

Council Meeting

to be held at the Civic Centre, Civic Drive, Greensborough
on Tuesday 22 August 2023 commencing at 7:00pm.

Attachments

Carl Cowie
Chief Executive Officer

Thursday 17 August 2023

Distribution: Public

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Nillumbik Shire Council

 Attachments

COM.001/23	Confirmation of Minutes Council Meeting held Tuesday 25 July 2023	
Attachment 1	Confirmation of Minutes Council Meeting held Tuesday 25 July 2023	1
AC.007/23	Advisory Committee Report - 22 August 2023	
Attachment 1	Advisory Committee Report - 22 August 2023	29
CM.063/23	Council Plan Quarterly Performance Report - 2022-2023 - Quarter 4	
Attachment 1	Council Plan Quarterly Performance Report - 2022-2023 - Quarter 4	39
CM.064/23	Endorsement of the Arts and Cultural Advisory Committee Members 2023-2025	
Attachment 2	Terms of Reference Arts and Culture Advisory Committee 2023-2025	51
CM.065/23	Update to Flag Pole Schedule and Flag Request Process	
Attachment 1	Updated Flag Pole Schedule 2023	59
Attachment 2	Updated Flag Request Process 2023	61
CM.066/23	Living & Learning Nillumbik Neighbourhood House and Learn Local Governance update	
Attachment 1	Terms of Reference - Living & Learning Nillumbik Advisory Committee	63
CM.067/23	Eltham Lower Park - Concept Plan Community Consultation	
Attachment 1	Eltham Lower Park Draft Concept Plan	71
CM.068/23	Diamond Creek Outdoor Pool - Concept Plan Community Consultation	
Attachment 1	Diamond Creek Outdoor Pool Concept Design	73
CM.071/23	Informal Meetings of Councillors Records - 22 August 2023	
Attachment 1	Informal Meeting of Councillors Records reported 22 August 2023	75

Council Meeting

held at the Civic Centre, Civic Drive, Greensborough
on Tuesday 25 July 2023 commencing at 7:00pm.

Minutes

Carl Cowie
Chief Executive Officer

Friday 28 July 2023

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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
7. Confirmation of Minutes	3
COM.001/23 Confirmation of Minutes Council Meeting held Tuesday 27 June 2023	3
8. Disclosure of conflicts of interest	4
9. Petitions	4
10. Questions from the gallery	4
11. Reports of Advisory Committees	9
AC.006/23 Advisory Committee Report - 25 July 2023	9
12. Officers' reports	11
CM.057/23 Climate Action Plan Year 1 (22/23) Annual Performance Report and Year 2 (23/24) Implementation Plan	11
CM.058/23 Ryan's Reserve Rejuvenation Project - Concept Plan Community Consultation	13
CM.059/23 Indigenous Voice to Parliament Referendum	15
CM.060/23 Audit and Risk Committee member appointment	17
CM.061/23 Contract Report - Contract 2324-005 Telecommunications Services and Hardware	19
CM.062/23 Informal Meetings of Councillors Records - 25 July 2023	21
13. Notices of Motion	23
NOM.001/23 Notice of Rescission - CM.045/23 Seeking Adoption of Council's Governance Rule - Meeting Procedures 27 June 2023	23
NOM.002/23 Notice of Motion - Seeking Adoption of Council's Governance Rules - Meeting Procedure	24
14. Delegates' Reports	25
15. Supplementary and urgent business	25
16. Confidential reports	25
17. Close of Meeting	25

Council Meeting Minutes

25 July 2023

Nillumbik Shire Council

**Minutes of the Meeting of Nillumbik Shire Council held Tuesday 25 July 2023.
The meeting commenced at 7.02pm.**

Councillors present:

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

Officers in attendance:

Carl Cowie	Chief Executive Officer
Vince Lombardi	Chief Operating Officer
Blaga Naumoski	Director Governance, Communications and Community Safety
Corrienne Nichols	Director Communities
Rosa Zouzoulas	Director Planning, Environment and Strategy
Jeremy Livingston	Director Culture and Performance
Dimitra Barnes	Acting Manager Governance and Property

1. Welcome by the Mayor

2. Acknowledgement of Country

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

3. Good Governance Pledge

The Good Governance Pledge was ready by Cr Frances Eyre.

4. Prayer

A prayer was read by Betsy Dere and Oscar Gomez from the Spiritual Assembly of the Baha'is of Nillumbik.

5. Apologies

Nil

Council Meeting Minutes

25 July 2023

6. Presentations

Sporting Presentations - 25 July 2023

Tyler Habel (Swipers Gully Ward) Tyler receives \$250 as a contribution for being selected to participate in the World BMX Championships.

Nillumbik Shire Council wishes Tyler every success with their future sporting pursuits.

Council Meeting Minutes

25 July 2023

7. Confirmation of Minutes

COM.001/23 Confirmation of Minutes Council Meeting held Tuesday 27 June 2023

Summary

Confirmation of the minutes of the Council Meeting and the Confidential Council Meeting held on Tuesday 27 June 2023.

Council Resolution

MOVED: Cr Geoff Paine
SECONDED: Cr Frances Eyre

That Council:

- 1 Confirms the minutes of the Council Meeting and the Confidential Council Meeting held on Tuesday 27 June 2023 (**Attachment 1** and **Attachment 2**).
- 2 Resolves that the Confidential Council Meeting minutes (**Attachment 2**) remains confidential in accordance with section 3(1) of the *Local Government Act 2020*.

CARRIED UNANIMOUSLY

Council Meeting Minutes

25 July 2023

8. Disclosure of conflicts of interest

Nil

9. Petitions

Nil

10. Questions from the gallery

David Smith has submitted the following questions:

Question 1

Is the mission of the Shire of Nillumbik to tax all of the Shire for the sole benefit of Eltham and Diamond Creek?

Question 2

Why are the rates burdened on the residents of Plenty the highest in the Shire when Plenty is not a designated activity center, has no 20 year plan and has no planned infrastructure investment by the Shire?

Response

Rates and charges are calculated in line with the rate capping framework established by the Victorian State Government. Victorian councils must use property values as the basis for distributing the rating burden across the municipality and in keeping with this, rates and charges are not apportioned based on service utilisation, location or other methodologies.

The allocation of funding is not based on geographical location, rather, Council's annual budget process considers service delivery and capital works programming based on community and infrastructure requirements, and legal obligations.

Council levies rates and charges under the *Local Government Act 1989* in order to fund and deliver essential community infrastructure and services. These rates are a statutory charge that applies to all land owners.

Kelvin Granger / Dean Hurlston on behalf of Council Watch have submitted the following question:

Question 1

Can council please advise the dollar (\$) amount of "cost shifting from State Government" they estimate they incurred in 2022/23 Financial Year?

Response 1

Council recognises the very real impacts cost-shifting has on the long term financial sustainability of all Victorian councils. Council acknowledges that increasing cost burdens have resulted in influencing service and amenity delivery however, there is no classification specifically attributable to capturing cost-shifting.

Anthony Millar has submitted the following question:

Question 1

Can you please explain why the council is not following due process with objection notice in relation to planning matters?

Council Meeting Minutes

25 July 2023

Response 1

Council follows all planning processes in accordance with the requirements of the *Planning and Environment Act 1987* and the Nillumbik Planning Scheme. Council understands that Mr Millar is concerned about a development in Discovery Drive Diamond Creek. Officers have responded to Mr Millar and explained that no planning permit was required for the development and the issued building permit accords with the building regulations and design standards with respect to overlooking and overshadowing.

Question 2

Can you please explain why the planning department is letting external parties sign off plans without objections being dealt with in accordance with due process?

A complaint has not been raised and nothing has been done to rectify issue.

“I am now forced to engage a lawyer.”

The first part is a question second part is now going to be the outcome

Response 2

Building permits can be issued by a registered private building surveyor in Victoria. Building designs must be assessed by the relevant building surveyor engaged by the land owner to ensure the design accords with the requirements of the Building Regulations and design standards. Where a design accords and does not seek to vary a building regulation, a building permit can be issued by the registered private building surveyor. Council cannot intervene where the design is compliant.

Darren Zdravko Zilic has submitted the following questions:

Question 1

Is the lords prayer still held prior to council meetings?

Response 1

The decision of Council to endorse the new Governance Rule – Meeting Procedure at the last Council meeting which removed the Prayer from the Order of Business is subject to a Notice of Rescission listed for consideration on tonight’s Council meeting. Once a Notice of Motion to rescind a resolution has been received, no action could be taken to implement the resolution. That means that the Prayer will remain on the Agenda until Council decides on the rescission motion.

Question 2

In the short term what is Nillumbik Council doing about the housing crisis across our region.

Response 2

Council has partnered with other Councils across the region and is advocating to Government:

- to review housing growth direction across Melbourne;
- for improved delivery mechanisms for the creation of new social and affordable housing; and
- for planning reform to reduce barriers in Growth Area Councils to facilitate infill growth and greenfield development.

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