory planning matters and subdivisions
2. Information on approved Building Dispensations
3. Information on Planning Scheme Amendments

Background

1. Council's Environment and Planning Department consists of the Planning and Health Services Unit; Regulatory Services Unit; Strategic and Economic Planning Unit; and Sustainability and Environment Team. The following report consolidates and documents the key activities for each of these service units for the month of June 2016. A summary of the key activities within each of these service units follows.

12. Officers' reports

OCM.124/16 Environment and Planning monthly activity report

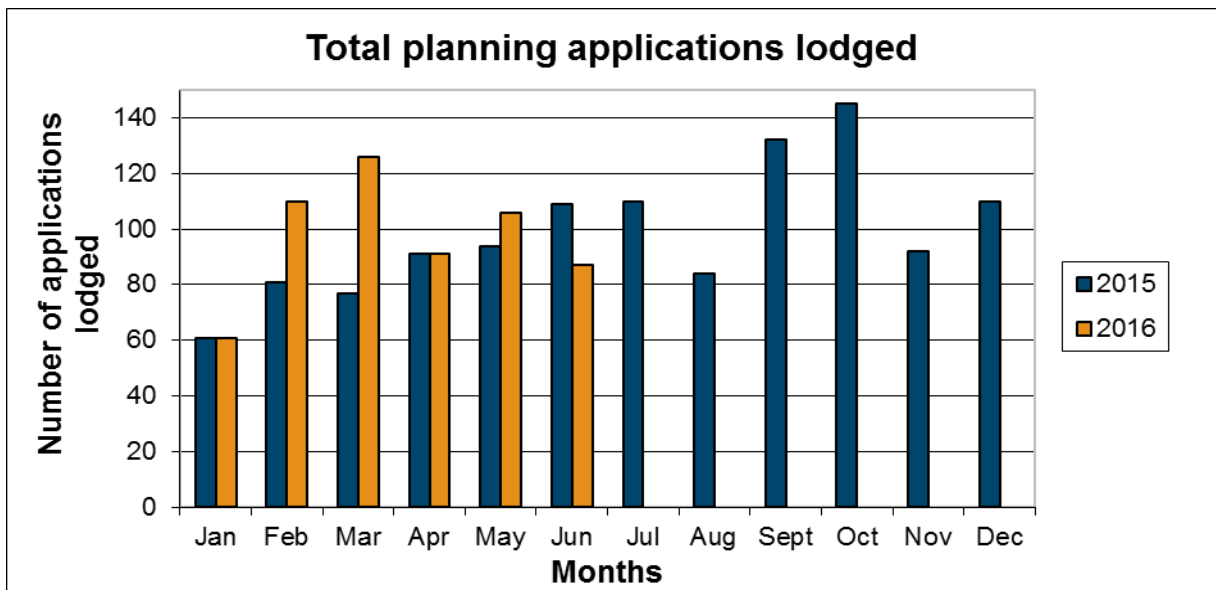
Policy context

2. This report directly supports the achievement of Council Plan 2013-2017 strategy:
- We will partner with local businesses and groups to promote Nillumbik as a unique destination for nature, recreation, culture, food and wine.

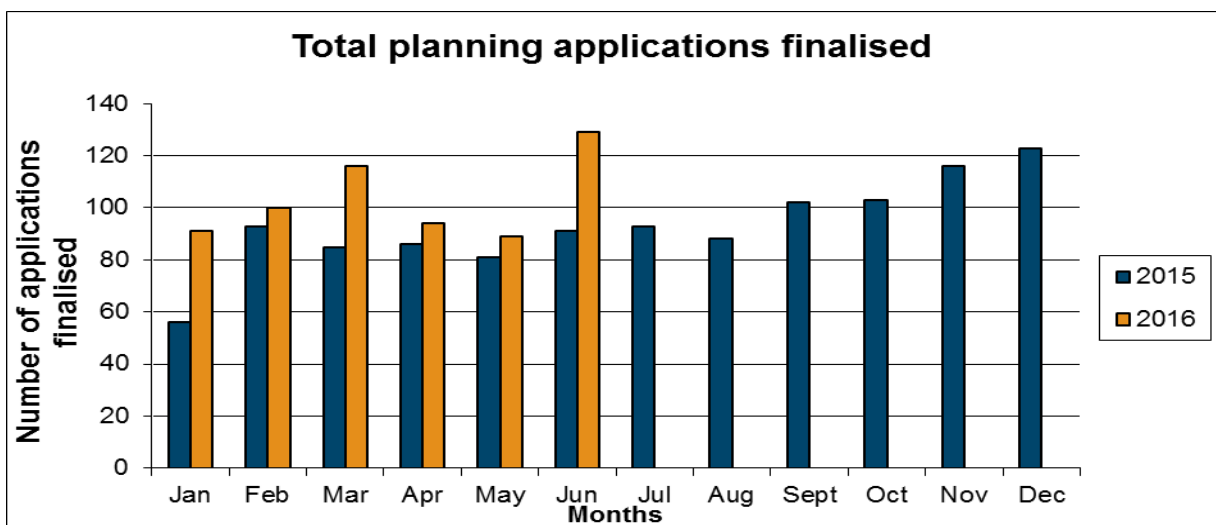
Planning and Health Services Unit

Planning applications lodged and finalised

3. Applications lodged include new planning applications; requests for amendments; plans required by permit conditions and miscellaneous consents (under Section 173 Agreements). A total of 87 new applications were lodged in June 2016.



4. The applications finalised total includes those applications that have been both withdrawn and those for which no permit were required. A total of 127 applications were finalised in June.



12. Officers' reports

OCM.124/16 Environment and Planning monthly activity report

5. A breakdown of the determined planning applications is as follows:

Application type:	Percentage determined
Residential development (new dwellings or additions)	36%
Multi-dwelling development	13%
Subdivision	10%
Miscellaneous consent under Section 173 Agreement	19%
Vegetation removal	8%
Non-residential building and works	6%
VicSmart	2%
Use	4%
Signage	1%

6. Council has received 68 year to date more planning application than for the same period in 2015:

Year	30 June 2015	30 June 2016
Year to date	514	582

7. At the end of June, 312 planning applications remain outstanding, 11 more than for the same period last year:

Year	30 June 2015	30 June 2016
Outstanding applications	301	312

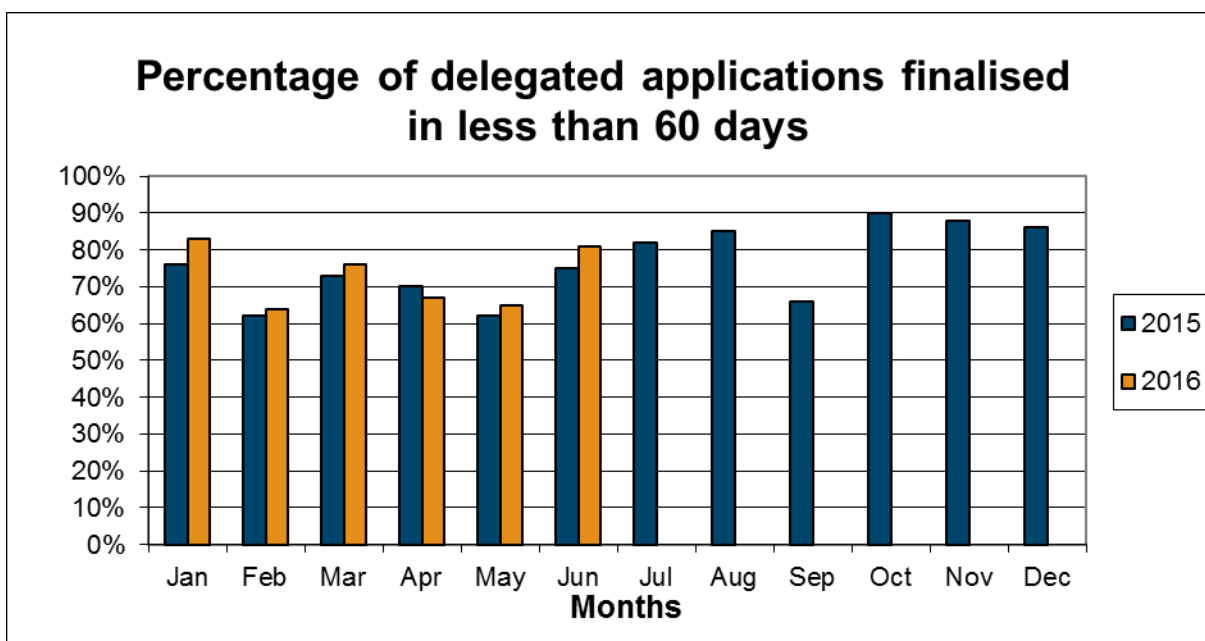
8. Given that the corresponding figure at 31 May 2016 was 354 outstanding applications, the service has made significant inroads at reducing workload volume throughout June. This was achieved through the temporary employment of additional resources in recent months, as well as some streamlining of systems with respect to planning applications relating to newly released land in Diamond Creek North.

Planning applications decision timelines

9. The following graph outlines the statutory timelines for all planning decisions, with the exception of 'VicSmart' planning applications. In June, 81per cent of planning applications were decided within 60 statutory days.

12. Officers' reports

OCM.124/16 Environment and Planning monthly activity report



Victorian Civil and Administrative Tribunal (VCAT) decisions

10. A total of ten planning matters are currently before VCAT. Two VCAT decisions were handed down in June 2016.
11. **157 Scenic Crescent, Eltham - Construction of two dwellings and associated vegetation removal (Council approval, VCAT approval)**
12. The application sought the construction of two new dwellings and associated native vegetation removal on a currently vacant property. The application attracted six written objections and Council's Planning Committee resolved to issue a Notice of Decision to Grant a Permit. Three of the objector parties subsequently sought an application for review at VCAT.
13. The main concerns raised by objectors were stormwater/ overland flow issues resulting from the development, neighbourhood character and ecological impact. The Tribunal listed the matter for a compulsory conference (mediation hearing) which was attended by objectors, a Council officer and the permit applicant's representatives (including their hydrological engineer). As a result of the mediation process, it was agreed following the written consent of all parties that the Council decision be amended with the following additional conditions:
 - Relocate the driveway further north (towards the natural gully line) by approximately two metres (resulting in the loss of an additional canopy tree).
 - Increase setback from the southern boundary by one metre of the garage and study of both dwellings.
 - Additional landscaping to the south of the driveway as a result of the realignment of the driveway as above.
14. The Tribunal directed that Council issue a permit in accordance with these additional requirements.

12. Officers' reports**OCM.124/16 Environment and Planning monthly activity report**

15. **81 Glen Park Road, Eltham - Construction of a second dwelling and removal of trees (Council approval, VCAT approval)**
16. The application sought the construction of a second dwelling on the land (in front of the existing dwelling) and the removal of four trees (only one of which requires a permit). The application attracted one written objection and Council determined to issue a Notice of Decision to Grant a Permit. The objector party subsequently sought an application for review at VCAT.
17. The main concerns raised by the objector related to the location and setbacks of the proposed dwelling, the height and potential reflectivity of the Colorbond cladding to the west wall, overlooking from the proposed balcony and inadequacy of landscaping. In reviewing the proposal, the Tribunal acknowledged that the proposed dwelling will be located within an already disturbed part of the site which has been previously cut and terraced which was a positive attribute. The Tribunal also noted '...the location of the proposed dwelling in front of the existing dwelling is an acceptable and relatively site responsive one. It was clear from my inspection that surrounding dwellings are frequently sited closer to the frontage than this proposed one. I find that the proposed front setback responds in a respectful way to the prevailing pattern of development'.
18. With respect to side setbacks (three and six metres respectively), the Tribunal noted that these are not too dissimilar from corresponding setbacks of other surrounding dwellings. The Tribunal also assessed the proposed building height as acceptable. With respect to concerns around the use of Colorbond cladding, the Tribunal commented '...this material and its colour 'Monument' – a very dark shade of grey – is acceptable. I find that this is a contemporary response that is consistent with the outcome sought by local policy. Several recent dwellings in the nearby area have similarly clad in this material'.
19. The Tribunal directed that Council issue a permit. In doing so, it modified the permit conditions to include a 1 metre long screen to the balcony (to address the overlooking concern) and the submission of an amended landscape plan

Food and Health premises inspections

20. A total of 45 inspections of registered Food and Health Premises were conducted during June. These included 38 mandatory Food Act inspections, which included 14 Follow Up inspections to re-assess issues identified in previous visits. The remaining were five *Public Health and Wellbeing Act* inspections and two new premises.
21. Twenty-three planning referrals were received by the Environmental Health Team during June; four are outstanding for comment as they were received with less than ten working days to respond in accordance with internal protocols.
22. The Domestic Wastewater Management Plan actions continue to be implemented focusing on the compilation of the septic tank system database.

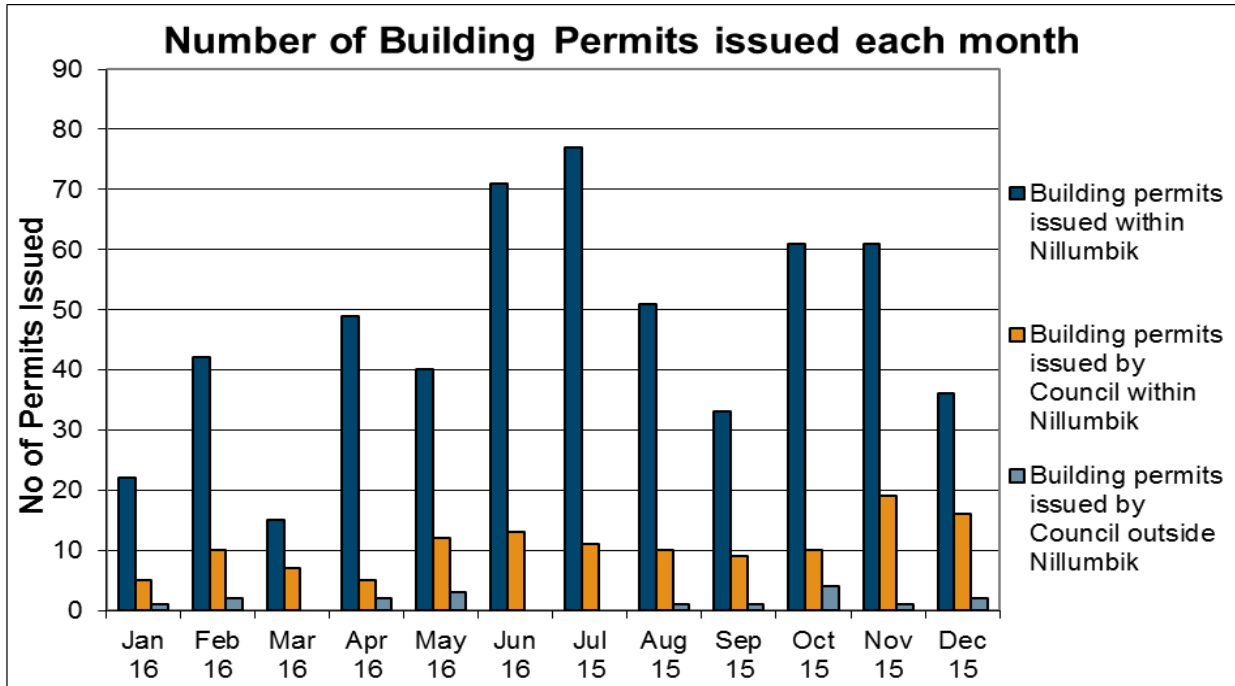
12. Officers' reports

OCM.124/16 Environment and Planning monthly activity report

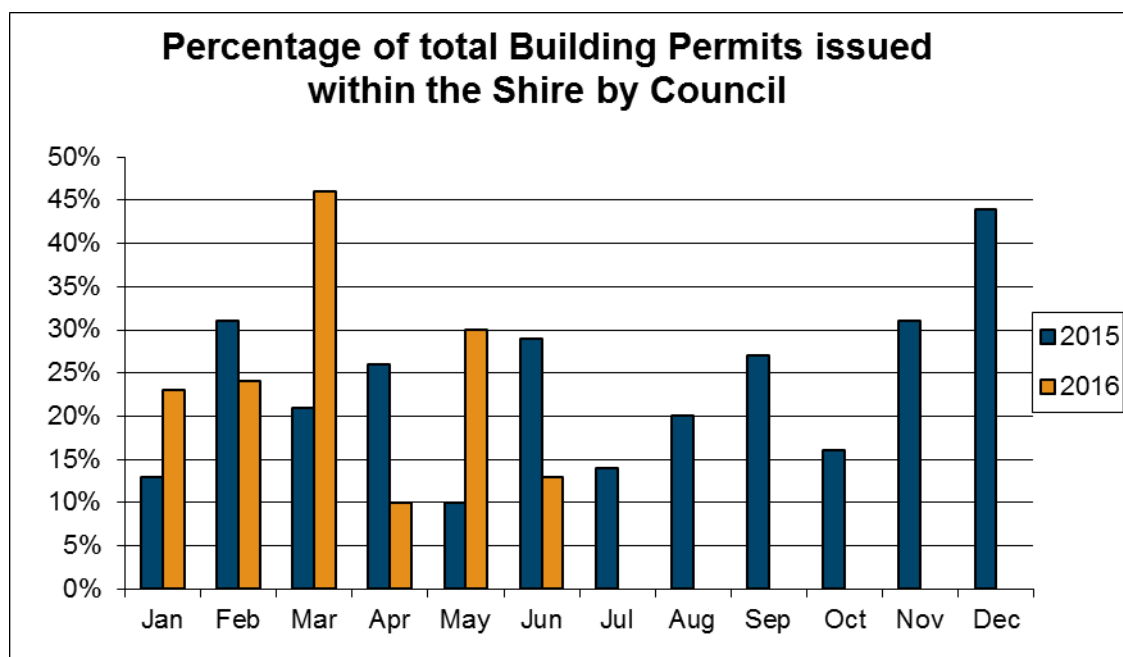
Regulatory Services Unit

Building permits issued

23. The following graph shows the total number of building approvals issued within the Shire of Nillumbik and the number issued by Council's Building Team. The third component of the graph shows the number of building approvals Council's Building Team has issued outside the Shire of Nillumbik.



24. The following graph illustrates the percentage of building permits issued within the municipality. Permits issued by Council's Building Team during June were 13 per cent of the overall total.

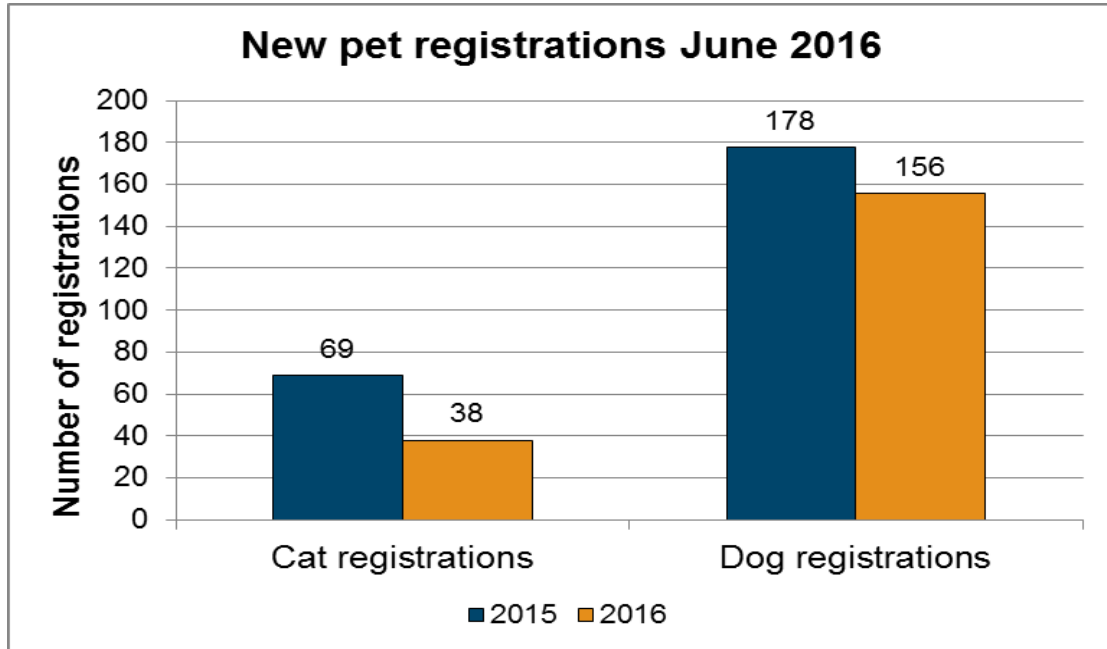


12. Officers' reports

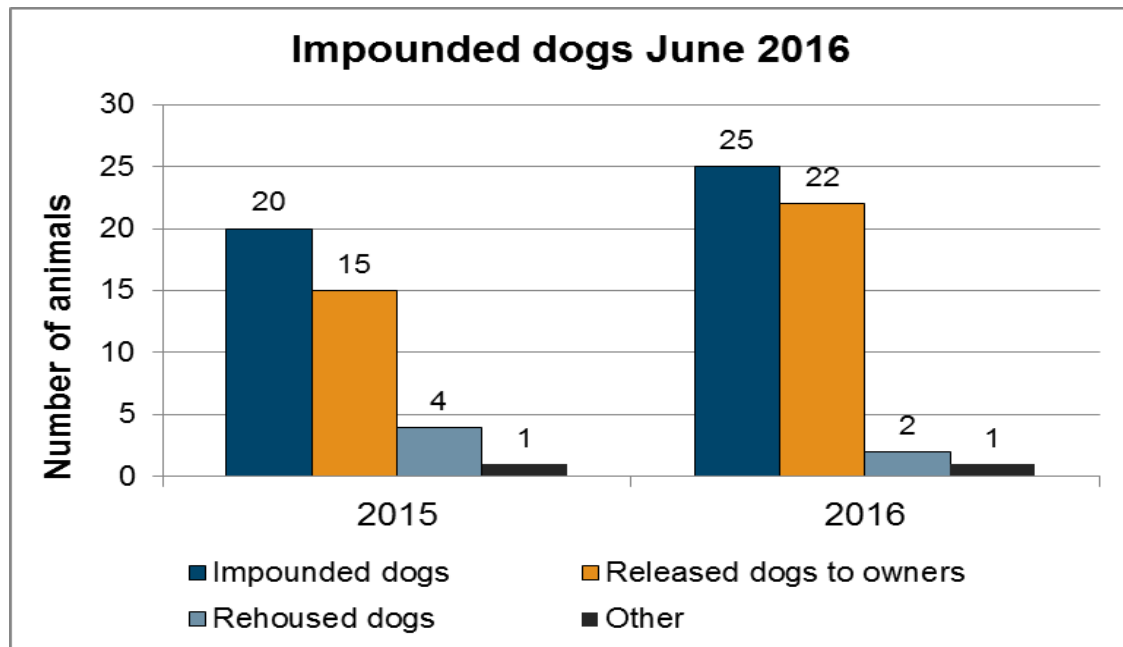
OCM.124/16 Environment and Planning monthly activity report

Animal management

25. The following graph illustrates the number of new dogs and cats registered during June.



26. The following graph illustrates the number of dogs impounded during June.

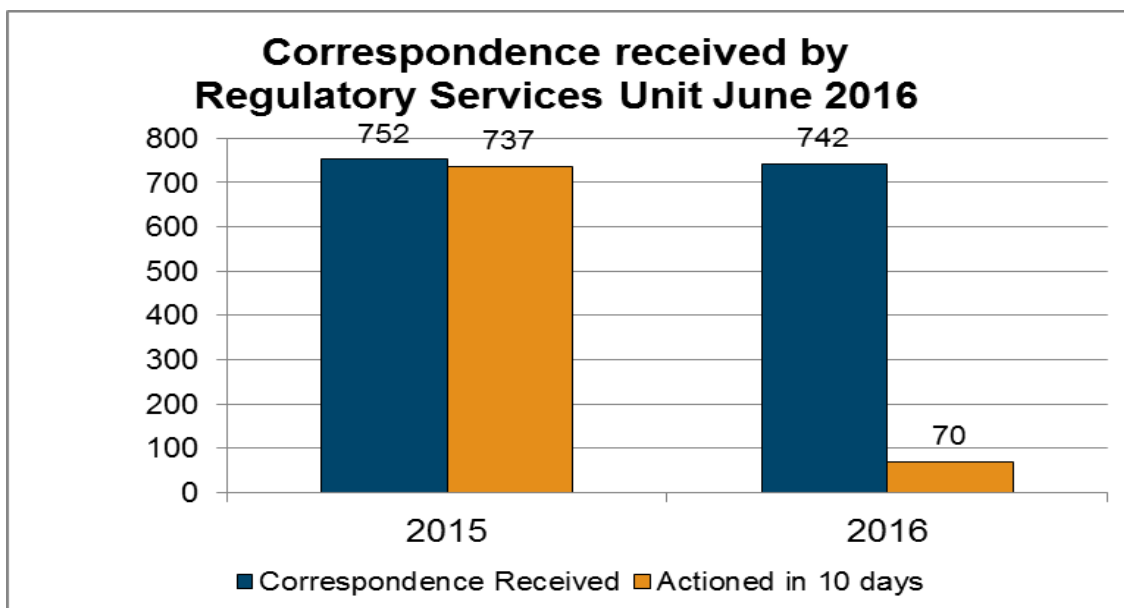


Correspondence

27. The following graph illustrates the number of correspondence received by the Regulatory Services Unit for June. This includes building and local law permit applications, submissions and infringement notice appeals.

12. Officers' reports

OCM.124/16 Environment and Planning monthly activity report



Strategic Planning Unit

- 28. A Directions Hearing to consider preliminary matters has been set for Amendment C101 'ESO Review'. The Directions Hearing will be conducted at 11am on Thursday 4 August 2016 at the Civic Centre.

Sustainability and Environment Team

- 29. Inspection of properties by Council and independent ecologists were undertaken in response to requests from residents to verify the application of the proposed ESOs to their properties. There was also further consideration of submissions to the C101 Amendment prior to the Panel hearing planned for August.
- 30. Thirty five environmental assessments of planning referrals were completed.
- 31. Council received notification from the New Energy Jobs Fund that Council will receive funding to perform negotiations with Ausnet to ensure that the solar system proposed for the Diamond Creek Community bank Stadium can be installed as designed. This will enable a second application to the Fund in November/December 2016 for the installation.
- 32. Publicity was initiated for nominations for the Practically Green Sustainability Awards (nominations opened 5th June).
- 33. A contract was executed to purchase carbon offsets for the period January to June 2016.
- 34. Landholders and contractors were contacted to finalise all works and payments associated with the 2015-16 financial year private land management grants (under the Land Management Incentive program, VBAF and the Weed Action Plan).
- 35. The revised report and costings of the Eltham Integrated Water Management project were completed by Engeny and provided to Council for consideration.

12. Officers' reports

OCM.124/16 Environment and Planning monthly activity report

36. Melbourne Water have engaged Alluvium to undertake assessments of the WSUD projects at the Civic Drive development, Eltham North Reserve Swale, Circulatory Road Raingarden and Alistair Knox Park Wetland which were completed in early June. They will be providing advice on their rehabilitation soon. Council already holds grant funding from Melbourne Water to direct to this work.
37. Staff attended a forum at La Trobe University entitled 'Our changing landscapes: acting on climate impacts', which provided the latest advice and discussion on how best to manage the impacts of climate change on native vegetation and wildlife.

Conclusion

38. It is recommended that Council receives and notes the Environment and Planning Department Activity Report for June 2015.

12. Officers' reports

OCM.125/16 Assemblies of Councillors

File: 10/30/002
Distribution: Public
Manager: Andrew Port, General Manager Corporate Services
Author: Naomi Ellis, Corporate Planner

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 meeting of Council 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 21 June 2016.

Recommendation

That Council, in accordance with section 80A(2) of the *Local Government Act 1989*, receives the records of the following assemblies of Councillors:

1	Date of assembly	2 June 2016
	Matters considered	The Artisan Hills Marketing Committee
	Councillors present	Cr Ken King
	Staff present	Christine Gibbins Michelle Zemancheff Toni Davis
	Conflict of interest	None declared

2	Date of assembly	6 June 2016
	Matters considered	Arts Advisory Committee (Acquisition and Strategy)
	Councillors present	Cr Helen Coleman
	Staff present	Michelle Zemancheff Grace Longato
	Conflict of interest	None declared

3	Date of assembly	16 June 2016
	Matters considered	CEO Employment Matters Committee
	Councillors present	Cr Bronnie Hattam Cr Helen Coleman Cr Ken King Cr Michael Young
	Staff present	Des Bethke (consultant)
	Conflict of interest	None declared

12. Officers' reports

OCM.125/16 Assemblies of Councillors

4	Date of assembly	21 June 2016	
	Matters considered	Pre-meeting for Ordinary Council Meeting	
	Councillors present	Cr Michael Young	Cr Anika Van Hulsen
		Cr Meralyn Klein	
	Staff present	Stuart Burdack Andrew Port Pauline Gordon Ransce Salan Lisa Pittle Jon Miller Pat Vaughan	Naomi Paton Kalpesh Jajpura Darko Popovski Craig Commane Mathew Deayton Romney Bishop
Conflict of interest	None declared		

5	Date of assembly	22 June 2016	
	Matters considered	Living & Learning Nillumbik Advisory Committee	
	Councillors present	Cr Meralyn Klein	
	Staff present	Maggie Clarke	
	Conflict of interest	None declared	

6	Date of assembly	23 June 2016	
	Matters considered	Edendale Advisory Committee	
	Councillors present	Cr Michael Young	Cr Bronnie Hattam
	Staff present	Adrian Cully Pat Vaughan	Alex Davern
	Conflict of interest	None declared	

7	Date of assembly	23 June 2016	
	Matters considered	Recreation Trails Advisory Committee	
	Councillors present	Cr Anika Van Hulsen	Cr Ken King
	Staff present	Alison Hickey	
	Conflict of interest	None declared	

12. Officers' reports

OCM.125/16 Assemblies of Councillors

8	Date of assembly	4 July 2016	
	Matters considered	Officer briefings of Councillors <ul style="list-style-type: none"> • Planning briefing • Update on Syrian–Iraqi refugees • Tender for construction of Eltham Leisure Centre • Nillumbik Community Fund annual grant recommendation • Diamond Creek Community Centre masterplan • Growing Suburbs Fund 	
	Councillors present	Cr Bronnie Hattam Cr Michael Young Cr Meralyn Klein	Cr Ken King Cr Helen Coleman Cr Anika Van Hulsen
	Staff present	Stuart Burdack Ransce Salan Pauline Gordon Vince Lombardi Jeremy Livingston Gabrielle Castellan Renaë Ahern Michelle Zemancheff	Lisa Pittle Joanne Hammond Naomi Paton Mathew Deayton Adrian Cully Rachel Deans Frances Duncan Katrina Ross
	Conflict of interest	None declared	
9	Date of assembly	6 July 2016	
	Matters considered	Councillor workshop on integrated housing strategy and neighbourhood character	
	Councillors present	Cr Bronnie Hattam Cr Meralyn Klein	Cr Anika Van Hulsen Cr Michael Young
	Staff present	Chad Griffiths	Jackie Donkin
	Conflict of interest	None declared	
10	Date of assembly	12 July 2016	
	Matters considered	Pre-meeting for Policy and Services Committee and Planning Committee	
	Councillors present	Cr Bronnie Hattam Cr Michael Young Cr Meralyn Klein	Cr Ken King Cr Helen Coleman Cr Anika Van Hulsen

12. Officers' reports

OCM.125/16 Assemblies of Councillors

	Staff present	Andrew Port Pauline Gordon Ransce Salan Lisa Pittle Michelle Zemancheff Rachel Deans	Naomi Paton Renae Ahern Joanne Massoud Corrienne Nichols Frances Eyre Adrian Cully
	Conflict of interest	None declared	

11	Date of assembly	14 July 2016	
	Matters considered	Agricultural Advisory Committee	
	Councillors present	Cr Ken King	Cr Anika Van Hulsen
	Staff present	Tim O'Donnell	Pat Vaughan
	Conflict of interest	None declared	

12	Date of assembly	19 July 2016	
	Matters considered	Officer briefings of Councillors <ul style="list-style-type: none"> • Amendment C101 survey • 20 Wattletree Road, Eltham • Leveraging external funding for biodiversity • Yarra River protection • Refugee welcome zone 	
	Councillors present	Cr Bronnie Hattam Cr Anika Van Hulsen Cr Ken King	Cr Helen Coleman Cr Michael Young
	Staff present	Stuart Burdack Andrew Port Conal Creedon Jeremy Livingston Pauline Gordon Allison Watt Jon Miller	Natalie Campion Lisa Pittle Stacey Warmuth Pat Vaughan Corrienne Nichols Gabrielle Castellan
	Conflict of interest	None declared	

Attachments

Nil

12. Officers' reports

OCM.125/16 Assemblies of Councillors

Background

1. Amendments to the *Local Government Act 1989* (the Act) in October 2010 require records of assemblies of Councillors to be reported to an Ordinary Meeting of Council and recorded in the minutes of that meeting.

Policy context

2. This report directly supports the achievement of Council Plan 2013-2017 strategy 'we will meet our legal responsibilities and manage our risks'.

Budget implications

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

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 Meeting of Council 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 21 June 2016.

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*.

13. Notices of Motion

NOM.012/16

Cr Peter Perkins advised of his intention to move the following rescission motion:

Motion

That Council rescinds its resolution from the Ordinary Meeting of Council on 21 June 2016 regarding OCM.096/16 Rehabilitation of the Diamond Street Bridge, Diamond Street, Eltham as follows:

That Council endorses Option 1, to rehabilitate the existing bridge in Diamond Street, Eltham.

Contingent on the above rescission motion being carried, I then move the following motion regarding the rehabilitation of the Diamond Street, Eltham bridge:

Motion

That Council endorses Option 2 from Council report OCM.096/16, to rehabilitate the existing bridge in Diamond Street, Eltham and widen it to two lanes.

NOM.013/16

Cr Meralyn Klein advised of her intention to move the following rescission motion:

Motion

That Council rescinds its resolution from the Ordinary Meeting of Council on 21 June 2016 regarding OCM.093/16 Declaration of a Special Rate for Eltham Town as follows:

That Council:

- 1. Having considered all submissions received and taken account of all objections lodged and complied with the requirements of section 163A, 163B and 223 of the *Local Government Act 1989* (the Act), and otherwise according to law, hereby declares a Special Rate for Eltham Town under section 163 (1) of the Act for the purpose of defraying expenses to be incurred by Council in providing funds to the incorporated body known and operating as the Eltham Chamber of Commerce and Industry Inc., which funds, subject always to the approval, direction and control of Council, are to be used for the purpose of funding a part-time centre marketing officer, promotional, advertising, marketing, business development and other incidental expenses as approved by Council and agreed to from time to time between Council and the Chamber, all of which are associated with the encouragement of commerce, retail and professional activity and employment in the Eltham Town centre.**
- 2. Gives notice to all owners and occupiers of properties included in the scheme and all persons who have lodged a submission and/or an objection in writing of the decision of council to declare and levy the Special Rate commencing on 1 July 2016, and the reasons for the decision.**

3. Resolves that for the purposes of paragraph 2, the reasons for the decision of Council to declare the Special Rate are that:
 - There was sufficient support for the special rate from the property owners and occupiers.
 - Council considers that it is acting in accordance with the functions and powers conferred on it under the *Local Government Act 1989*, having regard to its role, purposes and objectives under the Act, particularly in relation to the encouragement of commerce, retail activity and employment opportunities in and around the scheme area.
 - All persons who are liable or required to pay the Special Rate and the properties respectively owned or occupied by them will receive a special benefit in the form of an enhancement or maintenance in land value and/or maintenance or enhancement in that use, occupation and enjoyment of the properties.
 - The basis of distribution of the special rate amongst those persons who are liable or required to pay the special rate is considered to be fair and reasonable.
4. Undertakes all statutory processes and procedures outlined within Attachment 1, including the authorisation of Council officers.
5. Notifies the Eltham Chamber of Commerce and industry of the above.

NOM.014/16

Cr Michael Young advised of his intention to move the following:

Motion

That Council officers investigate and report back to Council on ways to improve the use of rescission motions, so that when Councillors use rescission motions in the future:

1. They obtain a stronger level of support from their Councillor colleagues as a requirement for lodging rescission motions.
2. Rescission motions are not used as a vexatious or a political tool to obstruct good governance and efficient processes.

14. Delegates' reports

15. Supplementary and urgent business

16. Confidential reports

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

Motion

That Council closes the meeting to the public pursuant to section 89(2) of the *Local Government Act 1989* to consider the following item, which is confidential for the reasons indicated:

Report No.	Title	Reason for confidentiality
OCM.126/16	Tender report - Eltham Leisure Centre aquatic redevelopment	d) contractual matters