

# Council Meeting

held at the Civic Centre, Civic Drive, Greensborough  
on Tuesday 30 November 2021 commenced at 7:02pm.

## Minutes

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

Friday 3 December 2021

Distribution: Public

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## Nillumbik Shire Council

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### Contents

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<b>1.</b>	<b>Welcome by the Mayor</b>	<b>1</b>
<b>2.</b>	<b>Acknowledgement of Country</b>	<b>1</b>
<b>3.</b>	<b>Good Governance Pledge</b>	<b>1</b>
<b>4.</b>	<b>Prayer</b>	<b>1</b>
<b>5.</b>	<b>Apologies</b>	<b>1</b>
<b>6.</b>	<b>Presentations</b>	<b>2</b>
<b>8.</b>	<b>Disclosure of conflicts of interest</b>	<b>6</b>
<b>9.</b>	<b>Petitions</b>	<b>6</b>
<b>10.</b>	<b>Questions from the gallery</b>	<b>6</b>
<b>11.</b>	<b>Reports of Advisory Committees</b>	<b>7</b>
	AC.014/21      Advisory Committee Report - 30 November 2021	7
<b>12.</b>	<b>Officers' reports</b>	<b>9</b>
	CM.132/21      Council Plan Quarterly Performance Report - 2021-2022 - Quarter 1	9
	CM.161/21      Quarterly Risk and Safety Report - September 2021	11
	CM.162/21      Nillumbik Domestic Animal Management Plan 2021-2025	12
	CM.163/21      Land Management Incentive Program - Guidelines Review	15
	CM.164/21      Nillumbik Placemaking Framework 2021	17
	CM.165/21      Audit and Risk Committee Meeting November 2021	19
	CM.166/21      Amendment C131nill (Regulating Earthworks in the Green Wedge)	21
	CM.167/21      Recreation and Leisure Grants	23
	CM.168/21      Informal Meetings of Councillors Records - 26 October 2021	24
	CM.169/21      Melbourne Water Land Divestment – Committee of Management	25
<b>13.</b>	<b>Notices of Motion</b>	<b>29</b>
	NOM.007/21      Advocacy for suitable BMX and off-road biking locations in the Shire	29
<b>14.</b>	<b>Delegates' Reports</b>	<b>29</b>
<b>15.</b>	<b>Supplementary and urgent business</b>	<b>29</b>
<b>16.</b>	<b>Confidential reports</b>	<b>29</b>
<b>17.</b>	<b>Close of Meeting</b>	<b>29</b>

**Nillumbik Shire Council**

**Minutes of the Meeting of Nillumbik Shire Council held Tuesday 30 November 2021.  
The meeting commenced at 7.02pm.**

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**Councillors present:**

Cr Frances Eyre	Swipers Gully Ward ( <b>Mayor</b> )
Cr Richard Stockman	Blue Lake Ward
Cr Karen Egan	Bunjil Ward
Cr Natalie Duffy	Edendale Ward
Cr Peter Perkins	Ellis Ward
Cr Ben Ramcharan	Sugarloaf Ward ( <b>Deputy Mayor</b> )
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
Nichole Johnson	Acting Executive Manager Communities
Jeremy Livingston	Executive Manager Business Transformation and Performance
Rosa Zouzoulas	Executive Manager Planning and Community Safety
Eddie Cheng	Manager, Information Technology
Licardo Prince	Communications and Advocacy Lead
Eddie Cheng	Manager Information Technology
Katia Croce	Governance Lead

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**1. Welcome by the Mayor**

**2. Acknowledgement of Country**

Acknowledgement of Country was read by the Mayor, Cr Frances Eyre.

**3. Good Governance Pledge**

The Good Governance Pledge was ready by Cr Peter Perkins.

**4. Prayer**

A prayer was read by Reverend Fr Stephen Mankarious of St Macarius Coptic Orthodox Church located at 615-623 Yan Yean Road, Yarrambat.

**5. Apologies**

Nil

6. Presentations

**Presentation to the Outgoing Mayor and Deputy Mayor for 2020/2021**

**Presentation to the Outgoing Mayor Cr Peter Perkins**

The Chief Executive Officer paid tribute to the outgoing Mayor Peter Perkins as follows:

*It is my privilege tonight, to acknowledge the work of Cr Perkins during his term as Mayor for the year to 24 November 2021.*

*Cr Perkins experience was of immense benefit over the past year in helping a new Council navigate the first 12 months of a four year term at a time of continuing uncertainty around the COVID pandemic.*

*At the time of being returned as Ellis Ward Councillor at the 2020 elections last year, Cr Perkins brought 10 years' experience, including a previous term as Mayor.*

*Over the course of the past year he guided Council through the adoption of its key long term strategic documents, including the Council Plan and the Community Vision.*

*His experience and insights have been greatly appreciated by Council officers and safe to say, as evidenced in our new Mayor's inaugural address last week, by his fellow councillors.*

*Cr Perkins has been - and continues to be - a great advocate for the local community.*

*On behalf of Councillors and officers I would like to thank Cr Perkins for his work over this past year and present him with this token of appreciation which captures some of the scope and breadth of the various highlights of his term as Mayor.*

*Thank you Cr Perkins.*

*The CEO then presented Cr Perkins with the 2021 Mayoral book.*

Cr Peter Perkins gave the following response:

*Firstly I want to thank all Councillors for the support they gave me over the past 12 months. It was a challenging year during COVID and hopefully Cr Eyre will get a chance to do the opening of new infrastructure and new opening events this year, I didn't get a chance to do too much of that unfortunately.*

*One stand out for me was the Diamond Creek Regional Playspace which was recently awarded the Best Place Space in all of Tasmania and Victoria from Parks and Leisure Australia. We progressed to the finals of the National Awards where we got pipped to the post I believe by a little park in Perth.*

*Thanks Councillors and thanks especially to Cr Eyre. Cr Eyre as Deputy Mayor, really did heaps to support me and support Council. It's great to see that Cr Eyre has been elevated with many things that I put on Cr Eyre to do and help out and she hardly ever said no, she was very keen to help out wherever she could, so I really appreciate that. I would also like to acknowledge Carl Cowie – Chief Executive Officer, one of the benefits of being Mayor and I did find this when I was Mayor 9 years ago, was the close working relationship that you form with the CEO of the day. You have a much better appreciation of the challenges faced by staff as you are in constant contact with the CEO and that's been a real benefit to me and I appreciate the work that the CEO has done on behalf of and for the organisation over that time as well and he will of course will continue into the future.*

*The other person that has really supported me to a huge extent was Lynne Gowty, the PA to the Mayor and Councillors. Lynne was literally working every day to support the Mayor, more so than often I was being Mayor, all the correspondence and all the things that needed to be done, Lynne kept a track of, it would have been an impossible task without the support of Lynne, I have to acknowledge and I'm very happy to acknowledge Lynne.*

*That's probably about it for me, one thing I was very keen on as Mayor was making sure that all correspondence that came to me as Mayor got distributed to the Council group without exception and you know, I hope that we will have a good three years ahead of us as one united Council. One that often won't agree on community priorities and we come from different places but hopefully when we come together we can reach consensus and disagree and move on. So I think the foundations have been set for a good Council for the next three years and you know, wishing all the luck into the future. So thanks very much.*

**Presentation to the Outgoing Deputy Mayor Cr Frances Eyre.**

The Chief Executive Officer paid tribute the outgoing Deputy Mayor Cr Frances Eyre:

*Cr Frances Eyre was elected as a first-time Councillor - as indeed were four of her colleagues – at last year's election.*

*Cr Eyre was then elected Deputy Mayor, setting in train, as she herself has said, a very steep learning curve, but one which she then proceeded to negotiate with aplomb.*

*Cr Eyre's first year on Council has been characterised by a commitment to engaging with the community, listening to its views and taking this on board.*

*This inclusiveness along with a real determination to learn as much as she could, in order to do the best job she could – all the while being courteous and professional, has also been evident in her dealings with officers.*

*Cr Eyre's dedication to community service – especially to helping those in our community who find themselves marginalised - has also been apparent from the outset and was characteristic of her term as Deputy Mayor.*

*On behalf of Councillors and officers I would now like to present Cr Eyre with a token of our appreciation for her work as Deputy Mayor over the past year and wish her all the very best for her Mayoral year.*

*Thank you Cr Eyre.*

*The CEO then presented the Mayor, Cr Eyre with a pot plant.*

Cr Frances Eyre gave the following response:

*I just wanted to say a few words actually, from my role as Deputy Mayor and I really wanted to reiterate how grateful I am to have worked so closely with Cr Perkins. I've gained valuable knowledge through supporting you as Deputy Mayor and I really appreciate that now because I feel so confident in my ability to be Mayor. So thanks very much and thanks for all the hard work that you've done and I'm sure I'm speaking on behalf of all of us when I say thank you for your dedication, so thank you very much.*

### CFA Appreciation Award Presentation

Presentation to our local CFA Brigades is an opportunity to acknowledge and thank each local brigade for their ongoing commitment and support they provide to the community.

The Mayor Cr Frances Eyre, paid tribute to the local CFA Brigades as follows:

*I would like to warmly welcome here tonight representatives from a number of our brigades and groups and they are all here, so thank you very much.*

*We know with the arrival of the warmer weather it's important to prepare for the possibility of bushfire and have a plan for emergencies. Living in such a picturesque environment brings risk that our community is very aware of. We know that the arrival of summer is accompanied by the increased probability of bushfire.*

*Council is committed to working with you, our emergency services personnel doing what you do best, protecting lives and property. Volunteers are the backbone of our community. And that is certainly the case with our exceptional CFA volunteers.*

*As we enter another bushfire season, on behalf of Nillumbik Shire Council, I would like to acknowledge and thank you all for the selfless and important work that you do. It's also important to remember, that the mitigation of fire risk is a critical component of fire season preparedness and requires a year-round commitment. I know this is something the CFA and all emergency services agencies prioritise in their preparations and via your many community education initiatives. Mitigation must be a responsibility shared by the entire community. Preparing for, and responding to emergencies is a year round activity. Council is committed to working with the CFA and our other partners to ensure that our fire and emergency management arrangements meet the needs of our community.*

*On behalf of my fellow Councillors and Council staff, I am delighted that we are providing \$49,000 in donations to assist our 16 brigades and two groups for their exceptional work.*

*Tonight, we're here to wish all our emergency services first responders well, as we head into summer. As you would all agree: we hope for the best but prepare for the worst.*

*I'd now like to present you with your certificates. Thank you again – you have our deepest appreciation and support.*

*A certificate of appreciation and a cheque as a gesture of Council's gratitude was presented to the following CFA Brigades:*

- *Mark Gravell, Captain – District 14 Headquarters Brigade East*
- *Steve Gormley, Secretary – St Andrews Fire Brigade*
- *Kate Lamble, 1st Lieutenant – Kangaroo Ground Fire Brigade*
- *David Rumble, Captain – Plenty Fire Brigade*
- *Bernie Broom, Treasurer – Panton Hill Fire Brigade*
- *Stephen Riley, Captain – Eltham Fire Brigade*
- *Peter Bury, Group Officer – Whittlesea Diamond Valley Fire Brigades Group*
- *Robert Bury, Captain – Doreen Fire Brigade*
- *Glenn Clark, 1st Lieutenant – Hurstbridge Fire Brigade*
- *Andrew Napoleon – Yarrambat Fire Brigade*
- *Warren Rees – Arthurs Creek Brigade*

*The Mayor and Deputy Mayor together with CFA members came together for a group photograph.*

Peter Bury, Group Officer – Whittlesea Diamond Valley Fire Brigades Group gave the following response:

*Mayor Eyre, Councillors and fellow firefighters and guests. I just wanted to pass on our thanks from the groups and brigades for the generous donations tonight. As mentioned before, we are 24/7, 365, ready for a whole range of incidents, and we very much appreciate the support of Council for the work that we do.*

*Rest assured that the funds will be well spent and there is generally three areas that we spend funds on, they are things like personal protective equipment for fire fighters, the important work of community education and engagement, both of those are really important and the third area is operation equipment, so things like thermal imaging cameras or pieces of equipment for appliances. So the money is very wisely spent and we very much appreciate your support, thank you very much.*

### **Condolence – Mark Vassallo**

The following condolence statement was made by the Mayor, Cr Frances Eyre.

*I was saddened to hear of the recent passing of our former Waste Management Team Leader, Mark Vassallo. In his passing Council officers lost a much-loved colleague and the Nillumbik Community a great servant. Mark worked for Council for 17 years, hired to drive a side loader in 2003 and soon after that moved into the team leader role. As team leader, Mark was the glue that kept the waste service in one piece and the grease that made the parts run smoothly.*

*Mark started work every day before 5.30am making sure our waste drivers knew what they were doing for the day. Before many of us had woken up he'd already solved the day's problems making sure that all the bins that were out were going to be emptied. He wrangled driver absences, truck breakdowns, trucks sliding off unsealed roads in the wet, resident requests and complaints, among numerous daily tasks.*

*Mark was committed to doing the job to the best of his ability. He was an excellent supervisor, greatly respected by his staff and anyone who worked with him. His staff knew what was expected of them and knew they would hear about it if they were not doing what's expected. Mark's attention to detail was legendary and he set a high standard. He was meticulous. As far as Mark was concerned there is no reason why he can't drive down a street after a waste truck has been through and see bins lined up neatly on the road reserve, all upright with their lids flipped.*

*Mark had a great customer service approach, always patient and courteous, with a knack for moving people from angry to understanding. While his job could be relentless and at worst, incredibly difficult, Mark was always ready to tell you how much he loved his job. He would say that some people go to work because they have to, but that he is fortunate because he has a job he loves. In recognition of his dedication, Mark received the Rotary Pride of Workmanship award in 2011.*

*When Mark wasn't at work, Mark spent time with his family, rode his Harley Davidson motorbike and worked on his impressive array of tattoos. Our thoughts are with his wife, his two daughters and his new grandson and on behalf of Council I would like to convey our deepest condolences.*

**7. Confirmation of minutes**

Confirmation of minutes of the Council Meeting held on Tuesday 26 October 2021.

**Council Resolution**

**MOVED: Cr Geoff Paine**  
**SECONDED: Cr Peter Perkins**

That the minutes of the Council Meeting held on Tuesday 26 October 2021 be confirmed (**Attachment 1**).

**CARRIED UNANIMOUSLY**

**8. Disclosure of conflicts of interest**

Nil

**9. Petitions**

Nil

**10. Questions from the gallery**

Nil



11. Reports of Advisory Committees

AC.014/21 Advisory Committee Report - 30 November 2021

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**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 following minutes of Advisory Committee meetings are attached (**Attachment 1**) and presented to Council for noting:

1. Environmental and Sustainability Advisory Committee Meeting held 18 August 2021;
2. Economic Development Advisory Committee Meeting held 30 September 2021;
3. Positive Ageing Advisory Committee Meeting held 1 October 2021;
4. Health and Wellbeing Advisory Committee Meeting held 14 October 2021;
5. Youth Council Advisory Committee Workshop held 11 October 2021; and
6. Panton Hill Bushland Reserve System User Group Advisory Committee Meeting held 21 October 2021.

<b>Council Resolution</b>
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**MOVED:** Cr Geoff Paine

**SECONDED:** Cr Ben Ramcharan

**That** the minutes of the Advisory Committee meetings reported be noted (**Attachment 1**).

**CARRIED UNANIMOUSLY**



12. Officers' reports

CM.132/21 Council Plan Quarterly Performance Report - 2021-2022 - Quarter 1

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**Distribution:** Public

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

**Author:** James Hartigan, Business Performance Analyst

**Summary**

The purpose of this report is to present the Council Plan Quarterly Performance Report (**Attachment 1**) for noting. These reporting updates are received by Council on a quarterly basis to demonstrate in a practicable and tangible way how the Council Plan 2021-2025 is being delivered to the community.

The Council Plan Quarterly Performance Report provides the first update on delivery progress and performance of the 2021-2022 Annual Action Plan actions, which align to delivery of the first year of the Council Plan 2021-2025.

Of the 23 actions that are identified for quarterly reporting in the 2021-2022 Annual Action Plan, all actions are currently 'on track'.

The overall position reflected in the report suggests that Council has made a solid start in delivering on key actions of the Council Plan, and significant outcomes for the community.

All 54 actions identified in the Annual Action Plan 2021-2022 will have updates provided in the corresponding report for the fourth quarter. This will also be published in the Annual Report 2021-2022 when presented to the community in late 2022.

**Council Resolution**

**MOVED:** Cr Peter Perkins

**SECONDED:** Cr Natalie Duffy

**That** Council receives the Council Plan Quarterly Performance Report (**Attachment 1**) for the first quarter of 2021-2022.

**CARRIED UNANIMOUSLY**



## 12. Officers' reports

CM.161/21 Quarterly Risk and Safety Report - September 2021

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**Distribution: Public****Manager: Jeremy Livingston, Executive Manager Business Transformation and Performance****Author: Craig Commene, Risk and Safety Lead****Summary**

This report provides a summary of Council's Risk and Safety Report for the quarter ending September 2021.

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

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

The full confidential Risk and Safety Report for September 2021 is attached to this report (**Attachment 1**) and provides detailed information for Council's consideration.

<b>Council Resolution</b>
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**MOVED: Cr Geoff Paine****SECONDED: Cr Natalie Duffy****That Council:**

1. Notes the summary of the confidential Risk and Safety Report (**Attachment 1**) for the quarter ending September 2021.
2. Resolves that the attached Risk and Safety Report (**Attachment 1**) remains confidential in accordance with section 3(1)(a) and (f) of the *Local Government Act 2020*.

**CARRIED UNANIMOUSLY**

12. Officers' reports

CM.162/21 Nillumbik Domestic Animal Management Plan 2021-2025

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**Distribution: Public**

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

**Author: Heath Gillett, Acting Manager Community Safety and Amenity  
Caroline Correa, Community Safety Coordinator**

**Summary**

The purpose of this report is to:

- Present the final draft of Domestic Animal Management Plan (DAMP) (**Attachment 1**) following the Planning and Consultation Committee meeting and review of all community member submissions.
- Seek adoption of the DAMP for the period 2021-2025.

In accordance with the *Domestic Animals Act 1994 (the Act)* all Victorian Councils must develop and adopt a DAMP every four years. Council's current DAMP expires on 03 December 2021. The DAMP 2021-2025 has been developed in line with section 68A of the Act. Council has a legislated responsibility under the Act to ensure compliance and delivery of animal management services in line with community expectations around responsible pet ownership.

Consultation, review and development of the DAMP has required extensive community consultation which was conducted in May-June 2021 resulting in 523 surveys being completed and September 2021 resulting in 38 submissions being received. Engagement for the DAMP has focused on the core areas of animal management, including:

- Animal Welfare
- Responsible Pet Ownership
- Local Laws
- Education

The Act requires Council to notify the secretary for the Department of Environment, Land, Water and Planning by 04 December 2021 that it has developed and adopted a DAMP for the next four year period.

## 12. Officers' reports

CM.162/21 Nillumbik Domestic Animal Management Plan 2021-2025

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**Recommendation**

That Council adopt the Domestic Animal Management Plan 2021-2025 (**Attachment 1**).

**Motion****MOVED: Cr Peter Perkins****SECONDED: Cr Karen Egan**

That Council

1. Adopts the Domestic Animal Management Plan 2021-2025 (**Attachment 1**) but deletes the following activity from the plan to be conducted in Year 1 – 'Complete a review of the existing cat curfew and associated Sec.26 Order in Council'.
2. Requests officers correct errors of placenames, off-leash areas and features in Appendix: Maps of off-leash areas in Nillumbik.
3. Requests officers present a draft version of an updated DAMP to Council for endorsement immediately following the adoption of new local laws currently undergoing community consultation.

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

**Council Resolution****MOVED: Cr Peter Perkins****SECONDED: Cr Karen Egan**

That Council

1. Adopts the Domestic Animal Management Plan 2021-2025 (**Attachment 1**) but deletes the following activity from the plan to be conducted in Year 1 – 'Complete a review of the existing cat curfew and associated Sec.26 Order in Council'.
2. Requests officers correct errors of placenames, off-leash areas and features in Appendix: Maps of off-leash areas in Nillumbik.
3. Requests officers present a draft version of an updated DAMP to Council for endorsement immediately following the adoption of new local laws currently undergoing community consultation.

**CARRIED***Cr Ben Ramcharan called for a division**For: Crs Natalie Duffy, Karen Egan, Frances Eyre, Geoff Paine, Peter Perkins and Richard Stockman**Against: Cr Ben Ramcharan*





12. Officers' reports

CM.163/21 Land Management Incentive Program - Guidelines Review

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**Distribution:** Public

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

**Author:** Julia Franco, Biodiversity Officer  
Kirsten Reedy, Coordinator Environment  
Lisa Pittle, Manager Environment  
Stephanie Orive, Land Management Officer

**Summary**

This report provides the recommendations of a review of Council's Land Management Incentive Program (LMIP) Guidelines.

The proposed updated guidelines are presented in **Attachment 1** and an overview of the current program, and of the review findings is presented in **Attachment 2**.

<b>Council Resolution</b>
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**MOVED:** Cr Ben Ramcharan

**SECONDED:** Cr Karen Egan

**That** Council:

1. Endorses the revised Land Management Incentive Program Guidelines 2021, (**Attachment 1**).
2. Notes that the revised Land Management Incentive Program Guidelines will come into effect on 1 December 2021.

**CARRIED UNANIMOUSLY**



12. Officers' reports

CM.164/21 Nillumbik Placemaking Framework 2021

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**Distribution: Public**

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

**Author: Nichole Johnson, Manager Community Partnerships**

**Summary**

The purpose of this report is seek Council endorsement of the Nillumbik Placemaking Framework 2021 (the Framework). The Framework (**Attachment 1**) has been designed to support Councillors, Council staff, community members, traders, stakeholders, contractors and consultants to plan and deliver placemaking projects.

<b>Council Resolution</b>
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**MOVED: Cr Geoff Paine**

**SECONDED: Cr Richard Stockman**

**That Council adopts the Nillumbik Placemaking Framework 2021 (Attachment 1).**

**CARRIED UNANIMOUSLY**



12. Officers' reports

CM.165/21 Audit and Risk Committee Meeting November 2021

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**Distribution:** Public

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

**Author:** Melika Sukunda, Finance Manager

**Summary**

In accordance with section 53 of the *Local Government Act 2020* and good governance principles, councils must have an Audit and Risk Committee.

As resolved at the 23 June 2020 Ordinary Council Meeting, the minutes of an Audit and Risk Committee meeting are to be reported and presented to a subsequent Council Meeting.

The Audit and Risk Committee met on 10 November 2021. The minutes for the meeting are shown in **Attachment 1**.

<b>Council Resolution</b>
---------------------------

**MOVED:** Cr Peter Perkins

**SECONDED:** Cr Geoff Paine

**That** Council notes the minutes of the Audit and Risk Committee meeting held on 10 November 2021 **Attachment 1**.

**CARRIED UNANIMOUSLY**



**12. Officers' reports****CM.166/21 Amendment C131nill (Regulating Earthworks in the Green Wedge)**

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**Distribution: Public****Manager: Rosa Zouzoulas, Executive Manager Planning and Community Safety****Author: Leigh Northwood, Strategic Planning Lead****Summary**

Amendment C131nill to the Nillumbik Planning Scheme, seeks to amend the schedule(s) to the Green Wedge Zone and Rural Conservation Zone to require a planning permit trigger for earthworks which involve the receipt, importation, stockpiling or placement of more than 100 cubic metres of fill.

The amendment is intended to assist Council to manage large earthworks and the placement of fill within the Green Wedge and Rural Conservation Zones, by allowing Council to assess and mitigate future risks and fill activities that have the potential to create significant environmental and amenity impacts in the Shire.

C131nill was placed on exhibition pursuant to the requirements of the *Planning and Environment Act 1987* (the Act), from 22 April to 3 June 2021. Council received ten (10) submissions in total and those submitters were invited to attend the July 2021 Planning & Consultative Committee Meeting (PCC) to speak to their submissions.

At its meeting of 27<sup>th</sup> July 2021, Council resolved to request the Minister for Planning appoint an independent planning panel to consider amendment C131nill pursuant to Section 23(1)(b) of the *Planning and Environment Act 1987* to consider submissions raised in regard to the amendment.

The Panel Hearing was conducted on 30 September 2021 with Council recently receiving the Panel Report, noting the report is very supportive of Council with the Panel concluding that the amendment:

- is supported by, and implements, the Planning Policy Framework and is consistent with the relevant Ministerial Directions and Practice Notes;
- will achieve net community benefit and sustainable development; and
- is well founded and strategically justified and should proceed.

The Panel recommendation is that amendment C131nill be adopted as exhibited without changes.

Officers have given notice of the availability of the Panel Report to all submitters to the amendment.

The officer recommendation is that Council resolve to adopt the Amendment and submit it to the Minister for approval and gazettal. This recommendation is based on the clear finding of the Panel that the amendment is strategically justified, and the recommendation that Council should adopt the Amendment as exhibited.

12. Officers' reports

CM.168/21 Informal Meetings of Councillors Records - 26 October 2021

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**Council Resolution**

**MOVED:** Cr Ben Ramcharan

**SECONDED:** Cr Karen Egan

**That Council:**

1. Notes the recommendation of the Planning Panel that Amendment C131nill to the Nillumbik Planning Scheme be adopted as exhibited.
2. Adopts Amendment C131nill to the Nillumbik Planning Scheme as exhibited and then submits it to the Minister for Planning for approval and gazettal.
3. Notifies submitters to the Amendment of Council's resolution on 30 November 2021 regarding Amendment C131nill and updates Participate Nillumbik accordingly.

**CARRIED UNANIMOUSLY**



12. Officers' reports

CM.167/21 Recreation and Leisure Grants

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**Distribution:** Public

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

**Author:** Rebecca Burton, Coordinator Recreation and Leisure Planning  
April Wilson, Sports and Recreation Development Officer

**Summary**

Recreation and leisure grant opportunities currently open are:

- Round 2 of the 2021-22 Country Football Netball Program; and
- 2021-22 Local Sports Infrastructure Fund through Sports and Recreation Victoria.

This paper presents the projects proposed to be submitted to these grants, based on consideration of:

- Suitability against criteria and alignment with state government and Council strategies;
- Third party assessments of recreation and leisure assets;
- Club contribution; and
- Maturity of design and planning ("shovel readiness").

**Council Resolution**

**MOVED:** Cr Natalie Duffy

**SECONDED:** Cr Karen Egan

**That Council:**

1. Endorses and requests officers to make a submission to Round 2 of the Country Football and Netball Program for the Ben Frilay Oval Lighting Upgrade, with a Council contribution of up to \$150,000.
2. Endorses and requests officers to make the following submissions to the Local Sports Infrastructure Fund administered by Sports Recreation Victoria:
  - a) Eltham North Synthetic Pitch Lighting Upgrade, with no Council contribution;
  - b) Eltham Skate Park Lighting, with a Council contribution of up to \$120,000; and
  - c) Bridge Street Oval full surface reconstruction with a Council contribution of up to \$320,000.

**CARRIED UNANIMOUSLY**

**12. Officers' reports****CM.168/21 Informal Meetings of Councillors Records - 26 October 2021**

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**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 Informal Meetings of Councillors held.

This report lists Informal Meetings of Councillors records submitted since the matter was last reported to Council on 26 October 2021.

An Informal Meetings of Councillors Record was kept for the following meetings (**Attachment 1**):

1. Informal Meeting of Councillors – Health & Wellbeing Advisory Committee Meeting held 14 October 2021.
2. Informal Meeting of Councillors Record – Councillor Briefing held 19 October 2021.
3. Informal Meeting of Councillors – Panton Hill Bushland Reserve System User Group – Advisory Committee Meeting held 21 October 2021.
4. Informal Meeting of Councillors – Access and Inclusion Advisory Committee Meeting held 29 October 2021.
5. Informal Meeting of Councillors - Kangaroo Ground War Memorial Park Governance Project Meeting held 3 November 2021.
6. Informal Meeting of Councillors Record - Positive Ageing Advisory Committee 5 November 2021.
7. Informal Meeting of Councillors Record – Councillor Briefing held 9 November 2021.
8. Informal Meeting of Councillors - Pre-meet PCC Meeting 16 November 2021.

<b>Motion</b>
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**MOVED: Cr Richard Stockman****SECONDED: Cr Peter Perkins**

**That** Council, in accordance with *Item 19 of Council's Governance Rule – Meeting Procedure*, receives the Informal Meetings of Councillors Records (**Attachment 1**) for the meetings held.

**CARRIED UNANIMOUSLY**

**12. Officers' reports****CM.169/21 Melbourne Water Land Divestment – Committee of Management**

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**Distribution: Public****Manager: Rosa Zouzoulas, Executive Manager Planning and Community Safety****Summary**

Melbourne Water proposes an amendment to the Nillumbik Planning Scheme in divestment of its land. The purpose of the proposed amendment is to apply alternative zoning - predominantly the Rural Conservation Zone Schedules 3 and 4 (RCZ) to land within the amendment area, to allow for the sale of this land. The amendment also proposes re-alignment of some parcel boundaries, the creation of new lots and the introduction of an incorporated document to guide development and subdivision in this area.

At its 27 April 2021 Council Meeting, Council resolved as follows:

***That Council:***

- 1. Does not support the proposed amendment to the Nillumbik Planning Scheme by Melbourne Water to facilitate the divestment of its land at Christmas Hills in its current form for the reasons identified in this report.*
- 2. Authorises the Mayor to write to the Minister for Planning and local MPs requesting that the Christmas Hills Tennis Courts be retained by Melbourne Water or gifted to Council in order to protect it as a valuable community asset.*
- 3. Directs officers to work with councillors and the Christmas Hills community to prepare a submission to the future Government Land Planning Service Advisory Committee process in consideration of the proposed amendment.*

Melbourne Water have advised that DELWP have provided confirmation that pursuant to the requirements of the applicable assessment criteria under the Strategic Crown Land Assessment Policy and Guidelines (SCLAPG), that the Christmas Hills Tennis Courts in isolation won't meet the required criteria to allow transfer to the Crown. Melbourne Water have further advised they are prepared to request of DELWP that they consider a broader parcel including the Tennis Courts, as opposed to just the current lease area of the Tennis Courts for assessment against the SCLA in trying to meet the SCLA criteria. DELWP have advised that they agree to consider the broader parcel.

In order to progress Melbourne Water's planning of their land in Christmas Hills, and to allow DELWP to undertake the assessment under the Strategic Crown Land Assessment Policy and Guidelines criteria for Council to become Committee of Management, they seek Council's formal confirmation as to its appetite to become Committee of Management (CoM) for the wider parcel should DELWP permit divestment to the Crown.

On 14 May 2021, Council wrote to Melbourne Water and DELWP acknowledging and supporting the MG Car Club as a valued community use, and historical use of the land. The letter advised that Council would be interested in becoming the Committee of Management once the land is transferred to the Crown. At the time of writing this report, DELWP advised that they now require a formal resolution and new formal letter requesting that Council become the Committee of Management for the Rob Roy hillclimb Land.

## 12. Officers' reports

## CM.169/21 Melbourne Water Land Divestment – Committee of Management

**Recommendation**

That Council:

1. Agrees in principle to becoming Committee of Management for the land identified in Map 1 (**Attachment 1**) to facilitate assessment by DELWP through the Strategic Crown Land Assessment process, noting this agreement is contingent on confirmation by Melbourne Water that no undersized lots (less than 8 hectares) are proposed by Melbourne Water in the final proposed lot configuration in this area of 40 Simpson Road, Christmas Hills for private sale as part of the future divestment of its land;
2. Requests the current parking and effluent areas supporting the Christmas Hills Hall (**Attachment 2**) be included in the land that Council is seeking to become the Committee of Management for and include that land in the area put forward to DELWP for consideration through the Strategic Crown Land Assessment process or identify alternate arrangements with respect to this additional area for ongoing management and maintenance of the Christmas Hills Hall; and
3. Requests the Chief Executive Officer provide a letter of support addressing point 1, and identify in such letter, Council's preference for rezoning of the land to Public Use Zone Schedule 6 to reflect the future use of the area for local government use.
4. Formally resolves to provide their support in becoming the Committee of Management for the Crown Land parcels outlined below (Rob Roy hillclimb), upon DELWP consideration and approval and write to DELWP formally advising of its resolution:
  - Crown Allotment: 46b SPI: 46~B\PP3437  
Address: 10 Rob Roy Street, Smiths Gully 3760
  - Crown Allotment: 47b SPI: 47~B\PP3437  
Address: 375 Clintons Road, Smiths Gully 3760
5. Requests the Chief Executive Officer provide a letter of support in becoming the Committee of Management for the land identified in point 4 above and send to DELWP.

**Motion**

**MOVED: Cr Ben Ramcharan**

**SECONDED: Cr Peter Perkins**

That Council:

1. Agrees in principle to becoming Committee of Management for the land identified in Map 1 (**Attachment 1**) to facilitate assessment by DELWP through the Strategic Crown Land Assessment process, noting this agreement is contingent on confirmation by Melbourne Water that no undersized lots (less than 8 hectares) are proposed by Melbourne Water in the final proposed lot configuration in this area of 40 Simpson Road, Christmas Hills for private sale as part of the future divestment of its land;

## 12. Officers' reports

**CM.169/21 Melbourne Water Land Divestment – Committee of Management**

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2. Requests the current parking and effluent areas supporting the Christmas Hills Hall (**Attachment 2**) be included in the land that Council is seeking to become the Committee of Management for and include that land in the area put forward to DELWP for consideration through the Strategic Crown Land Assessment process or identify alternate arrangements with respect to this additional area for ongoing management and maintenance of the Christmas Hills Hall; and
  3. Requests the Chief Executive Officer provide a letter of support addressing point 1, **and point 2** and identify in such letter, Council's preference for rezoning of the land to Public Use Zone Schedule 6 to reflect the future use of the area for local government use.
  4. Formally resolves to provide their support in becoming the Committee of Management for the Crown Land parcels outlined below (Rob Roy hillclimb), upon DELWP consideration and approval and write to DELWP formally advising of its resolution:
    - Crown Allotment: 46b SPI: 46~B\PP3437  
Address: 10 Rob Roy Street, Smiths Gully 3760
    - Crown Allotment: 47b SPI: 47~B\PP3437  
Address: 375 Clintons Road, Smiths Gully 3760
  5. Requests the Chief Executive Officer provide a letter of support in becoming the Committee of Management for the land identified in point 4 above and send to DELWP.

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

<b>Council Resolution</b>
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**MOVED: Cr Ben Ramcharan**

**SECONDED: Cr Peter Perkins**

**That Council:**

1. Agrees in principle to becoming Committee of Management for the land identified in Map 1 (**Attachment 1**) to facilitate assessment by DELWP through the Strategic Crown Land Assessment process, noting this agreement is contingent on confirmation by Melbourne Water that no undersized lots (less than 8 hectares) are proposed by Melbourne Water in the final proposed lot configuration in this area of 40 Simpson Road, Christmas Hills for private sale as part of the future divestment of its land;
2. Requests the current parking and effluent areas supporting the Christmas Hills Hall (**Attachment 2**) be included in the land that Council is seeking to become the Committee of Management for and include that land in the area put forward to DELWP for consideration through the Strategic Crown Land Assessment process or

12. Officers' reports

CM.169/21 Melbourne Water Land Divestment – Committee of Management

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identify alternate arrangements with respect to this additional area for ongoing management and maintenance of the Christmas Hills Hall; and

3. Requests the Chief Executive Officer provide a letter of support addressing point 1, and point 2 and identify in such letter, Council's preference for rezoning of the land to Public Use Zone Schedule 6 to reflect the future use of the area for local government use.
4. Formally resolves to provide their support in becoming the Committee of Management for the Crown Land parcels outlined below (Rob Roy hillclimb), upon DELWP consideration and approval and write to DELWP formally advising of its resolution:
  - Crown Allotment: 46b SPI: 46~B\PP3437  
Address: 10 Rob Roy Street, Smiths Gully 3760
  - Crown Allotment: 47b SPI: 47~B\PP3437  
Address: 375 Clintons Road, Smiths Gully 3760
5. Requests the Chief Executive Officer provide a letter of support in becoming the Committee of Management for the land identified in point 4 above and send to DELWP.

**CARRIED UNANIMOUSLY**

**13. Notices of Motion**

**NOM.007/21 Advocacy for suitable BMX and off-road biking locations in the Shire**

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

**Council Resolution**

**MOVED: Cr Peter Perkins**

**SECONDED: Cr Natalie Duffy**

**That Council:**

1. Requests officers to:
  - a. Continue to work with the land holder VicTrack and various responsible agencies such as Melbourne Water and Metro Trains to find solutions to mitigate and manage the risks on the land alongside the Hurstbridge Rail Line and Diamond Creek, near the Diamond Creek linear reserve.
  - b. Commence consultation with the community for BMX and off-roading opportunities in the area near the Diamond Creek trail on Allendale Road.
  - c. Commence investigation into BMX and off-road biking opportunities across the Shire and provide progress updates to Council throughout 2022.
2. Seeks funding from relevant state agencies and advocates to all levels of government to identify funding opportunities to develop BMX and off-road biking locations in the Shire.

**CARRIED UNANIMOUSLY**

**14. Delegates' Reports**

Nil

**15. Supplementary and urgent business**

Nil

**16. Confidential reports**

Nil

**17. Close of Meeting**

The meeting closed at 8:52pm.

Confirmed: \_\_\_\_\_

Cr Frances Eyre, Mayor