

Council Meeting

Held at the Civic Centre, Civic Drive, Greensborough
on Tuesday 23 February 2021 commenced at 7:03pm.

Minutes

Carl Cowie
Chief Executive Officer

Friday 26 February 2021

Distribution: Public

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

Nillumbik Shire Council

Contents

1.	Welcome by the Mayor	1
2.	Acknowledgement of Country	1
3.	Good Governance Pledge	1
4.	Prayer	1
5.	Apologies	1
6.	Presentations	2
	Condolence William (Bill) George McKenna	2
7.	Confirmation of minutes	4
8.	Disclosure of conflicts of interest	4
9.	Petitions	4
10.	Questions from the gallery	5
11.	Reports of Advisory Committees	7
	AC.002/21 Advisory Committee Report - 23 February 2021	7
11.	Reports of Special Committees	8
13.	Officers' reports	9
	CM.012/21 Local Government Performance Reporting Framework - Mid-Year 2020-2021 Performance Report	9
	CM.013/21 Council Plan Quarterly Performance Report - 2020-2021 - Quarter 2	11
	CM.014/21 Council Amended Submission - DELWP's Planning for Melbourne's Green Wedges & Agricultural Land Consultation Paper	13
	CM.015/21 Community Engagement Policy	15
	CM.016/21 Delegated Committee of Council	17
	CM.017/21 Council's Advisory Committees	21
	CM.018/21 C134nill Rezoning of 20A Henry Street and 20 Dudley Street, Eltham	25
	CM.019/21 Exhibition of Amendment C129 to the Nillumbik Planning Scheme (Removal of the EAO from various parcels in Plenty)	27
	CM.020/21 Planning Scheme Amendment C133	29
	CM.021/21 Tender Report - Contract 1920-046 Collaborative Procurement for Landfill Services	31
	CM.022/21 Local Roads and Community Infrastructure Program - Extension	35
	CM.023/21 Tender Report - Contract 2021-8 Graffiti Removal and Management Services	37
	CM.024/21 DELWP Proposed ESD Planning Policy Framework Changes - Council Submission	39
	CM.025/21 De Fredericks Road Special Charge Scheme - Declaration	41

Council Meeting Minutes**23 February 2021**

CM.026/21	Rockliffe Street Special Charge Scheme - Declaration	43
CM.027/21	Informal Meetings of Councillors Records - 23 February 2021	45
13.	Notices of Motion	47
14.	Delegates' Reports	47
15.	Supplementary and urgent business	47
16.	Confidential reports	47
17.	Close of Meeting	47

Nillumbik Shire Council

**Minutes of the Meeting of Nillumbik Shire Council held Tuesday 23 February 2021.
The meeting commenced at 7.03pm.**

Councillors present:

Cr Richard Stockman	Blue Lake Ward
Cr Karen Egan	Bunjil Ward
Cr Natalie Duffy	Edendale Ward
Cr Peter Perkins	Ellis Ward (Mayor)
Cr Ben Ramcharan	Sugarloaf Ward
Cr Frances Eyre	Swipers Gully Ward (Deputy Mayor)
Cr Geoff Paine	Wingrove Ward

Officers in attendance:

Carl Cowie	Chief Executive Officer
Vince Lombardi	Chief Financial Officer
Hjalmar Philipp	Director Operations and Infrastructure
Blaga Naumoski	Executive Manager Governance, Communications and Engagement
Corrienne Nichols	Executive Manager Communities
Jeremy Livingston	Executive Manager Business Transformation and Performance
Rosa Zouzoulas	Executive Manager Planning and Community Safety
Joseph Emmanuel	Manager Infrastructure
Katia Croce	Governance Lead

1. Welcome by the Mayor

2. Acknowledgement of Country

The Acknowledgement of Country was read by the Mayor, Cr Peter Perkins.

3. Good Governance Pledge

The Good Governance Pledge was ready by Cr Geoff Paine.

4. Prayer

A prayer was read by read by Father Vladislav Sipovac, Parish Priest from the Serbian Orthodox Church of St Sava, Diamond Creek Road, Greensborough.

5. Apologies

An apology was received from Cr Natalie Duffy.

Council Resolution

MOVED: Cr Frances Eyre

SECONDED: Cr Ben Ramcharan

That the apology for Cr Natalie Duffy be noted.

CARRIED

The Deputy Mayor Cr Frances Eyre read the following statement prepared by Cr Natalie Duffy:

Please accept my apologies for not attending this Ordinary Council Meeting. In my short time as Councillor since being elected last November, listening to the community and working together with my Councillor colleagues to build a positive future for our Nillumbik community has been both momentous and exciting.

I love this job and hope to be a good community representative, one who works hard and connects people and Council. Putting community at the heart of Council is my motivation.

Recently I was diagnosed with breast cancer and last week had surgery to help me heal. The road ahead will be rocky as my cancer treatment starts but I want you to know that I remain committed to being the best Councillor I can be. My doctors have advised me to focus on my health at the moment so I won't be as visible as I'd intended to be, but I won't be absent either. I will do what I can, when I can, for our community.

Tonight, my colleagues will be making decisions without me but I trust they will make good decisions. They will also nominate to lead Council's advisory groups. I won't be nominating as a chair at this time but I am interested in our many advisory groups and the work they do. In the coming months I look forward to seeing a us start a new advisory group that will focus on Advancing Reconciliation and I hope to be part of that.

We all have ups and downs in life and sharing the good times along with the bad is what makes us human and compassionate. Sharing my cancer journey it is not meant to shock you but to be honest with you. During COVID we have had much to juggle with health and finances, and I hope that by sharing my message, those of you listening will take a moment to consider having a breast check, a prostate check ... a whatever precautionary health check, so you might avoid health hardship. Breast Cancer Network Australia estimate there are 8000 women unaware they are living with cancer.

Thank you for the blanket of love and support that is being wrapped around me. It is an incredible feeling to know that I am not alone. As a Council, I hope that we can work together so that all in Nillumbik, can feel this tremendous network of nurture through the day to day normality of life in our Green Wedge Shire.

Thank you to my friend and Deputy Mayor Cr Frances Eyre for reading this statement on my behalf.

Kind regards,

Natalie Duffy

Councillor for Edendale Ward.

6. Presentations

Condolence William (Bill) George McKenna

The Mayor Cr Peter Perkins read the following statement:

I was deeply saddened by the passing of William – or Bill, as he was known to most – McKenna on 5 February 2021.

For many years myself, and Nillumbik Shire Council more broadly, had the pleasure of working closely with Bill in his role as president of the Montmorency-Eltham RSL. A Life Member and Meritorious Service Medal recipient of RSL Victoria and had been President of Montmorency-Eltham RSL for 30 years.

Bill's long-held vision was for the Montmorency-Eltham RSL to be an integral part of the fabric of the local community, and he worked tirelessly to build those connections and bring the vision to reality.

Beginning with the Eltham Cenotaph, Bill believed a memorial of this significance should be easily accessible to all and must therefore occupy a prominent position in the centre of town.

Bill worked with Council to relocate the Eltham Cenotaph to central Eltham, bringing together the pre-existing memorials at the site, including the Ada Lyon sundial and the Memorial Gates.

Bill had a passion for sharing his knowledge and for making connections throughout our community. This was particularly evident in his work with the local schools, where he encouraged and inspired students to participate in the Anzac Day dawn service.

Bill's efforts saw the service grow in prominence to become one of the standout events on our local calendar, with the event attracting thousands of attendees in recent years.

Bill also identified an opportunity to develop the memorial garden and managed the renovations to the site. The gardens include an installation of a theatre of war – offering an educational dimension for visitors to the cenotaph – an element of great importance to Bill.

Bill was also instrumental in the creation of a memorial garden for women – to honour our local service-women – as part of these renovations.

Bill's tireless work ensured the Eltham War Memorial is now an attractive place for quiet reflection and a rightful source of community pride.

A member of Council's Memorials Advisory Committee from 2013 to 2016, Bill, in typical fashion, worked collaboratively with a diverse group of community representatives. He was integral to the development and installation of the suite of Centenary of ANZAC interpretive signage that we see throughout Nillumbik today.

He was also involved in work to bring about improvements to the War Memorials at Diamond Creek and Kangaroo Ground as well as the Lone Pine at Ellis Cottage.

Bill's work in our community went beyond his considerable support of veterans and their families. Local football and cricket Clubs were also among the beneficiaries of Bill's passion and drive to help others.

It is because of people like Bill McKenna that Nillumbik enjoys its rich legacy of service to community – the benefits of which, all of us who are fortunate enough to live here, enjoy.

Bill may have left us, but his contribution endures.

On behalf of Nillumbik Shire Council, I offer my deepest condolences to Bill's family, friends and the members of the Montmorency-Eltham RSL.

Blaga Naumoski, Executive Manager Governance Engagement and Communications temporarily left the meeting at 7.11pm and returned at 7.12pm.

7. Confirmation of minutes

Confirmation of minutes of the Council Meeting held on Wednesday 27 January 2021.

Council Resolution

MOVED: Cr Geoff Paine

SECONDED: Cr Karen Egan

That the minutes of the Council Meeting held on Wednesday 27 January 2021 be confirmed.

CARRIED

8. Disclosure of conflicts of interest

Cr Ben Ramcharan declared a material conflict of interest in Item CM026/21 - Rockcliffe Street Special Charge Scheme – Declaration because a resident subject to the special charge made a significant donation to his campaign.

9. Petitions

Nil

10. Questions from the gallery

Wendy Faulkner asked the following questions

Question 1

In 2016 the Municipal Building Surveyor of Nillumbik Council issued a number of 'Show Cause' notices on properties in the Rangeview Estate, Diamond Creek. How many show cause notices are still unresolved?

Response

In 2016, a total of 62 Building Notices were issued on properties located within the Rangeview Estate. To date the majority have been resolved with 23 Building Notices remaining.

Out of the 23 remaining Building Notices (affected properties), 11 have been escalated to a Building Order. Specifics of these cases cannot be disclosed due to the privacy requirements.

Question 2

What action is currently underway by the MBS and the Nillumbik Council to enforce the outstanding show cause notices?

Response

Nillumbik Shire Council acknowledges that the affected Owners of the Rangeview estate have been let down by lack of consumer protection and on compassionate grounds has so far resisted calls for prosecution.

Nillumbik Shire Council has been working closely with numerous property owners and their appointed consultants assisting them with options to achieve reasonable level of safety and compliance.

Given that there are now a number of available options to achieve compliance, the Municipal Building Surveyor (MBS) will be following up with the remaining property owners to ensure completion of the required works within reasonable time frames.

Susan Hilton asked the following question

Question

How are you as elected officers going to deliver the principles outlined in the Council's policy of Health and Wellbeing such as:

- protecting public health, preventing disease, illness and injury
- promoting conditions in which people can be healthy
- provide a safe and healthy environment
- enhance mental wellbeing
- support healthy ageing
- advocate for improved traffic management and reduced road congestion
- ensure that the municipal district is maintained in a clean, sanitary condition?

All of the above are outlined in the Nillumbik Plan Strategies for Health and Wellbeing which is a directive from the State Government. In the roads present condition these are not being met.

Response

Council advocates for traffic matters on a number of fronts:

1. through direct meetings between Council and Department of Transport teams
2. through submissions on major State projects, for example Council's recent submission to the Yan Yean Road Stage 2 Upgrade Environmental Effects Statement and
3. through political advocacy to relevant Ministers and Members of Parliament.

Gila Schnapp asked the following questions

Question 1

Does Council intend to make a submission to the State government draft of the 30 year Infrastructure Strategy?

Response

Council will not be specifically responding to the 30 Year Infrastructure Strategy but it has responded to other elements of consultation by government related to Infrastructure, e.g. The 10 Year Social and Affordable Housing Strategy. Council regularly advocate to State and Federal government on Infrastructure matters.

Question 2

Does Council intend to make a submission to the State and Federal Electoral boundary reviews, if so in either case, can they please allow the matter to go to Committee to allow the public to be heard prior to submissions being lodged.

Response

Council has no jurisdiction in electoral boundary reviews or realignment, State or Federal, which is largely based on population data and as such will not be making a submission, nor has Council been invited to.

11. Reports of Advisory Committees

AC.002/21 Advisory Committee Report - 23 February 2021

Distribution: Public

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

Author: Janet Taylor, Governance Officer

Summary

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

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

The Health and Wellbeing Advisory Committee meeting held on 9 September 2020. The minutes of the meeting are attached (**Attachment 1**).

Council Resolution

MOVED: Cr Karen Egan

SECONDED: Cr Geoff Paine

That the minutes of the Health and Wellbeing Advisory Committee meeting held 9 September 2020 (**Attachment 1**) be noted.

CARRIED

The Mayor Cr Peter Perkins temporarily adjourned the meeting at 7.20pm due to technical difficulties being experienced with the live-stream.

The meeting resumed at 7.37pm. The Mayor Cr Peter Perkins advised the gallery that that due to a technical issue with the live stream, sound had not been recording and asked the Deputy Mayor Cr Frances Eyre to re-read Cr Natalie Duffy's statement for the live-stream.

The Mayor Cr Peter Perkins then re-read the Condolence statement of William (Bill) George McKenna for the live-stream.

11. Reports of Special Committees

Nil

13. Officers' reports

CM.012/21 Local Government Performance Reporting Framework - Mid-Year 2020-2021 Performance Report

Distribution: Public

Manager: Jeremy Livingston, Executive Manager Business Transformation and Performance

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

Summary

The purpose of this report is to present to Council the Local Government Performance Reporting Framework (LGPRF) mid-year service performance results for the 2020-2021 financial year.

The report measures Council's current performance against the expected range (based on LGPRF guidelines set by State Government) as well as comparing Council's current performance against the 2019-2020 end of financial year result.

This is the second time Council is completing a mid-year progress update on the LGPRF indicators, with the aim of the report to provide more frequent and current data to better monitor and more proactively address any issues or trends identified with Council's performance.

The report demonstrates that Council is performing well against the LGPRF framework, with all results within the expected range based on Local Government Victoria guidelines, and with a large number of indicators improving compared to previous reports.

Council Resolution

**MOVED: Cr Geoff Paine
SECONDED: Cr Frances Eyre**

That Council notes the Local Government Performance Reporting Framework (LGPRF) service performance results for the period from July to December 2020 (**Attachment 1**).

CARRIED UNANIMOUSLY

13. Officers' reports

CM.013/21 Council Plan Quarterly Performance Report - 2020-2021 - Quarter 2

Distribution: Public

Manager: Jeremy Livingston, Executive Manager Business Transformation and Performance

Author: James Hartigan, Business Performance Analyst
Sue Richards, Business Performance Project Officer

Summary

The purpose of this report is to present the Council Plan Quarterly Performance Report for Council's consideration. The attached report provides the second update on delivery progress and performance of the 2020-2021 Annual Action Plan priority actions, which aligns to delivery of the final year of the Council Plan 2017-2021.

Of the 18 actions in the 2020-2021 Annual Action Plan, 15 actions are 'on track', two actions have 'minor issues' and one action has been completed. The overall position outlined in the report suggests that Council continues to make a solid effort at delivering on the priority actions of the Council Plan and significant outcomes for the community.

The entire year's performance against the delivery of the Council Plan will be published in the Annual Report 2020-2021, which will be presented to the community in September 2021.

Council Resolution

MOVED: Cr Ben Ramcharan
SECONDED: Cr Richard Stockman

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

CARRIED

13. Officers' reports

CM.014/21 Council Amended Submission - DELWP's Planning for Melbourne's Green Wedges & Agricultural Land Consultation Paper

Distribution: Public

Manager: Rosa Zouzoulas, Executive Manager Planning and Community Safety

Author: Leigh Northwood, Strategic Planning Lead

Summary

The Department of Environment, Land, Water and Planning (DELWP) have produced a Consultation Paper (**Attachment 1**) which identifies proposed reforms to the Victorian Planning Provisions (planning scheme and supporting practice notes) for Green Wedges and peri-urban areas.

Due to COVID 19 stage 4 restrictions, the original anticipated public release of 12 August for the consultation paper was postponed. In September 2020 advice from DELWP was that subject to easing of stage 4 restrictions, public consultation was programmed to begin on **Tuesday 29 September** and closed on **Tuesday 22 December 2020**. Given the Caretakers period would occur over this same period, Council took the decision to resolve to adopt a submission to the Consultation paper at its 15 September 2020 Council Meeting. In accordance with the Council resolution officers forwarded the adopted submission to DELWP on 13 November 2020.

DELWP provided further formal advice on 17 November 2020 that consultation would begin commencing 26 November 2020 with submissions closing on 5 February 2021. More recent DELWP advice has allowed Council to make a late submission on or about **26 February 2021**.

Council Resolution

MOVED: Cr Ben Ramcharan

SECONDED: Cr Karen Egan

That Council:

1. Adopt the amended submission to the Green Wedge Provisions Review Consultation Paper (**Attachment 2**), and direct Council officers to formally lodge the adopted submission with DELWP by 26 February 2021; and
2. Make the adopted submission publicly available on Council's Participate Nillumbik website.

CARRIED

13. Officers' reports

CM.015/21 Community Engagement Policy

Distribution: Public

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

Author: Bianca Caruso, Marketing and Community Engagement Officer
Licardo Prince, Communications and Advocacy Lead

Summary

As part of the *Local Government Act 2020* (the Act), it is now a statutory obligation for all Victorian councils to have a Community Engagement Policy in place on or before 1 March 2021.

The policy outlines Council's commitment to provide the community with genuine opportunities to contribute to and inform projects, strategies, services and decisions that affect them.

The intent of this policy is to provide clarity on how Council will fulfil its commitment to engaging with the community in line with the Act.

An initial phase of community engagement was undertaken from 26 October 2020 to 15 November 2020 for community feedback on how they would like to be engaged and to identify areas for improvement.

These findings helped to shape and inform the draft Community Engagement Policy, which was then released for a second phase of community consultation from 16 December 2020 to 26 January 2021.

The general consensus was that the broad principles and approach mapped out in the policy – including its adherence to the IAP2 core values and to deliberative engagement – was positive. The feedback showed a strong emphasis on ensuring that the principles contained in the policy were put into practice.

Minor amendments (primarily for style and grammar) have been made to the draft Community Engagement Policy (**Attachment 1**).

The purpose of this meeting is to endorse the Community Engagement Policy.

Council Resolution

MOVED: Cr Frances Eyre

SECONDED: Cr Geoff Paine

That Council adopts the Community Engagement Policy (**Attachment 1**), effective immediately.

CARRIED

13. Officers' reports

CM.016/21 Delegated Committee of Council

Distribution: Public**Manager: Blaga Naumoski, Executive Manager Governance, Communications and Engagement****Author: Katia Croce, Governance Lead
Emma Christensen, Senior Governance Officer****Summary**

At the Extraordinary Meeting of Council held Tuesday 24 November 2020, Council resolved to defer the appointment of Councillors to portfolios in the Future Nillumbik Committee (FNC), appoint an interim chairperson to the FNC and request officers report back to Council on the options for Council's Delegated Committee structure.

This report seeks Council resolution to abolish the FNC and, in accordance with section 63 of the *Local Government Act 2020 (the Act)* establish a new delegated committee.

Recommendation

That Council:

1. Resolves to abolish the Future Nillumbik Committee as a delegated committee effective 10 March 2021;
2. Revokes the Instrument of Delegation to the Future Nillumbik Committee adopted 25 August 2020 effective 10 March 2021;
3. Establishes the delegated committee, Planning and Consultative Committee effective 11 March 2021;
4. Appoints all seven Councillors to the Planning and Consultative Committee;
5. Approves the Instrument of Delegation for the Planning and Consultative Committee (**Attachment 1**);
6. Approves the Terms of Reference for the Planning and Consultative Committee (**Attachment 2**);
7. Adopts and advertises the Planning and Consultative Committee meeting schedule for 2021 (**Attachment 3**);
8. Appoints Councillor _____ to act as chair for Planning Matters before the Planning and Consultative Committee until 24 November 2021;
9. Appoints Councillor _____ to act as chair for Consultative Matters before the Planning and Consultative Committee until 24 November 2021; and
10. Authorises the Common Seal of Nillumbik Council to be affixed to the Instrument of Delegation to the Planning and Consultative Committee (**Attachment 1**).

13. Officers' reports

CM.016/21 Delegated Committee of Council

Motion

MOVED: Cr Frances Eyre

SECONDED: Cr Geoff Paine

That Council:

1. Resolves to abolish the Future Nillumbik Committee as a delegated committee effective 10 March 2021;
2. Revokes the Instrument of Delegation to the Future Nillumbik Committee adopted 25 August 2020 effective 10 March 2021;
3. Establishes the delegated committee, Planning and ~~Consultative~~ **Consultation** Committee effective 11 March 2021;
4. Appoints all seven Councillors to the Planning and ~~Consultative~~ **Consultation** Committee;
5. Approves the Instrument of Delegation for the Planning and ~~Consultative~~ **Consultation** Committee (**Attachment 1**) with minor wording changes to 3.1 and the purpose;
6. Approves the Terms of Reference for the Planning and ~~Consultative~~ **Consultation** Committee (**Attachment 2**) with the following changes:
 - a) Under the heading membership and chairperson under dot point 2 end the sentence by removing the words '*or in their absence at a meeting by a Councillor present appointed by the committee members present*'
 - b) Under dot point 7 replace the words '*committee will select a*' with '*Deputy Mayor be the*'; and
 - c) Under the section officer delegation to determine planning matters include the words '*called in*' at the end of point 5;
7. Adopts and advertises the Planning and ~~Consultative~~ **Consultation** Committee meeting schedule for 2021 (**Attachment 3**);
8. Appoints Councillor **Cr Geoff Paine** to act as chair for Planning Matters before the Planning and ~~Consultative~~ **Consultation** Committee until 24 November 2021;
9. Appoints Councillor **Cr Ben Ramcharan** to act as chair for ~~Consultative~~ **Consultation** Matters before the Planning and ~~Consultative~~ **Consultation** Committee until 24 November 2021; and
10. Authorises the Common Seal of Nillumbik Council to be affixed to the Instrument of Delegation to the Planning and ~~Consultative~~ **Consultation** Committee (**Attachment 1**).

THE MOTION WAS PUT TO THE VOTE AND CARRIED AND BECAME THE COUNCIL RESOLUTION AS FOLLOWS:

13. Officers' reports

CM.016/21 Delegated Committee of Council

Council Resolution

MOVED: Cr Frances Eyre

SECONDED: Cr Geoff Paine

That Council:

1. Resolves to abolish the Future Nillumbik Committee as a delegated committee effective 10 March 2021;
2. Revokes the Instrument of Delegation to the Future Nillumbik Committee adopted 25 August 2020 effective 10 March 2021;
3. Establishes the delegated committee, Planning and Consultation Committee effective 11 March 2021;
4. Appoints all seven Councillors to the Planning and Consultation Committee;
5. Approves the Instrument of Delegation for the Planning and Consultation Committee (**Attachment 1**) with minor wording changes to 3.1 and the purpose;
6. Approves the Terms of Reference for the Planning and Consultation Committee (**Attachment 2**) with the following changes:
 - a) Under the heading membership and chairperson under dot point 2 end the sentence by removing the words '*or in their absence at a meeting by a Councillor present appointed by the committee members present*'
 - b) Under dot point 7 replace the words '*committee will select a*' with '*Deputy Mayor be the*'; and
 - c) Under the section officer delegation to determine planning matters include the words '*called in*' at the end of point 5;
7. Adopts and advertises the Planning and Consultation Committee meeting schedule for 2021 (**Attachment 3**);
8. Appoints Councillor Cr Geoff Paine to act as chair for Planning Matters before the Planning and Consultation Committee until 24 November 2021;
9. Appoints Councillor Cr Ben Ramcharan to act as chair for Consultation Matters before the Planning and Consultation Committee until 24 November 2021; and
10. Authorises the Common Seal of Nillumbik Council to be affixed to the Instrument of Delegation to the Planning and Consultation Committee (**Attachment 1**)

CARRIED UNANIMOUSLY

13. Officers' reports

CM.017/21 Council's Advisory Committees

Distribution: Public

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

Author: Katia Croce, Governance Lead
Emma Christensen, Senior Governance Officer

Summary

At the Extraordinary Meeting of Council held Tuesday 24 November 2020, Council appointed the Mayor and Deputy Mayor as representatives to the Audit and Risk Committee, all Councillors to the CEO Employment Matters Committee, and deferred the appointment of Councillors to other advisory committees pending a review of the current arrangements.

The existing arrangements for advisory committees have been reviewed and this report seeks to retain the existing 12 advisory committees, appoint Councillors to the nine Advisory Committees deferred at the Ordinary Council Meeting on 24 November 2020, the new Nillumbik Youth Council, and request a further report to Council relating to the Environment and Sustainability Advisory Committee (ESAC).

Recommendation

That Council:

- Retains the following Advisory Committees and appoints Councillors as its representatives for the 2021 Council year:

Advisory Committee	Councillor(s) appointed
Arts Advisory Committee	1. _____ (Chair) 2. _____ (Deputy Chair)
Economic Development Advisory Committee	1. _____ (Chair) 2. _____ 3. _____
Environment and Sustainability Advisory Committee	1. _____ (Chair) 2. _____ (Alternate Chair)
Health and Wellbeing Plan Advisory Committee	1. _____
Inclusion Advisory Committee	1. _____ (Chair) 2. _____ (Alternate Chair)
Living and Learning Advisory Committee	1. _____
Nillumbik Youth Council	1. _____

13. Officers' reports

CM.017/21 Council's Advisory Committees

Panton Hill Bushland Reserves System User Group Advisory Committee	1. _____ (Chair)
Positive Ageing Advisory Committee	1. _____ (Chair)
Recreational Trails Advisory Committee	1. _____ or more councillors appointed by Council

2. Requests officers to prepare a further report relating to the Environment and Sustainability Advisory Committee including a review of the existing Terms of Reference and operation to be considered at a future Council Meeting.
3. Requests officers prepare a standardised format to advisory committee terms of reference giving effect to gender equality, diversity and inclusiveness, to be adopted by all Council Advisory Committees as part of their next scheduled review.

Motion

MOVED: Cr Karen Egan
SECONDED: Cr Frances Eyre

That Council:

1. Retains the following Advisory Committees and appoints Councillors as its representatives for the 2021 Council year:

Advisory Committee	Councillor(s) appointed
Arts Advisory Committee	Cr Geoff Paine (Chair) Cr Peter Perkins (Deputy Chair)
Economic Development Advisory Committee	Cr Geoff Paine (Chair) Cr Karen Egan Cr Richard Stockman
Environment and Sustainability Advisory Committee	Cr Karen Egan (Chair) Cr Ben Ramcharan (Alternate Chair)
Health and Wellbeing Plan Advisory Committee	Cr Richard Stockman
Inclusion Advisory Committee	Cr Peter Perkins (Chair) Cr Frances Eyre (Alternate Chair)
Living and Learning Advisory Committee	Cr Geoff Paine
Nillumbik Youth Council	Cr Ben Ramcharan

13. Officers' reports

CM.017/21 Council's Advisory Committees

Advisory Committee	Councillor(s) appointed
Panton Hill Bushland Reserves System User Group Advisory Committee	Cr Ben Ramcharan (Chair)
Positive Ageing Advisory Committee	Cr Frances Eyre (Chair)
Recreational Trails Advisory Committee	Cr Karen Egan Cr Richard Stockman

2. Requests officers to prepare a further report relating to the Environment and Sustainability Advisory Committee including a review of the existing Terms of Reference and operation to be considered at a future Council Meeting.
3. Requests officers prepare a standardised format to advisory committee terms of reference giving effect to gender equality, diversity and inclusiveness, to be adopted by all Council Advisory Committees as part of their next scheduled review.

THE MOTION WAS PUT TO THE VOTE AND CARRIED AND BECAME THE COUNCIL RESOLUTION AS FOLLOWS:

Council Resolution

MOVED: Cr Karen Egan

SECONDED: Cr Frances Eyre

That Council:

1. Retains the following Advisory Committees and appoints Councillors as its representatives for the 2021 Council year:

Advisory Committee	Councillor(s) appointed
Arts Advisory Committee	Cr Geoff Paine (Chair) Cr Peter Perkins (Deputy Chair)
Economic Development Advisory Committee	Cr Geoff Paine (Chair) Cr Karen Egan Cr Richard Stockman
Environment and Sustainability Advisory Committee	Cr Karen Egan (Chair) Cr Ben Ramcharan (Alternate Chair)
Health and Wellbeing Plan Advisory Committee	Cr Richard Stockman
Inclusion Advisory Committee	Cr Peter Perkins (Chair) Cr Frances Eyre (Alternate Chair)
Living and Learning Advisory Committee	Cr Geoff Paine

13. Officers' reports

CM.017/21 Council's Advisory Committees

Advisory Committee	Councillor(s) appointed
Nillumbik Youth Council	Cr Ben Ramcharan
Panton Hill Bushland Reserves System User Group Advisory Committee	Cr Ben Ramcharan (Chair)
Positive Ageing Advisory Committee	Cr Frances Eyre (Chair)
Recreational Trails Advisory Committee	Cr Karen Egan Cr Richard Stockman

2. Requests officers to prepare a further report relating to the Environment and Sustainability Advisory Committee including a review of the existing Terms of Reference and operation to be considered at a future Council Meeting.
3. Requests officers prepare a standardised format to advisory committee terms of reference giving effect to gender equality, diversity and inclusiveness, to be adopted by all Council Advisory Committees as part of their next scheduled review.

CARRIED

13. Officers' reports

CM.018/21 C134nill Rezoning of 20A Henry Street and 20 Dudley Street, Eltham

Distribution: Public**Manager: Rosa Zouzoulas, Executive Manager Planning and Community Safety****Author: Bea Guevara, Senior Strategic Planner****Summary**

The purpose of this report is to seek a Council resolution to gain authorisation from the Minister for Planning to amend the Nillumbik Shire Scheme, pursuant to Section 8A of the *Planning and Environment Act 1987*.

The amendment proposes to correct a mapping anomaly that occurred as part of an amendment to the Nillumbik Planning Scheme C117nillpt1 to rezone Council reserves to the Public Park and Recreation Zone (PPRZ).

The PPRZ has been applied incorrectly (via mapping) to a privately owned parcel of land located at 20 Dudley Street, Eltham where this mapping (PPRZ) should apply to the Henry Street Reserve at 20A Henry Street, Eltham. This amendment proposes to reinstate the Activity Centre Zone Schedule 1 (ACZ1) to 20 Dudley Street, Eltham (the correct zone).

There is an existing planning permit application to subdivide 20 Dudley Street, Eltham into seven lots to reflect the finished construction of seven units. The matter has been discussed with Department of Environment, Land, Water and Planning (DELWP) and they have recommended that Council submit the Amendment as a 'fast track' Section 20(4) amendment. As the amendment is correctional, it will be exempt from notice requirements under Section 9 of the *Planning and Environment Act 1987* and Exhibition.

It is recommended that Council seeks authorisation from the Minister for Planning under Section 8A of the *Planning and Environment Act 1987* (the Act) to prepare Amendments C134nill as shown in **Attachments 1, 2, 3 and 4** to this report.

Council Resolution**MOVED: Cr Geoff Paine****SECONDED: Cr Frances Eyre**

That Council resolves to request the Minister for Planning under Section 8A of the *Planning and Environment Act 1987* to authorise the preparation of Amendment C134nill to the Nillumbik Shire Planning Scheme as a Section 20(4) amendment to:

1. Rezone 20 Dudley Street, Eltham from Public Park and Recreation Zone to Activity Centre Zone Schedule 1.
2. Rezone 20A Henry Street, Eltham from Activity Centre Zone Schedule 1 to Public Park and Recreation Zone.

CARRIED

13. Officers' reports

**CM.019/21 Exhibition of Amendment C129 to the Nillumbik Planning Scheme
(Removal of the EAO from various parcels in Plenty)**

Distribution: Public

Manager: Rosa Zouzoulas, Executive Manager Planning and Community Safety

Author: Paul Fyffe, Senior Strategic Planner

Renae Ahern, Manager Planning Services

Amanda Cuxson, Acting Manager Planning Services

Leigh Northwood, Strategic Planning Lead

Summary

The amendment intends to remove the Environmental Audit Overlay (EAO) from land that was formerly known as 323-325 Yan Yean Road, Plenty (the site).

The EAO is applied to land which is potentially contaminated and was applied in 2000 to the site due to historical gold mining occurring there. Measures have been taken at the site which identify and respond to contamination and allow for residential subdivision of the site, subject to conditions. Considering this, Council resolved in June 2020 to commence a planning scheme amendment, Amendment C129, to remove the EAO from the site.

Amendment C129 was exhibited in October and November 2020 and Council received one submission, which is from the Environment Protection Authority (EPA). In its submission, the EPA questions the level of assessment regarding one of the measures taken to respond to the contamination. As the EPA is the state authority responsible for contamination issues, its submission presents an issue for the amendment.

Where a submission raises an issue with a proposed amendment, the statutory regulations for conducting an amendment provide for Council to request that the Minister for Planning appoint an independent planning panel to consider the amendment. This step allows Council to receive and consider independent, technical recommendations on an amendment before proceeding to its final decision.

The EPA's submission was considered on 9 February 2021 by Council's Future Nillumbik Committee.

Council Resolution

MOVED: Cr Richard Stockman

SECONDED: Cr Geoff Paine

That Council:

1. Note the submission from the Environment Protection Authority (EPA) to Amendment C129 to the Nillumbik Planning Scheme.
2. Request the Minister for Planning appoint an independent planning panel to consider the amendment.
3. Notify the EPA and owners and occupiers of land affected by the proposed amendment of Council's resolution.

CARRIED

13. Officers' reports

CM.020/21 Planning Scheme Amendment C133

Distribution: Public

Manager: Rosa Zouzoulas, Executive Manager Planning and Community Safety

Author: Julie Paget, Strategic Planner

Leigh Northwood, Strategic Planning Lead

Summary

Amendment C133 will provide for a revised application of the Heritage Overlay to the Alan Marshall bungalow (and surrounds). (Refer **Attachment 1** for the planning scheme amendment explanatory report and **Attachment 2** for the updated planning scheme map).

The purpose of this report is to seek Council's approval to seek authorisation from the Minister to prepare and exhibit a planning scheme amendment pursuant to Section 8A of the Planning & Environment Act 1987.

Council Resolution

MOVED: Cr Frances Eyre

SECONDED: Cr Geoff Paine

That Council resolves to:

1. Request the Minister for Planning, under Section 8A of the *Planning and Environment Act 1987*, to authorise the preparation of Amendment C133 to the Nillumbik Shire Planning Scheme; and
2. Undertake public exhibition of the proposed planning scheme amendment which will apply permanent planning controls through the use of the heritage overlay on the structure known as the Alan Marshall bungalow and surrounds, should authorisation be granted.

CARRIED UNANIMOUSLY

13. Officers' reports

CM.021/21 Tender Report - Contract 1920-046 Collaborative Procurement for Landfill Services

Distribution: Public

Manager: Hjalmar Philipp, Director Operations and Infrastructure

Author: Lisa Pittle, Manager Environment

Mikael Ooi, Waste Management Coordinator

Summary

This report recommends awarding of contract 1920-046 Collaborative Procurement for Landfill Services for the supply of landfill disposal services.

The contract term is for an initial period of four (4) years, with two (2) x two (2) year options to extend the contract. The total duration of the contract, including the exercise of any options, shall not exceed eight (8) years. This contract commences on 1 April 2021.

This contract was developed through a collaborative procurement process including thirty (30) metropolitan councils with the Metropolitan Waste and Resource Recovery Group (MWRRG) as facilitator.

The Tender Evaluation Panel (TEP) appointed by MWRRG assessed all submissions and this report provides a summary of their evaluation as well as an assessment with regard to Nillumbik's requirements in recommending the awarding of contract 1920-46 for Collaborative Procurement for Landfill Services via MWRRG.

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

Recommendation

That Council:

1. Accept the tenders from the preferred tenderers and their tendered schedule of rates as follows:
 - a) **Tenderer 8** _____ for their tendered schedule of rates for tier 1 guaranteed landfill waste disposal.
 - b) **Tenderer 3** _____ for their tendered schedule of rates for non-guaranteed landfill waste disposal.

and enter into the following contract:

Number: Contract 1920-46

Title: Collaborative Procurement for Landfill Services

Term: 1 April 2021 to 31 March 2025

Options: Term extensions up to 31 March 2029

2. Authorises the Director Operations and Infrastructure to finalise and execute all required contract documentations.
3. Authorises the Director Operations and & Infrastructure to approve contract term

13. Officers' reports

CM.021/21 Tender Report - Contract 1920-046 Collaborative Procurement for Landfill Services

extensions for a maximum of four (4) years.

4. Advises all tenderers accordingly.
5. Resolves that the Tender Evaluation Reports (**Attachments 1 and 2**) remain confidential on the grounds specified in the definition of confidential information in section 3(1)(g) of the *Local Government Act 2020*.

Motion**MOVED: Cr Geoff Paine****SECONDED: Cr Ben Ramcharan****That Council:**

1. Accept the tenders from the preferred tenderers and their tendered schedule of rates as follows:
 - a) **Hanson Landfill Services** for their tendered schedule of rates for tier 1 guaranteed landfill waste disposal.
 - b) **Cleanaway** for their tendered schedule of rates for non-guaranteed landfill waste disposal.

and enter into the following contract:

Number: Contract 1920-46

Title: Collaborative Procurement for Landfill Services

Term: 1 April 2021 to 31 March 2025

Options: Term extensions up to 31 March 2029

2. Authorises the Director Operations and Infrastructure to finalise and execute all required contract documentations.
3. Authorises the Director Operations and & Infrastructure to approve contract term extensions for a maximum of four (4) years.
4. Advises all tenderers accordingly.
5. Resolves that the Tender Evaluation Reports (**Attachments 1 and 2**) remain confidential on the grounds specified in the definition of confidential information in section 3(1)(g) of the *Local Government Act 2020*.

THE MOTION WAS PUT TO THE VOTE AND CARRIED AND BECAME THE COUNCIL RESOLUTION AS FOLLOWS:

13. Officers' reports

CM.021/21 Tender Report - Contract 1920-046 Collaborative Procurement for Landfill Services

Council Resolution

MOVED: Cr Geoff Paine

SECONDED: Cr Ben Ramcharan

That Council:

1. Accept the tenders from the preferred tenderers and their tendered schedule of rates as follows:
 - a) Hanson Landfill Services for their tendered schedule of rates for tier 1 guaranteed landfill waste disposal.
 - b) Cleanaway for their tendered schedule of rates for non-guaranteed landfill waste disposal.

and enter into the following contract:

Number: Contract 1920-46

Title: Collaborative Procurement for Landfill Services

Term: 1 April 2021 to 31 March 2025

Options: Term extensions up to 31 March 2029

2. Authorises the Director Operations and Infrastructure to finalise and execute all required contract documentations.
3. Authorises the Director Operations and & Infrastructure to approve contract term extensions for a maximum of four (4) years.
4. Advises all tenderers accordingly.
5. Resolves that the Tender Evaluation Reports (**Attachments 1 and 2**) remain confidential on the grounds specified in the definition of confidential information in section 3(1)(g) of the *Local Government Act 2020*.

CARRIED

13. Officers' reports

CM.022/21 Local Roads and Community Infrastructure Program - Extension

Distribution: Public**Manager: Hjalmar Philipp, Director Operations and Infrastructure****Author: Lawrence Seyers, Lead Transport Planner****Summary**

To confirm the proposed works to be funded by the Local Roads and Community Infrastructure Program prior to submission to the Department of Infrastructure, Transport, Regional Development and Communications for approval.

Recommendation**That Council:**

1. Notes the Local Roads and Community Infrastructure Program Extension funding allocation to Nillumbik Shire Council of \$2,203,883 (excluding GST).
2. Approves the projects nominated for submission to the Department of Infrastructure, Transport, Regional Development and Communications under the Local Roads and Community Infrastructure Program.

Motion**MOVED: Cr Karen Egan****SECONDED: Cr Ben Ramcharan****That Council:**

1. Notes the Local Roads and Community Infrastructure Program Extension funding allocation to Nillumbik Shire Council of \$2,203,883 (excluding GST).
2. Approves the projects nominated for submission to the Department of Infrastructure, Transport, Regional Development and Communications under the Local Roads and Community Infrastructure Program.
3. **Notes the proposed funding allocations, including \$200,000 for Diamond Creek Trail Amenity Program, with the balance for resources to support delivery of the projects by 31 December 2021.**

THE MOTION WAS PUT TO THE VOTE AND CARRIED AND BECAME THE COUNCIL RESOLUTION AS FOLLOWS:

13. Officers' reports

CM.022/21 Local Roads and Community Infrastructure Program - Extension

Council Resolution

MOVED: Cr Karen Egan

SECONDED: Cr Ben Ramcharan

That Council:

1. Notes the Local Roads and Community Infrastructure Program Extension funding allocation to Nillumbik Shire Council of \$2,203,883 (excluding GST).
2. Approves the projects nominated for submission to the Department of Infrastructure, Transport, Regional Development and Communications under the Local Roads and Community Infrastructure Program.
3. Notes the proposed funding allocations, including \$200,000 for Diamond Creek Trail Amenity Program, with the balance for resources to support delivery of the projects by 31 December 2021.

CARRIED UNANIMOUSLY

13. Officers' reports

CM.023/21 Tender Report - Contract 2021-8 Graffiti Removal and Management Services

Distribution: Public**Manager: Rosa Zouzoulas, Executive Manager Planning and Community Safety****Author: Jonathan McNally, Manager Community Safety and Amenity****Summary**

This report recommends the awarding of contract 2021-8 for Graffiti Removal and Management Services.

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

The Tender Evaluation Panel (TEP) has assessed all submissions and this report provides a summary of their evaluation in recommending the awarding of the contract for 2021-8 for Graffiti Removal and Management Service.

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

Recommendation

That Council:

1. Accepts the tender from and enter into a contract with **Tenderer A** _____ as per the preferred tenderers schedule of rates shown in **Attachment 1** for the following contract:
Number: 2021-8
Title: Graffiti Removal and Management Service
Term: 1 April 2021 to 30 March 2024
Options: Two (2) x one (1) year term extensions
2. Authorises the Chief Executive Officer to finalise and execute the contract documentation.
3. Authorises the Chief Executive Officer to approve contract term extensions.
4. Advises all tenderers accordingly.
5. Resolves that the Tender Evaluation Report (**Attachment 1**) remain confidential on the grounds specified in the definition of confidential information in section 3(1)(g) of the *Local Government Act 2020*.

13. Officers' reports

CM.023/21 Tender Report - Contract 2021-8 Graffiti Removal and Management Services

Motion

MOVED: Cr Frances Eyre
SECONDED: Cr Karen Egan

That Council defers the appointment of a tenderer to the Graffiti Removal and Management Service to the 23 March 2021 Council meeting.

THE MOTION WAS PUT TO THE VOTE AND CARRIED AND BECAME THE COUNCIL RESOLUTION AS FOLLOWS:

Council Resolution

MOVED: Cr Frances Eyre
SECONDED: Cr Karen Egan

That Council defers the appointment of a tenderer to the Graffiti Removal and Management Service to the 23 March 2021 Council meeting.

CARRIED

13. Officers' reports

CM.024/21 DELWP Proposed ESD Planning Policy Framework Changes - Council Submission

Distribution: Public

Manager: Rosa Zouzoulas, Executive Manager Planning and Community Safety

Author: Leigh Northwood, Strategic Planning Lead

Summary

DELWP have released a paper - '*Environmentally sustainable development of buildings and subdivisions: A roadmap for Victoria's planning system*' (The Roadmap) (**Attachment 1**). The intent of 'the Roadmap' is to strengthen Environmentally Sustainable Development (ESD) as a keystone principle in Victoria's planning system, embedded in the strategic objectives of State and local planning provisions.

The deadline for submissions to 'the Roadmap' are due with DELWP by **26 February 2021**.

'The Roadmap' is stage 1 of two stages of implementation programmed by DELWP, and proposes to update the Planning Policy Framework (PPF) to include environmentally sustainable development (ESD) as a specific principle in the purpose of the Victoria Planning Provisions (VPP) and update references to existing ESD related policies where relevant to the planning system. The focus of these changes is on lot and precinct scale developments.

Officers brought a draft submission to Council for consideration at a briefing on 19 January 2021. Feedback and direction from this briefing has been used to amend Council's submission (**Attachment 2**).

Council Resolution

MOVED: Cr Ben Ramcharan

SECONDED: Cr Geoff Paine

That Council:

1. Adopts the attached submission (**Attachment 2**) to '*Environmentally sustainable development of buildings and subdivisions: A roadmap for Victoria's planning system*' (The Roadmap), and directs Council officers to formally lodge the adopted submission with DEWLP by 26 February 2021; and
2. Makes the adopted submission publicly available on Council's Participate Nillumbik website.

CARRIED UNANIMOUSLY

13. Officers' reports

CM.025/21 De Fredericks Road Special Charge Scheme - Declaration

Distribution: Public

Manager: Hjalmar Philipp, Director Operations and Infrastructure

Author: Vladimir Mistic, Project Engineer

Summary

Following a consultation process Council resolved on 25 August 2020 (Item OCM.138/20) its Intention to declare a Special Charge Scheme to construct De Fredericks Road, Yarrambat.

Council's notice of its intention to declare a scheme was publicly advertised in The Age newspaper on 14 September 2020.

A letter and notice of the proposal was sent to all property owners with a liability under the scheme. Council has received correspondence from one affected property owner that constitutes a submission and objection under the Local Government Act 1989 (the Act).

This report recommends that Council formally declares De Fredericks Road Special Charge Scheme, Yarrambat (between Ironbark Road and Hacketts Road).

Council Resolution

MOVED: Cr Richard Stockman

SECONDED: Cr Karen Egan

That Council:

1. Notes that one submission, which is also considered an objection was received for this scheme.
2. Having considered this submission and objection, gives notice under section 163 (4) of the *Local Government Act 1989* of the declaration of a special charge for the purpose of constructing De Fredericks Road, Yarrambat (between Ironbark Road and Hacketts Road).
3. Incorporates the following outline of declaration:
 - a) The Special Charge Scheme shall apply to the properties in De Fredericks Road, as shown in **Attachment 1**.
 - b) The apportionment cost to each property is based on the method shown in the report and **Attachment 2**.
 - c) The total estimated cost to each property is shown in **Attachment 3** and may be paid as a lump sum or by quarterly instalments over a 10 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.
 - e) The Special Charge Scheme for De Fredericks Road shall remain in place for 10 years.

13. Officers' reports

CM.025/21 De Fredericks Road Special Charge Scheme - Declaration

- f) The estimated total project cost is \$403,519.88 with a benefit ratio of 1 (100 per cent). The total amount to be levied under this special charge is \$403,519.88.
 - g) Within 12 months of the completion of works a final cost statement will be issued to all of the property owners in the De Fredericks Road Special Charge Scheme and any adjustments to liabilities will be made at that time.
4. That the submitters and objectors be advised of Council's decision and the reason for the decision.

CARRIED UNANIMOUSLY

13. Officers' reports

Cr Ramcharan declared a material conflict of interest in the following item - Declaration because a resident subject to the special charge made a significant donation to his campaign.

Cr Ben Ramcharan temporarily left the meeting prior to this item being heard at 8.46pm.

CM.026/21 Rockliffe Street Special Charge Scheme - Declaration

Distribution: Public

Manager: Hjalmar Philipp, Director Operations and Infrastructure

Author: Patrick Wood, Design Coordinator

Summary

Following a consultation process Council resolved on 25 August 2020 (Item OCM.139/20), its intention to declare a Special Charge Scheme to construct Rockliffe Street, Eltham.

Council's notice of its intention to declare a scheme was publicly advertised in *The Age* newspaper on 14 September 2020.

A letter and notice of the proposal was sent to all property owners with a liability under the scheme. Council has received eight pieces of correspondence from affected property owners which constitute a submission and two pieces of correspondence constituting an objection under the *Local Government Act 1989*.

This report recommends that formally declares the Rockliffe Street Special Charge Scheme.

Motion

MOVED: Cr Geoff Paine

SECONDED: Cr Frances Eyre

That Council:

1. Notes that eight submissions including two objections were received for this scheme.
2. Having considered these submissions and objections, gives notice under section 163 (4) of the *Local Government Act 1989* of the declaration of a special charge for the purpose of constructing Rockliffe Street, Eltham.
3. Incorporates the following outline of declaration:
 - a) The Special Charge Scheme shall apply to the properties in Rockliffe Street, as shown in **Attachment 1**.
 - b) The apportionment cost to each property is based on the method shown in the report and **Attachment 2**.
 - c) The total estimated cost to each property is shown in **Attachment 3** and may be paid as a lump sum or by quarterly instalments over a 10 year period with interest as provided by section 163(1)(b) of the *Local Government Act 1989*.

13. Officers' reports

CM.026/21 Rockliffe Street Special Charge Scheme - Declaration

- 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.
 - e) The Special Charge Scheme for Rockliffe Street shall remain in place for 10 years.
 - f) The estimated total project cost is \$377,820.63 with a benefit ratio of 1 (100 per cent). The total amount to be levied under this special charge is \$377,820.63.
 - g) Within 12 months of the completion of works, a final cost statement will be issued to all of the property owners in the Rockliffe Street Special Charge Scheme and any adjustments to liabilities will be made at that time.
4. That the submitters and objectors be advised of Council's decision and the reason for the decision.

CARRIED UNANIMOUSLY

Cr Ben Ramcharan returned to the meeting at the conclusion of the above item at 8.49pm.

13. Officers' reports

CM.027/21 Informal Meetings of Councillors Records - 23 February 2021

Distribution: Public

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

Author: Janet Taylor, Governance Officer

Summary

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

This report lists Information Meetings of Councillors records that have been submitted since the matter was last reported to Council on 15 December 2020.

An Information Meetings of Councillors Record was kept for:

- Councillor Briefing held 19 January 2021.
- Councillor Workshop held 20 January 2021.
- Pre-meeting to Council Meeting held 27 January 2021.
- Councillor Briefing held 2 February 2021.
- Environment & Sustainability Advisory Committee held 3 February 2021.
- Health and Wellbeing Advisory Committee held 4 February 2021.
- Councillor Induction Workshop held 5 February 2021.
- Councillor Induction Workshop held 6 February 2021.
- Pre-meeting to Future Nillumbik Committee Meeting held 9 February 2021.

Recommendation

That Council, in accordance with *Item 19 of Council's Governance Rule – Meeting Procedure*, receives the Information Meetings of Councillors records held on 19 January 2021, 20 January 2021, 27 January 2021, 2 February 2021, 3 February 2021, 4 February, 5 February 2021, 6 February 2021 and 9 February 2021, as contained in (**Attachment 1**).

Motion

MOVED: Cr Ben Ramcharan

SECONDED: Cr Geoff Paine

That Council, in accordance with *Item 19 of Council's Governance Rule – Meeting Procedure*, receives the ~~Information~~ **Informal** Meetings of Councillors records held on 19 January 2021, 20 January 2021, 27 January 2021, 2 February 2021, 3 February 2021, 4 February 2021, 5 February 2021, 6 February 2021 and 9 February 2021, as contained in (**Attachment 1**).

13. Officers' reports

CM.027/21 Informal Meetings of Councillors Records - 23 February 2021

THE MOTION WAS PUT TO THE VOTE AND CARRIED AND BECAME THE COUNCIL RESOLUTION AS FOLLOWS:

Council Resolution

MOVED: Cr Ben Ramcharan

SECONDED: Cr Geoff Paine

That Council, in accordance with *Item 19 of Council's Governance Rule – Meeting Procedure*, receives the Informal Meetings of Councillors records held on 19 January 2021, 20 January 2021, 27 January 2021, 2 February 2021, 3 February 2021, 4 February 2021, 5 February 2021, 6 February 2021 and 9 February 2021, as contained in (**Attachment 1**).

CARRIED UNANIMOUSLY

Council Meeting Minutes

23 February 2021

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

The meeting closed at 8.51pm.

Confirmed: _____
Cr Peter Perkins, Mayor