

Future Nillumbik Committee

held at the Civic Centre, Civic Drive, Greensborough
on Tuesday 9 February 2021 commenced at 7:00pm.

Minutes

Carl Cowie
Chief Executive Officer

Friday 12 February 2021

Distribution: Public

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Nillumbik Shire Council

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Nillumbik Shire Council

**Minutes of the Future Nillumbik Committee Meeting held Tuesday 9 February 2021.
The meeting commenced at 7:00pm.**

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 (Chairperson)
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
Bлага Naumoski	Executive Manager Governance, Communications and Engagement
Joseph Emmanuel	Manager Infrastructure
Katia Croce	Governance Lead

1. Welcome by the Chair

2. Acknowledgement of Country

The Acknowledgement of Country was read by the Chairperson, Cr Ben Ramcharan.

3 Apologies

Nil

4 Confirmation of minutes

Confirmation of minutes of the Future Nillumbik Committee Meeting held on Tuesday 08 December 2020.

Committee Resolution

MOVED: Cr Geoff Paine
SECONDED: Cr Richard Stockman

That the minutes of the Future Nillumbik Committee Meeting held on Tuesday 08 December 2020 be confirmed.

CARRIED UNANIMOUSLY

5 Disclosure of conflicts of interest

Nil

6. Officers' reports

FNC.001/21 Nillumbik Pandemic Recovery Plan 2021 - Triennial Event Funding Redirection

Portfolio: Community Services

Distribution: Public

Manager: Corrienne Nichols, Executive Manager Communities

Author: Bianca Lord, Coordinator Events and Grants

Katie Camilleri, Team Leader Youth Development

Summary

The purpose of this report is to provide a status update on Triennial Event Funding and to inform on the proposed re-allocation of surplus funds to implement the Nillumbik Pandemic Recovery Plan 2021.

Recommendation

That the Committee (acting under delegation from Council):

1. Endorses the redirection of surplus Triennial Event Funding for the 2020/21 financial year to support the implementation of the Nillumbik Pandemic Recovery Plan 2021 as follows:
 - a. \$97,352 for Council initiatives as identified within the Nillumbik Pandemic Recovery Plan; and
 - b. \$90,000 for Community Recovery Funding to support community groups and businesses to support recovery and community resilience initiatives associated with the Pandemic.

Motion

MOVED: Cr Peter Perkins

SECONDED: Cr Frances Eyre

That the Committee (acting under delegation from Council):

1. Endorses the redirection of **unspent** surplus Triennial Event Funding for the 2020/21 financial year to support the implementation of the Nillumbik Pandemic Recovery Plan 2021 as follows:
 - a. \$97,352 for Council initiatives as identified within the Nillumbik Pandemic Recovery Plan; and
 - b. \$90,000 for Community Recovery Funding to support community groups and businesses to support recovery and community resilience initiatives associated with the Pandemic.
2. **Requests the Mayor write to State and Federal Government advocating for grant opportunities to support Local Government to implement COVID Recovery Plans.**

6. Officers' Report

FNC.001/21 Nillumbik Pandemic Recovery Plan 2021 - Triennial Event Funding Redirection

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

Committee Resolution

MOVED: Cr Peter Perkins

SECONDED: Cr Frances Eyre

That the Committee (acting under delegation from Council):

1. Endorses the redirection of unspent surplus Triennial Event Funding for the 2020/21 financial year to support the implementation of the Nillumbik Pandemic Recovery Plan 2021 as follows:
 - a. \$97,352 for Council initiatives as identified within the Nillumbik Pandemic Recovery Plan; and
 - b. \$90,000 for Community Recovery Funding to support community groups and businesses to support recovery and community resilience initiatives associated with the Pandemic.
2. Requests the Mayor write to State and Federal Government advocating for grant opportunities to support Local Government to implement COVID Recovery Plans.

CARRIED UNANIMOUSLY

6. Officers' reports**FNC.002/21 Special Rate Renewal for Eltham Town - Hearing of Submissions**

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

This report outlines the consideration of submissions received from the public regarding the renewal and declaration of the special rate for Eltham Town.

The current special rate for Eltham Town expires on 30 June 2021. Following the receipt of written request from the Eltham Chamber of Commerce and Industry Inc. (Chamber) to renew the special rate to fund the marketing and promotion of Eltham Town, Council at its Ordinary Meeting on 15 December 2020, commenced the statutory process and gave notice of its intention to declare a special rate for that purpose.

In accordance with the requirements of the *Local Government Act 1989* formal notification of the proposed special rate was undertaken, with a public notice published in the Herald Sun on Monday 21 December 2020 and also written notification being sent via mail to owners of properties upon which the special rate would be levied.

Notice has also been provided to the Chamber with a copy of the public notice to be forwarded on to occupiers/businesses (relevant in cases where the owner obliges the tenant pay the special rate) and available on Council's website.

In response to the public notice, Council received 6 submissions (**Attachment 3**) of a total of 178 properties liable to pay the special rate. 6 in support of the special rate and 0 opposing its renewal.

Given the important role that the special rate plays in supporting local businesses through marketing and promotion, it is recommended that Council hear any submissions on the Special Rate. Based on this information Council shall then resolve to declare, modify or abandon the special rate at the 23 March 2021 Council Meeting.

This report recommends that the Future Nillumbik Committee receives and notes the contents of the submissions and hears from submitters.

Committee Resolution**MOVED: Cr Geoff Paine****SECONDED: Cr Frances Eyre****That** the Committee (acting under delegation from Council):

1. Receives and notes the contents of submissions received in response to Council's formal notification of its intention to declare a special rate for marketing and promotion of Eltham Town.
2. In accordance with section 223(c) of the *Local Government Act 1989*, refer the matter for declaring, modifying or abandoning the special rate to the 23 March 2021 Council Meeting.
3. Notifies the submitters accordingly.

CARRIED UNANIMOUSLY

6. Officers' reports

FNC.003/21 Special Rate Renewal for Hurstbridge Village - Hearing of Submissions

Portfolio: Economic Development and Marketing

Distribution: Public

Manager: Rosa Zouzoulas, Executive Manager Planning and Community Safety

Author: Danielle Phyland, Economic Development and Tourism Lead
Rania Mullins, Economic Development and Tourism Officer

Summary

This report outlines the consideration of submissions received from the public regarding the renewal and declaration of the special rate for Hurstbridge Village.

The current special rate for Hurstbridge Village expires on 30 June 2021. Following the receipt of written request from the Hurstbridge Village Traders Association to renew the special rate to fund the marketing and promotion of Hurstbridge Village, Council at its Council Meeting on 15 December 2020, commenced the statutory process and gave notice of its intention to declare a special rate for that purpose.

In accordance with the requirements of the *Local Government Act 1989* formal notification of the proposed special rate was undertaken, with a public notice published in the Herald Sun on Monday 21 December 2020 and also written notification being sent via mail to owners or properties upon which the special rate would be levied.

Notice has also been provided to the Hurstbridge Village Traders Association with a copy of the public notice to be forwarded on to occupiers/businesses (relevant in cases where the owner obliges the tenant pay the special rate) and available on website.

In response to the public notice, Council received 6 submissions (**Attachments 3 and 4**) of a total of 66 properties liable to pay the special rate. Five in support of the special rate and one petition received with 25 signatures requesting that the special rate renewal be waived for 12 months.

Given the important role that the special rate plays in supporting local businesses through marketing and promotion, it is recommended that Council hear any submissions on Special Rate. Based on this information Council shall then resolve to declare, modify or abandon the special rate the Council Meeting on 23 March 2021.

This report recommends that the Future Nillumbik Committee receives and notes the contents of the submissions and hears from submitters.

The following people addressed the Committee with respect to this item:

1. Michelle Murray
2. Poovanesan Silvalingam

6. Officers' Report

FNC.003/21 Special Rate Renewal for Hurstbridge Village - Hearing of Submissions

Committee Resolution

MOVED: Cr Karen Egan

SECONDED: Cr Natalie Duffy

That the Committee (acting under delegation from Council):

1. Receives and notes the contents of submissions received in response to Council's formal notification of its intention to declare a special rate for marketing and promotion of Hurstbridge Village.
2. In accordance with section 223(c) of the *Local Government Act 1989*, refer the matter for declaring, modifying or abandoning the special rate to the Council Meeting on 23 March 2021.
3. Notifies the submitters accordingly.

CARRIED UNANIMOUSLY

6. Officers' reports**FNC.004/21 John Street and Bridge Street Proposed Road Discontinuance**

Portfolio: Infrastructure**Distribution: Public****Manager: Hjalmar Philipp, Director Operations and Infrastructure****Author: Joseph Emmanuel, Manager Infrastructure****Summary**

This report presents the submissions and objections made to Council as part of its proposal to discontinue two road reserves located at the eastern end of Bridge Street in Eltham and the eastern end of John Street in Eltham.

Having identified that these sections of road reserve were no longer required for the purpose of vehicular use, Council has proposed to discontinue these two road reserves pursuant to the statutory process under the *Local Government Act 1989* (the Act) and retain the resultant land for public park and recreation, including pedestrian access.

A separate planning scheme amendment process, known as Amendment C126nill is being undertaken to rezone these sites from Neighbourhood Residential Zone Schedule (NRZ1) to Public Park and Recreation Zone (PPRZ).

The following people addressed the Committee with respect to this item:

1. *Richard Schurmann*
2. *Timothy Bradshaw Cook on behalf of Colin Cook*
3. *Barry Pearce*

Committee Resolution

MOVED: Cr Geoff Paine**SECONDED: Cr Natalie Duffy****That** the Committee (acting under delegation from Council):

1. Notes the 12 submissions including three objections made with respect to the proposal to discontinue two road reserves located at the eastern end of Bridge Street in Eltham and the eastern end of John Street in Eltham
2. Considers a further report at the next available Council Meeting to resolve a position on the proposed road discontinuance relating to the eastern ends of John Street and Bridge Street in Eltham.

CARRIED UNANIMOUSLY

6. Officers' reports**FNC.005/21 De Fredericks Road, Yarrambat Special Charge Scheme**

Portfolio: Infrastructure**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) 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 the Committee refers a decision regarding the formal declaration of De Fredericks Road Special Charge Scheme, to the next Council Meeting on 23 February 2021.

The following person addressed the Committee with respect to this item:

1. *Leo Di Paola*

Committee Resolution

MOVED: Cr Richard Stockman**SECONDED: Cr Karen Egan****That** the Committee (acting under delegation from Council):

1. Notes that one submission and one objection was received for the Special Charge Scheme to construct De Fredericks Road, Yarrambat.
2. Refers a decision regarding the formal declaration of the De Fredericks Road Special Charge Scheme, Yarrambat (between Ironbark Road and Hacketts Road) to the next Council Meeting on 23 February 2021.

CARRIED UNANIMOUSLY

6. Officers' reports**FNC.006/21 Rockliffe Street, Eltham - Special Charge Scheme****Portfolio: Infrastructure****Distribution: Public****Manager: Hjalmar Philipp, Director Operations and Infrastructure****Author: Patrick Wood, Design Coordinator
Vladimir Mistic, Project Engineer****Summary**

Following a consultation process Council resolved on 25 August 2020 (Item OCM.139/20), 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 seven 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 the Committee refers a decision regarding the formal declaration of the Rockliffe Street Special Charge Scheme, to the next Council Meeting on 23 February 2021.

The following people addressed the Committee with respect to this item:

1. *Steven Stojanovski*
2. *Laurie Niven*
3. *Rex Niven*
4. *Alan Thatcher*
5. *Nancy Fotia* (read by CEO)

Officer Recommendation

That the Committee (acting under delegation from Council):

1. Notes that seven submissions and two objections were received for the Special Charge Scheme to construct Rockliffe Street, Eltham.
2. Refers a decision regarding the formal declaration of the Rockliffe Street Special Charge Scheme, to the next Council Meeting on 23 February 2021.

Motion

MOVED: Cr Geoff Paine

SECONDED: Cr Richard Stockman

That the Committee (acting under delegation from Council):

1. Notes that seven submissions seven submissions and two objections were received for the Special Charge Scheme to construct Rockliffe Street, Eltham.

6. Officers' Report

FNC.006/21 Rockliffe Street, Eltham - Special Charge Scheme

2. Refers a decision regarding the formal declaration of the Rockliffe Street Special Charge Scheme, to the next Council Meeting on 23 February 2021.

Cr Perkins proposed to the mover and seconder to make the following amendment to the item 1 of the Recommendation:

1. Notes that seven submissions and **three** objections were received for the Special Charge Scheme to construct Rockliffe Street, Eltham.

The Mover and Secunder accepted the amendment which reads as follows:

Amended Motion

MOVED: Cr Geoff Paine
SECONDED: Cr Richard Stockman

That the following amendment be made to item 1 of the Recommendation:

1. Notes that seven submissions and **three** objections were received for the Special Charge Scheme to construct Rockliffe Street, Eltham.

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

Committee Resolution

MOVED: Cr Geoff Paine
SECONDED: Cr Richard Stockman

That the Committee (acting under delegation from Council):

1. Notes that seven submissions and three objections were received for the Special Charge Scheme to construct Rockliffe Street, Eltham.
2. Refers a decision regarding the formal declaration of the Rockliffe Street Special Charge Scheme, to the next Council Meeting on 23 February 2021.

CARRIED UNANIMOUSLY

6. Officers' reports

FNC.007/21 Draft Community Engagement Policy

Portfolio: Finance and Governance

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 (Act) 2020*, 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 our 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 about 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 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. A report of findings is attached (**Attachment 1**).

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 received the clearly prioritised 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 2**).

The purpose of this meeting is to hear further submissions on the draft Community Engagement Policy.

Following the Future Nillumbik Committee meeting, any necessary changes and recommendations will be made before the final version of the Community Engagement Policy is brought to Council for its meeting on 23 February 2021.

The following people addressed the Committee with respect to this item:

1. Richard Schurmann
2. Sue Dyet
3. Narelle Campbell (read by the CEO)
4. Gila Schnapp (read by the CEO)
5. Esther Caspi (read by the CEO)

6. Officers' Report

FNC.007/21 Draft Community Engagement Policy

Committee Resolution

MOVED: Cr Frances Eyre

SECONDED: Cr Natalie Duffy

That the Committee (acting under delegation from Council):

- a) Receives and notes the Community Engagement Findings Report including all submissions (**Attachment 1**) on the draft Community Engagement Policy.
- b) Requests that officers consider the matters contained in the written and verbal submissions during finalisation of the Community Engagement Policy.
- c) Provides any additional input to the Community Engagement Policy before the Policy is due to be endorsed at the next Council Meeting on 23 February 2021.
- d) Requests that officers thank submitters and provide a written response to their submissions.
- e) Notes that the final Community Engagement Policy will be designed and presented to Council for adoption at the Council Meeting on 23 February 2021.

CARRIED UNANIMOUSLY

6. Officers' reports

FNC.008/21 Integrated Community Planning - Our People, Our Place, Our Future

Portfolio: Planning

Distribution: Public

Manager: Jeremy Livingston, Executive Manager Business Transformation and Performance

Author: Yasmin Green, Strategy and Policy Advisor

Nichole Johnson, Coordinator Strategic Projects

Katie Camilleri, Team Leader Youth Development

Summary

The *Local Government Act 2020* requires Council to develop an integrated longer-term approach to strategic planning organised around a Community Vision.

Council's Strategic Planning Framework promotes strong strategic alignment between the Community Vision, Council Plan, Municipal Public Health and Wellbeing Plan, Financial Plan, Asset Plan and other strategic documents. It therefore makes sense to undertake community engagement activities to support the delivery of these strategic documents in an integrated manner.

The proposed integrated community engagement approach to support the development of the above strategies recognises this, and seeks to engage the community to deliver these key planning documents in an integrated and efficient manner.

Informed by community and Councillor feedback received to date with respect to the draft Community Engagement Policy, an integrated community engagement proposal has been developed under the proposed banner of 'Our People, Our Place, Our Future' to support the development of future plans and strategies which includes the Community Vision for Nillumbik, Council Plan, Municipal Health and Wellbeing Plan, Municipal Planning Strategy, Financial Plan and the Asset Plan.

While acknowledging that Council will not be in a position to adopt its Community Engagement Policy until later this month (at the Council Meeting), this proposal is consistent with community feedback and aligns closely with the objectives and sentiment of the draft policy. If required, this proposed integrated community engagement program could be amended to address any issues or conflicts that may arise.

Endorsement is sought for the proposed integrated community engagement approach, which is scheduled to commence later this month (February 2021) in order to meet tight legislated timeframes for adopting these important plans and strategies.

Recommendation

That the Committee (acting under delegation from Council):

1. Notes and endorses:
 - a) The proposed timelines for the integrated community planning engagement approach (**Attachment 1**).
 - b) The proposed survey content (**Attachment 2**).
 - c) The proposed community engagement plan (**Attachment 3**).

6. Officers' Report

FNC.008/21 Integrated Community Planning - Our People, Our Place, Our Future

Motion**MOVED: Cr Geoff Paine****SECONDED: Cr Karen Egan****That** the Committee (acting under delegation from Council):

1. Notes and endorses:
 - a) The proposed timelines for the integrated community planning engagement approach (**Attachment 1**).
 - b) The proposed survey content, **subject to some minor changes to be finalised by the Executive Manager Business Transformation & Performance, including:**
 - adding 'Youth Development' as an option under 'Inclusion'
 - moving 'Community Resilience' as an option from under 'Inclusion' to 'Resilient and Safe'
 - adding 'Rural Land Management' as an option under 'Open Space and Sustainability'
 - revision to the categories under the Asset Plan question to better benchmark the feedback received (**Attachment 2**).
 - c) The proposed community engagement plan, **subject to moving the virtual session on 20 February to 27 February 2021 to provide sufficient time to register following the official launch of this community engagement on 15 February 2021 (Attachment 3).**

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

Committee Resolution**MOVED: Cr Geoff Paine****SECONDED: Cr Karen Egan**

1. Notes and endorses:
 - a) The proposed timelines for the integrated community planning engagement approach (**Attachment 1**).
 - b) The proposed survey content, subject to some minor changes to be finalised by the Executive Manager Business Transformation & Performance, including:
 - adding 'Youth Development' as an option under 'Inclusion'
 - moving 'Community Resilience' as an option from under 'Inclusion' to 'Resilient and Safe'
 - adding 'Rural Land Management' as an option under 'Open Space and Sustainability'
 - revision to the categories under the Asset Plan question to better benchmark the feedback received (**Attachment 2**).

6. Officers' Report

FNC.008/21 Integrated Community Planning - Our People, Our Place, Our Future

- c) The proposed community engagement plan, subject to moving the virtual session on 20 February to 27 February 2021 to provide sufficient time to register following the official launch of this community engagement on 15 February 2021 (**Attachment 3**).

CARRIED UNANIMOUSLY

6. Officers' reports**FNC.009/21 Amendment C129 to the Nillumbik Planning Scheme (Removal of the EAO from various parcels in Plenty) - Response to Exhibition****Portfolio: Planning****Distribution: Public****Manager: Renae Ahern, Manager Planning Services****Author: Paul Fyffe, Senior Strategic Planner****Leigh Northwood, Strategic Planning Lead****Summary**

Council recently exhibited its proposed Amendment C129 to the Nillumbik Planning Scheme, which intends to remove the Environmental Audit Overlay (EAO) from land that was formerly known as 323-325 Yan Yean Road, Plenty. This report advises of the response to exhibition of the amendment.

The EAO is applied to land which is potentially contaminated and was applied in 2000 to land formerly known as 323-325 Yan Yean Road due to historical gold mining at the site. It is appropriate to remove the overlay when the potential for contamination has been appropriately responded to. Measures have been taken at 323-325 Yan Yean Road which identify and respond to contamination at the site 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 the Nillumbik Planning Scheme, to remove the EAO from the site.

Amendment C129 was exhibited from 5 October to 16 November 2020 and Council received one submission, which is from the Environment Protection Authority (EPA). In its submission, the EPA does not articulate support or non-support for the amendment, but does question the level of assessment regarding one of the measures taken to respond to the contamination. The EPA is the state authority responsible for contamination issues and so its response to Amendment C129 presents an issue for the amendment.

Where a submission raises an issue with a proposed amendment, the statutory amendment process provides for Council to request that the Minister for Planning appoint an independent planning panel to consider the amendment. This step allows Council to receive independent, technical recommendations on an amendment.

The following person addressed the Committee with respect to this item:

1. Kristen Argus – EPA (read by CEO)

Committee Resolution**MOVED: Cr Richard Stockman****SECONDED: Cr Geoff Paine****That** the Committee (acting under delegation from Council):

1. Notes the submission from the Environment Protection Authority (EPA) to Amendment C129 to the Nillumbik Planning Scheme.
2. Recommends to Council's Meeting that it request the Minister for Planning appoint an independent planning panel to consider the amendment.

6. Officers' Report

FNC.009/21 Amendment C129 to the Nillumbik Planning Scheme (Removal of the EAO from various parcels in Plenty) - Response to Exhibition

3. Notify the EPA and owners and occupiers of land affected by the proposed amendment of the Committee's resolution.

CARRIED UNANIMOUSLY

7. Supplementary and urgent business

Nil

8. Confidential reports

Nil

9. Close of Meeting

The meeting closed at 9:39pm.

Confirmed: _____

Cr Ben Ramcharan, Chairperson