

# Council Meeting

held at the Council Chamber, 32 Civic Drive, Greensborough  
on Tuesday 28 May 2024 commencing at 7:00pm.

## Minutes

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

Friday 31 May 2024

Distribution: Public

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## Nillumbik Shire Council

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**Council Meeting Minutes**

**28 May 2024**

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**Nillumbik Shire Council**

**Minutes of the Meeting of Nillumbik Shire Council held Tuesday 28 May 2024.  
The meeting commenced at 7.02pm.**

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**Councillors present:**

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

**Officers in attendance:**

Carl Cowie	Chief Executive Officer
Melika Sukunda	Acting Chief Operating Officer
Blaga Naumoski	Director Governance, Communications and Community Safety
Corrienne Nichols	Director Communities
Renae Ahern	Acting Director Planning, Environment and Strategy
Jeremy Livingston	Director Culture and Performance
Tracey Varley	Manager Communications and Engagement
Daniel Tarquinio	Manager Information Technology
Katia Croce	Manager Governance and Property

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**1. Welcome**

**2. Acknowledgement**

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

**3. Good Governance Pledge**

The Good Governance Pledge was ready by Cr Natalie Duffy.

**4. Prayer**

An apology was noted by Pastor Mel Abrasaldo, Senior Pastor of Joy of Life Christian Ministries, Inc.

**5. Apologies\Leave of Absence**

Nil.

**6. Declarations of conflict of interest**

The Mayor, Cr Ben Ramcharan declared a material conflict of interest in item. CM.050/24 Boyd Street, North Warrandyte - Proposed Special Charge Scheme.

**7. Presentations**

Nil.

8. Confirmation of Minutes

**COM.001/24 Confirmation of Minutes Council Meeting held Tuesday 30 April 2024**

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Confirmation of the Minutes of the Council Meeting held on Tuesday 30 April 2024.

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

**SECONDED: Cr Frances Eyre**

**That** Council confirms the Minutes of the Council Meeting held on Tuesday 30 April 2024 (Attachment 1).

**CARRIED UNANIMOUSLY**

**9. Petitions**

**10. Questions from the gallery**

**Mike Englefield has submitted the following question:**

**Question 1**

Will Council provide the Club with rent free occupancy of the Eltham Community & Reception Centre from 2025 onwards to enable to continue conducting the previously successful "Eltham Art Show" ?

**Response 1**

Council recognises and appreciates the dedication and efforts of the Rotary Club of Eltham. Council makes a significant investment and contribution to the management of community venues. It encourages use of these venues by a broad range of community groups, organisations and individual hirers on the basis that they meet the needs within the community and/or assist Council to achieve its community service, development and objectives. It's important for Council that its hire practices for community managed facilities are managed consistently, fairly, equitably, and transparently. As a community group, the club will be eligible for a discounted rate, similar to that of other community groups.

**Nina Gillespie has submitted the following questions:**

**Question 1:**

This question pertains to Compliance and Liability Concerns - The Charter of Human Rights and Responsibilities Act 2006, the Public Administration Act 2006 , the Public Administration Act 2004 and the Local Government Act 2020 require public authorities and their agents to act in a manner compatible with human rights. Israel is ignoring the recent ICJ court order to halt its military operations in Rafah, the death toll has surpassed 35,000+ Palestinians, with tens of thousands under the rubble and mass starvation being inflicted upon the population. Council needs to ensure that the current procurement policy adequately protects Council members, the CEO and ratepayers from being complicit in human rights abuses, specifically genocide. Notably, BDS Australia lists companies such as Hewlett Packard and Siemens as being complicit in genocide. Additionally, CISCO, Honeywell and Caterpillar are also tied to human rights abuses in Palestine. It is possible that Council may have contracts with these companies?

**Question 2**

In light of the concerns highlighted in Question 1, particularly with potential suppliers like Hewlett Packard, Siemens and Caterpillar, would Council consider receiving a report from APAN (Australia Palestine Advocacy Network) to undertake a thorough review of the existing suppliers and procurement policies to ensure that they are in full compliance with international human rights standards and therefore protect all associated parties from potential complicity in crimes as severe as genocide?

**Combined Response**

Council, has established a collective Procurement Policy that adheres to the principles of fairness, transparency, and value for money. This Policy complies with the requirements relating to procurement under Sections 108 and 109 of the Local Government Act 2020 and includes rigorous criteria for evaluating potential suppliers, encompassing local social and economic factors as well as environmental considerations.

The Act mandates transparency, accountability, and local sustainability in procurement, requiring councils to adopt policies aligned with these principles. Council's Policy includes compliance checks with Australian laws, which are linked to some aspects of international human rights standards. For instance, suppliers are required to adhere to ethical sourcing practices and demonstrate corporate social responsibility including Australian Federal or State Legislated requirements such as the Modern Slavery Act 2018, Fair Work Act 2009 and Child Wellbeing and Safety Act 2005.



11. Reports of Advisory Committees

AC.004/24 Advisory Committee Report - 28 May 2024

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**Distribution:** Public

**Manager:** Blaga Naumoski, Director Governance, Communications and Community Safety

**Author:** Katia Croce, Manager Governance and Property

**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. Positive Ageing Advisory Committee meeting held 5 April 2024; and
2. Living & Learning Nillumbik Advisory Committee meeting held 15 April 2024.

**Council Resolution**

**MOVED:** Cr Frances Eyre

**SECONDED:** Cr Natalie Duffy

**That** Council notes the Minutes of the Advisory Committee meetings reported (**Attachment 1**).

**CARRIED UNANIMOUSLY**

**11. Reports of Advisory Committees**

**AC.004/24      Advisory Committee Report - 28 May 2024**

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**12. Officers' reports****CM.042/24 Draft Wattle Glen Public Realm Framework For Exhibition**

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**Distribution: Public****Manager: Renae Ahern, Acting Director Planning, Environment and Strategy****Author: Andrew Feeney, Principal Urban Designer****Summary**

Council endorsement is being sought to exhibit a draft public realm framework for Wattle Glen (**Attachment 1**). The draft framework outlines key initiatives that provide strategic direction for improving Wattle Glen's public realm. The draft framework directly addresses the community's concerns about the safety and connectivity of Wattle Glen's public realm and its sense of place, as expressed in the project's first round of engagement in 2021.

The draft framework is formally supported in-principle by the Department of Transport and Planning (DTP) to proceed to public exhibition and community consultation (**Attachment 2**). This support is essential given Wattle Glen's arterial roads are fundamental components of Wattle Glen's public realm. The arterial roads are directly implicated in the community's concerns and are key to unlocking the potential of Wattle Glen as a safe and connected place of rural character in a natural and environmental setting. DTP's support for the draft framework will assist on-going collaboration with VicTrack regarding key initiatives concerning rail land and assets. Together, these arterial road and rail initiatives will serve as catalysts for broader public realm improvements in Wattle Glen that will enhance the area's liveability and sustainability through reduced car dependency and increased opportunities for public life.

The draft framework's endorsement by DTP is critical to its exhibition and relevance as the arterial roads are owned and managed by the State agency, not Council. The strategic nature and diagrammatic level of detail in the draft framework is an express precondition of DTP's endorsement. The framework cannot imply specific solutions to State government land and assets for which there is currently no technical validation or budgetary support within DTP. The exhibition, as a consequence, will focus on assessing the community's general support for the initiatives and the level of importance and urgency to which they regard their implementation, thus providing Council with clear understanding of the community's expectations that will inform future project budgeting and advocacy.

Once adopted by Council, the framework will serve as a legitimate vehicle for Council, in partnership with DTP and VicTrack, to develop solutions to the framework's strategic directions relating to the arterial roads and railway, and to secure funding that will be required to support their delivery. As funding opportunities are secured, detailed design proposals will be shared with the community for feedback prior to any implementation, as will detailed designs for related public realm improvements on Council land that Council can program for delivery.

Subject to Council endorsement, exhibition of the draft framework is planned for three weeks immediately after the Council Meeting.

12. Officers' reports

CM.042/24 Draft Wattle Glen Public Realm Framework For Exhibition

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**Council Resolution**

**MOVED:** Cr Karen Egan

**SECONDED:** Cr Peter Perkins

**That Council:**

1. Endorses the Draft Wattle Glen Public Realm Framework (**Attachment 1**) for exhibition, for three weeks during May/June 2024.
2. Considers community feedback to the exhibition of the Draft Wattle Glen Public Realm Framework at the Planning and Consultation Committee meeting to be held on the 16 July 2024.

**CARRIED**

**For:** Crs Natalie Duffy, Karen Egan, Frances Eyre, Geoff Paine, Peter Perkins and Richard Stockman

**Against:** Cr Ben Ramcharan

12. Officers' reports

CM.043/24 Adoption of Visual and Public Art Policies

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**Distribution:** Public

**Manager:** Corrienne Nichols, Director Communities

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

**Summary**

The purpose of this report is to present the draft Visual Arts Policy (**Attachment 1**) and the draft Public Arts Policy (**Attachment 2**) (the Policies) for adoption.

The policies have been updated taking into consideration Council strategic changes and processes and broader governmental and institutional art policies.

The Policies (**Attachment 1 and 2**) outline the processes for the management of the Nillumbik Shire Art Collection, provides guidance to its development through arts programs, acquisitions and commissions that strategically align with Nillumbik Shire Council's goals and policies.

**Council Resolution**

**MOVED:** Cr Geoff Paine

**SECONDED:** Cr Karen Egan

**That Council:**

1. Adopts the updated Visual Arts Policy 2023 – 2026 (**Attachment 1**).
2. Adopts the Public Arts Policy 2023 – 2026 (**Attachment 2**).
3. Authorises the Director Communities to make any minor changes to the Visual Arts Policy 2023 – 2026 and Public Arts Policy 2023 – 2026 that may be necessary and are inconsequential in nature.

**CARRIED UNANIMOUSLY**

**12. Officers' reports**

**CM.043/24 Adoption of Visual and Public Art Policies**

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## 12. Officers' reports

**CM.044/24 Environment and Sustainability Advisory Committee 2024-2026 membership recommendation**

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**Distribution: Public**

**Manager: Renae Ahern, Acting Director Planning, Environment and Strategy**

**Author: Kirsten Reedy, Coordinator Environment**

### Summary

This report provides a recommendation for membership of the 2024-2026 term of Council's Environment and Sustainability Advisory Committee (ESAC).

The ESAC terms of reference are provided in **Attachment 1**.

Nominations were sought from 1 March to 7 April 2024 and were assessed against selection criteria. See **Confidential Attachments 2 (membership recommendation)** and **3 (verbatim application content)**.

Council endorsement of the recommended 11 general community members is sought.

### Recommendation

**That Council:**

1. Endorses the 11 recommended applicants listed for membership of the Nillumbik Environment and Sustainability Advisory Committee (**refer to confidential Attachment 2**).
2. Resolves that the successful applicants be named.
3. Acknowledges and thank all community members who submitted applications for membership of the Environment and Sustainability Advisory Committee.
4. Resolve that the applications and assessment (**Attachments 2 and 3**) remain confidential on the grounds specified in the definition of confidential information in section 3(1)(f) of the *Local Government Act 2020*.

### Council Resolution

**MOVED: Cr Geoff Paine**

**SECONDED: Cr Frances Eyre**

**That Council:**

1. Endorses the 11 recommended applicants listed for membership of the Nillumbik Environment and Sustainability Advisory Committee (**refer to confidential Attachment 2**).
2. Resolves that the successful applicants be named.
  - Elnaz Ettehad
  - Lynlee Tozer
  - Sue Rosenhain
  - Lucinda Flynn

12. Officers' reports

**CM.044/24 Environment and Sustainability Advisory Committee 2024-2026 membership recommendation**

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- Andrew McMahon
  - Lily van Eeden
  - Vasundhara Kandpal
  - Graeme Lang
  - Malcolm Cock
  - Anne-Marie King
  - Katrina Naish
3. Acknowledges and thank all community members who submitted applications for membership of the Environment and Sustainability Advisory Committee.
4. Resolve that the applications and assessment (**Attachments 2 and 3**) remain confidential on the grounds specified in the definition of confidential information in section 3(1)(f) of the *Local Government Act 2020*.

**CARRIED UNANIMOUSLY**



**12. Officers' reports****CM.045/24      Committee Report Consideration of Submissions - Draft Budget 2024-2025**

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**Distribution:**    **Public**  
**Manager:**       **Melika Sukunda, Acting Chief Operating Officer**  
**Author:**        **Robert Malignaggi, Acting Manager Finance, Assets and Procurement**

**Summary**

This report outlines submissions received from the public regarding the Draft Budget 2024-2025 for Council consideration.

Council adopted the Draft Budget 2024-2025 at the Council Meeting on 27 February 2024 for the purpose of community consultation. The Draft Budget was made available to the public for a period of 28 days. Seven written submissions were received.

The Planning and Consultation Committee considered the written submissions as well as verbal presentations from submitters at its meeting held on 16 April 2024.

The following people addressed the Committee with respect to the Draft Budget 2024-2025:

1. Neil McCoy - Eltham Men's Shed Incorporated Treasurer (Virtual via Zoom)
2. Anne Bailey - Eltham Junior Football Club – Treasurer (Virtual via Zoom)
3. Dale Anstis (Typed three-minute presentation)
4. Mary Salce-Morabito (Typed three-minute presentation)
5. John F Smith - The Eltham Club - Facility & Grounds Manager (Typed three-minute presentation)
6. Rebekha Naim (Typed three-minute presentation)

After considering the submissions and presentations, the Committee resolved that this report be presented to Council.

<b>Council Resolution</b>
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**MOVED:**        **Cr Natalie Duffy**  
**SECONDED:**   **Cr Karen Egan**

**That Council:**

1. Notes that seven written submissions in relation to the Draft Budget 2024-2025 were received, and that these submissions were considered and submitters were provided with the opportunity to be heard by the Planning and Consultation Committee on 16 April 2024.
2. Considers the matters contained in the submissions and the Committee's report during finalisation of the Budget 2024-2025.

**CARRIED UNANIMOUSLY**

**12. Officers' reports**

**CM.045/24      Committee Report Consideration of Submissions - Draft Budget 2024-2025**

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## 12. Officers' reports

**CM.046/24 Adoption of Budget 2024-2025, declaration of Rates and Charges and Council Plan - Annual Action Plan 2024-2025**

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**Distribution: Public**

**Manager: Melika Sukunda, Acting Chief Operating Officer**

**Author: Jeremy Livingston, Director Culture and Performance**

**Robert Malignaggi, Acting Manager Finance, Assets and Procurement**

**Summary** This report recommends that Council formally adopts the annual Budget, declare the rates and charges for the 2024-2025 financial year and adopts the (Council Plan) Annual Action Plan for 2024-2025.

Council commenced preparation of the 2024-2025 Budget in late 2023 in order to meet all legislative requirements.

The Draft Budget was exhibited and the community invited to comment. Written submissions were received and considered by a meeting of the Planning and Consultation Committee held on 16 April 2024.

### **Rates and charges for 2024-2025**

The 2024-2025 Budget has been prepared in compliance with the rate capping legislation introduced by the Victorian Government.

The Budget proposes a 2.75 percent increase in rates per property, the maximum allowable set by the Minister under the Fair Go Rates System.

### **Capital Works**

The Budget proposes a number of significant capital works projects that have been identified through planning and community consultation.

A full list of capital works projects is included in the draft Budget document (**Attachment 1**).

### **Policy, planning and services initiatives**

The Budget also includes resources for a range of initiatives regarding policy, planning and services.

### **Strategic Resource Plan**

The Strategic Resource Plan has also been reviewed and updated.

The Strategic Resource Plan shows that Council can maintain a balanced Budget within the rate cap, provided that the assumptions in the Plan are met.

### **Council Plan - Annual Action Plan 2024-2025**

The (Council Plan) Annual Action Plan is also presented for adoption. This action plan comprises 30 key actions which will support the fourth and final year delivery of the Council Plan 2021-2025. The Annual Action Plan has been developed in line with the annual budget process.

## 12. Officers' reports

**CM.046/24 Adoption of Budget 2024-2025, declaration of Rates and Charges and Council Plan - Annual Action Plan 2024-2025**

<b>Recommendation</b>
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**That** Council having advertised the Proposed Annual Budget 2024-2025 and having considered all submissions received in respect of such Budget resolves:

1. To adopt as presented the 2024-2025 Budget (**Attachment 1**).
2. To authorise the Chief Executive Officer to submit a copy of the adopted Budget to the Minister for Local Government.
3. The amount of rates and charges intended to be raised are:
  - a) An amount of \$79,627,776 million (or such greater amount as is lawfully levied as a consequence of this recommendation being adopted) be declared as the amount which Council intends to raise by general rates and annual service charge (described later in this recommendation). The amount declared is calculated as follows:

General Rates	\$64,569,068
Annual Service Charge	\$15,058,708

**General Rates**

4. That general rates be declared in respect of the 2024-2025 Financial Year.
5. That it be further declared that the general rates be raised by the application of differential rates.
6. That a differential rate be respectively declared for rateable land having the respective characteristics specified below, which characteristics will form the criteria for each differential rate so declared.
  - I. Farm Land
 

Any land which is 'farm land' within the meaning of section 2(1) of the *Valuation of Land Act 1960*.
  - II. Commercial/Industrial Land
 

Any land which is used or adapted to be used primarily for commercial or industrial purposes.
  - III. Vacant Land – General Residential / Activity Centre Zone / Neighbourhood Residential Zone and Specified Low Density Residential Zones.
 

Any land located in a General Residential / Activity Centre Zone / Neighbourhood Residential Zone, or in the Low Density Residential Zone (LDRZ) to which DPO4 applies, on which no habitable dwelling is erected.
  - IV. Other Land
 

Any land which is not:

    - Farm Land
    - Commercial/Industrial Land or

12. Officers' reports

**CM.046/24 Adoption of Budget 2024-2025, declaration of Rates and Charges and Council Plan - Annual Action Plan 2024-2025**

- Vacant Land – General Residential / Activity Centre Zone / Neighbourhood Residential Zone and Specified Low Density Residential Zones.

7. That the quantum of rates payable in respect of each rateable land will be determined by multiplying the Capital Improved Value of such land (categorised by the characteristics described in point 6 above) by the relevant rates indicated in the following table:

Category	Rate in Dollar
Farm Land	0.002021 (or 0.2021 cents in the dollar of Capital Improved Value)
Commercial / Industrial Land	0.002758 (or 0.2758 cents in the dollar of Capital Improved Value)
Vacant land – General Residential / Activity Centre Zone / Neighbourhood Residential Zone and Specified Low Density Residential Zones	0.003531 (or 0.3531 cents in the dollar of Capital Improved Value)
General Rate / Other Land	0.002378 (or 0.2378 cents in the dollar of Capital Improved Value)

8. That it be recorded that Council considers that each differential rate will contribute to the equitable and efficient carrying out of Council functions, and that the:
- I. respective objectives, uses and levels of each differential rate be those specified in section 4.1.1 of the Budget document (**Attachment 1**).
  - II. respective types or classes of land which are subject to each differential rate be those defined in part 7. above.
9. That it be confirmed that no amount is fixed as the minimum amount payable by way of general rate in respect of each rateable land within the municipal district.
10. That in accordance with section 4(4) of the *Cultural and Recreational Lands Act 1963*, the amount of rates payable in respect of each of the rateable lands to which that Act applies be determined by multiplying the Capital Improved Value of that rateable land by 0.000927 (or 0.0927 cents in the dollar of Capital Improved Value).

**Annual Service Charge**

11. That an annual service charge be declared in respect of the 2024-2025 Financial Year.
12. That the annual service charge be declared for the collection and disposal of residential refuse and other waste.

**12. Officers' reports****CM.046/24 Adoption of Budget 2024-2025, declaration of Rates and Charges and Council Plan - Annual Action Plan 2024-2025**

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13. That except in the case of elderly persons units, the amount of the annual service charge so declared is dependent upon the option chosen by the owner of the land.
14. That the options of the annual service charge are:
- Option 1: \$658.35 per service in respect of the following three bins:
- 120 litre green waste bin
  - 240 litre recycling bin
  - 120 litre landfill bin.
- Option 2: \$526.68 per service in respect of the following three bins:
- 120 litre green waste bin
  - 240 litre recycling bin
  - 80 litre landfill bin.
- Option 3: \$921.69 per service in respect of the following four bins:
- 120 litre green waste bin
  - 240 litre recycling bin
  - 2 x 120 litre landfill bins.
- Option 4: \$724.19 per service in respect of the following three bins:
- 120 litre green waste bin
  - 240 litre recycling bin
  - 140 litre landfill bin.
- Option 5: \$1,185.03 per service in respect of the following three bins:
- 120 litre green waste bin
  - 240 litre recycling bin
  - 120 litre landfill bin – weekly collection.
15. That the amount of the annual service charge so declared in respect of elderly persons units, being units occupied by elderly persons or persons with a disability where the applicable form of declaration has been received by Council, is \$164.59.
16. That for each rateable land or non-rateable land in respect of which an annual service charge may be levied, the annual service charge will apply irrespective of whether the owner or occupier of the land avails himself, herself or itself of the service.
17. That the annual service charge is not declared in respect of, and is not be levied on, any land on which no habitable dwelling is erected.

## 12. Officers' reports

**CM.046/24 Adoption of Budget 2024-2025, declaration of Rates and Charges and Council Plan - Annual Action Plan 2024-2025**

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**Rebates – Sustainable Agricultural Land**

- 18 That it be recorded that subject to point 6 of this recommendation, Council may grant a rebate to each owner (or, where applicable, occupier) of land which:
- i) is not less than 30 hectares in area.
  - ii) is otherwise 'farm land' under section 2(1) of the *Valuation of Land Act 1960*.
- 19 That the rebate be granted to:
- i) assist the proper development of the municipal district.
  - ii) preserve places within the municipal district which are of environmental interest.
  - iii) restore or maintain places of environmental importance within the municipal district.
  - iv) more generally achieve the objectives outlined in the Sustainable Agricultural Rebate (SAR) Guidelines.
20. That the grant of the rebate be:
- i) subject to the criteria detailed in the SAR Guidelines.
  - ii) set at a level based on the following two components:
    - Component A - a single fixed amount of \$100 per eligible property (or per single aggregate of 'continuous' properties, as defined in section 13 DC (6) of the *Valuation of Land Act 1960*).
    - Component B - \$15 per hectare of 'productive agricultural land' across each eligible property. The area of productive agricultural land is calculated for each property by subtracting the apparent area of bushland and domestic use from the total property area. Landowners will be given a single opportunity to challenge this area calculation, after which that figure will be set and documented within the relevant Property Management Plan. Any future change in bushland area will not change the set figure for productive agricultural land.
  - iii) subject to development of an approved Property Management Plan (PMP) for each eligible property. The development of a PMP will replace the need for an annual SAR application form, yet each Plan must satisfy the following conditions:
    - PMP Condition A - The PMP must be submitted for approval to the Environment Department of Council. The approval date for each ratified PMP will be noted and a copy of the document will be retained for Council records.
    - PMP Condition B - A separate PMP will be required for each property or aggregate of properties where the owner receives the \$100 fixed payment component of the SAR.

**12. Officers' reports****CM.046/24 Adoption of Budget 2024-2025, declaration of Rates and Charges and Council Plan - Annual Action Plan 2024-2025**

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- PMP Condition C - Landowners who have previously received the SAR must return their PMP by the date indicated in correspondence that has been sent to the recipient (further detail regarding this point can be obtained from the Sustainability and Environment Unit of Council).
- PMP Condition D - All SAR applicants who have not previously received the SAR will require an approved PMP prior to being eligible for the rebate.
- PMP Condition E - All PMPs will need to be revised by the owner and submitted for re-approval every four years (approximately). Council's Environment Team will notify landholders when PMP revision is required and will allow ample time and assistance to facilitate this process. The approval date for the revised ratified PMP will be noted and a copy of the document will be retained for Council records.

**Payment**

21. That in accordance with section 167 of the *Local Government Act 1989*, Council determines that rates and charges may be paid by four equal quarterly instalments due on:

30 September 2024

30 November 2024

28 February 2025

31 May 2025

**Consequential further actions**

22. That the Finance Manager be authorised to levy and recover the general rates and annual service charge in accordance with the *Local Government Act 1989* and the *Local Government Act 2020*.
23. That pursuant to section 172(1) of the *Local Government Act 1989*, Council records that it will require the payment of interest on any amounts of rates and charges which have not been paid by the date specified under section 167 of the said Act for their payment.
24. To authorise the Finance Manager to write to all those who have made a submission on the 2024-2025 Budget, thanking them for their input and advising them of Council's decision and reasons for the decision.
25. To adopt the Annual Action Plan 2024-2025 (**Attachment 2**), including its 30 actions which will support the fourth and final year delivery of the Council Plan 2021-2025, and receives quarterly updates on the progress of this plan.



12. Officers' reports

**CM.046/24 Adoption of Budget 2024-2025, declaration of Rates and Charges and Council Plan - Annual Action Plan 2024-2025**

**Motion**

**MOVED: Cr Geoff Paine**

**SECONDED: Cr Karen Egan**

**That** Council having advertised the Proposed Annual Budget 2024-2025 and having considered all submissions received in respect of such Budget resolves:

1. To adopt as presented the 2024-2025 Budget (**Attachment 1**) with the following amendment:

- a) **Amending the stormwater drainage connection fees on page 63 of the 2024-2025 Budget (Attachment 1) to read:**

Description of fee	Unit of measure	Taxable Supply	Adopted Fee (GST inclusive) 2023-24 \$	Proposed Fee (GST inclusive) 2024-25 \$
Stormwater drainage connection:				
- Easement or connection not requiring road opening	Per site		<b>\$95.40</b>	<b>Monetary fee unit</b>
- Connection requiring road opening	Per site		<b>\$373.70</b>	<b>Monetary fee unit</b>

2. To authorise the Chief Executive Officer to submit a copy of the adopted Budget to the Minister for Local Government.
3. The amount of rates and charges intended to be raised are:
  - a) An amount of \$79,627,776 million (or such greater amount as is lawfully levied as a consequence of this recommendation being adopted) be declared as the amount which Council intends to raise by general rates and annual service charge (described later in this recommendation). The amount declared is calculated as follows:

General Rates                      \$64,569,068

Annual Service Charge        \$15,058,708

**General Rates**

4. That general rates be declared in respect of the 2024-2025 Financial Year.
5. That it be further declared that the general rates be raised by the application of differential rates.
6. That a differential rate be respectively declared for rateable land having the respective characteristics specified below, which characteristics will form the criteria for each differential rate so declared.
  - I. Farm Land

12. Officers' reports

**CM.046/24 Adoption of Budget 2024-2025, declaration of Rates and Charges and Council Plan - Annual Action Plan 2024-2025**

Any land which is 'farm land' within the meaning of section 2(1) of the *Valuation of Land Act 1960*.

II. Commercial/Industrial Land

Any land which is used or adapted to be used primarily for commercial or industrial purposes.

III. Vacant Land – General Residential / Activity Centre Zone / Neighbourhood Residential Zone and Specified Low Density Residential Zones.

Any land located in a General Residential / Activity Centre Zone / Neighbourhood Residential Zone, or in the Low Density Residential Zone (LDRZ) to which DPO4 applies, on which no habitable dwelling is erected.

IV. Other Land

Any land which is not:

- Farm Land
- Commercial/Industrial Land or
- Vacant Land – General Residential / Activity Centre Zone / Neighbourhood Residential Zone and Specified Low Density Residential Zones.

7. That the quantum of rates payable in respect of each rateable land will be determined by multiplying the Capital Improved Value of such land (categorised by the characteristics described in point 6 above) by the relevant rates indicated in the following table:

Category	Rate in Dollar
Farm Land	0.002021 (or 0.2021 cents in the dollar of Capital Improved Value)
Commercial / Industrial Land	0.002758 (or 0.2758 cents in the dollar of Capital Improved Value)
Vacant land – General Residential / Activity Centre Zone / Neighbourhood Residential Zone and Specified Low Density Residential Zones	0.003531 (or 0.3531 cents in the dollar of Capital Improved Value)
General Rate / Other Land	0.002378 (or 0.2378 cents in the dollar of Capital Improved Value)

8. That it be recorded that Council considers that each differential rate will contribute to the equitable and efficient carrying out of Council functions, and that the:

**12. Officers' reports****CM.046/24 Adoption of Budget 2024-2025, declaration of Rates and Charges and Council Plan - Annual Action Plan 2024-2025**

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- I. respective objectives, uses and levels of each differential rate be those specified in section 4.1.1 of the Budget document (**Attachment 1**).
  - II. respective types or classes of land which are subject to each differential rate be those defined in part 7. above.
9. That it be confirmed that no amount is fixed as the minimum amount payable by way of general rate in respect of each rateable land within the municipal district.
  10. That in accordance with section 4(4) of the *Cultural and Recreational Lands Act 1963*, the amount of rates payable in respect of each of the rateable lands to which that Act applies be determined by multiplying the Capital Improved Value of that rateable land by 0.000927 (or 0.0927 cents in the dollar of Capital Improved Value).

**Annual Service Charge**

11. That an annual service charge be declared in respect of the 2024-2025 Financial Year.
12. That the annual service charge be declared for the collection and disposal of residential refuse and other waste.
13. That except in the case of elderly persons units, the amount of the annual service charge so declared is dependent upon the option chosen by the owner of the land.
14. That the options of the annual service charge are:
  - Option 1: \$658.35 per service in respect of the following three bins:
    - 120 litre green waste bin
    - 240 litre recycling bin
    - 120 litre landfill bin.
  - Option 2: \$526.68 per service in respect of the following three bins:
    - 120 litre green waste bin
    - 240 litre recycling bin
    - 80 litre landfill bin.
  - Option 3: \$921.69 per service in respect of the following four bins:
    - 120 litre green waste bin
    - 240 litre recycling bin
    - 2 x 120 litre landfill bins.
  - Option 4: \$724.19 per service in respect of the following three bins:
    - 120 litre green waste bin
    - 240 litre recycling bin
    - 140 litre landfill bin.
  - Option 5: \$1,185.03 per service in respect of the following three bins:

**12. Officers' reports****CM.046/24 Adoption of Budget 2024-2025, declaration of Rates and Charges and Council Plan - Annual Action Plan 2024-2025**

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- 120 litre green waste bin
  - 240 litre recycling bin
  - 120 litre landfill bin – weekly collection.
15. That the amount of the annual service charge so declared in respect of elderly persons units, being units occupied by elderly persons or persons with a disability where the applicable form of declaration has been received by Council, is \$164.59.
16. That for each rateable land or non-rateable land in respect of which an annual service charge may be levied, the annual service charge will apply irrespective of whether the owner or occupier of the land avails himself, herself or itself of the service.
17. That the annual service charge is not declared in respect of, and is not be levied on, any land on which no habitable dwelling is erected.

**Rebates – Sustainable Agricultural Land**

- 18 That it be recorded that subject to point 6 of this recommendation, Council may grant a rebate to each owner (or, where applicable, occupier) of land which:
- i) is not less than 30 hectares in area.
  - ii) is otherwise 'farm land' under section 2(1) of the *Valuation of Land Act 1960*.
- 19 That the rebate be granted to:
- i) assist the proper development of the municipal district.
  - ii) preserve places within the municipal district which are of environmental interest.
  - iii) restore or maintain places of environmental importance within the municipal district.
  - iv) more generally achieve the objectives outlined in the Sustainable Agricultural Rebate (SAR) Guidelines.
20. That the grant of the rebate be:
- i) subject to the criteria detailed in the SAR Guidelines.
  - ii) set at a level based on the following two components:
    - Component A - a single fixed amount of \$100 per eligible property (or per single aggregate of 'continuous' properties, as defined in section 13 DC (6) of the *Valuation of Land Act 1960*).
    - Component B - \$15 per hectare of 'productive agricultural land' across each eligible property. The area of productive agricultural land is calculated for each property by subtracting the apparent area of bushland and domestic use from the total property area. Landowners will be given a single opportunity to challenge this area calculation, after which that figure will be set and documented within the relevant Property

**12. Officers' reports****CM.046/24 Adoption of Budget 2024-2025, declaration of Rates and Charges and Council Plan - Annual Action Plan 2024-2025**

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Management Plan. Any future change in bushland area will not change the set figure for productive agricultural land.

- iii) subject to development of an approved Property Management Plan (PMP) for each eligible property. The development of a PMP will replace the need for an annual SAR application form, yet each Plan must satisfy the following conditions:
- PMP Condition A - The PMP must be submitted for approval to the Environment Department of Council. The approval date for each ratified PMP will be noted and a copy of the document will be retained for Council records.
  - PMP Condition B - A separate PMP will be required for each property or aggregate of properties where the owner receives the \$100 fixed payment component of the SAR.
  - PMP Condition C - Landowners who have previously received the SAR must return their PMP by the date indicated in correspondence that has been sent to the recipient (further detail regarding this point can be obtained from the Sustainability and Environment Unit of Council).
  - PMP Condition D - All SAR applicants who have not previously received the SAR will require an approved PMP prior to being eligible for the rebate.
  - PMP Condition E - All PMPs will need to be revised by the owner and submitted for re-approval every four years (approximately). Council's Environment Team will notify landholders when PMP revision is required and will allow ample time and assistance to facilitate this process. The approval date for the revised ratified PMP will be noted and a copy of the document will be retained for Council records.

**Payment**

21. That in accordance with section 167 of the *Local Government Act 1989*, Council determines that rates and charges may be paid by four equal quarterly instalments due on:

30 September 2024

30 November 2024

28 February 2025

31 May 2025

**Consequential further actions**

22. That the Finance Manager be authorised to levy and recover the general rates and annual service charge in accordance with the *Local Government Act 1989* and the *Local Government Act 2020*.
23. That pursuant to section 172(1) of the *Local Government Act 1989*, Council records that it will require the payment of interest on any amounts of rates and charges which

12. Officers' reports

**CM.046/24 Adoption of Budget 2024-2025, declaration of Rates and Charges and Council Plan - Annual Action Plan 2024-2025**

have not been paid by the date specified under section 167 of the said Act for their payment.

- 24. To authorise the Finance Manager to write to all those who have made a submission on the 2024-2025 Budget, thanking them for their input and advising them of Council’s decision and reasons for the decision.
- 25. To adopt the Annual Action Plan 2024-2025 (**Attachment 2**), including its 30 actions which will support the fourth and final year delivery of the Council Plan 2021-2025, and receives quarterly updates on the progress of this plan.

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

**Council Resolution**

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

**That** Council having advertised the Proposed Annual Budget 2024-2025 and having considered all submissions received in respect of such Budget resolves:

- 1. To adopt as presented the 2024-2025 Budget (**Attachment 1**) with the following amendment:
  - a) Amending the stormwater drainage connection fees on page 63 of the 2024-2025 Budget (**Attachment 1**) to read:

Description of fee	Unit of measure	Taxable Supply	Adopted Fee (GST inclusive) 2023-24 \$	Proposed Fee (GST inclusive) 2024-25 \$
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- Easement or connection not requiring road opening	Per site		\$95.40	Monetary fee unit
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- 2. To authorise the Chief Executive Officer to submit a copy of the adopted Budget to the Minister for Local Government.
- 3. The amount of rates and charges intended to be raised are:
  - a) An amount of \$79,627,776 million (or such greater amount as is lawfully levied as a consequence of this recommendation being adopted) be declared as the amount which Council intends to raise by general rates and annual service charge (described later in this recommendation). The amount declared is calculated as follows:

General Rates	\$64,569,068
Annual Service Charge	\$15,058,708

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**CM.046/24 Adoption of Budget 2024-2025, declaration of Rates and Charges and Council Plan - Annual Action Plan 2024-2025**

**General Rates**

- 4. That general rates be declared in respect of the 2024-2025 Financial Year.
- 5. That it be further declared that the general rates be raised by the application of differential rates.
- 6. That a differential rate be respectively declared for rateable land having the respective characteristics specified below, which characteristics will form the criteria for each differential rate so declared.

I. Farm Land

Any land which is 'farm land' within the meaning of section 2(1) of the *Valuation of Land Act 1960*.

II. Commercial/Industrial Land

Any land which is used or adapted to be used primarily for commercial or industrial purposes.

III. Vacant Land – General Residential / Activity Centre Zone / Neighbourhood Residential Zone and Specified Low Density Residential Zones.

Any land located in a General Residential / Activity Centre Zone / Neighbourhood Residential Zone, or in the Low Density Residential Zone (LDRZ) to which DPO4 applies, on which no habitable dwelling is erected.

IV. Other Land

Any land which is not:

- Farm Land
- Commercial/Industrial Land or
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- 7. That the quantum of rates payable in respect of each rateable land will be determined by multiplying the Capital Improved Value of such land (categorised by the characteristics described in point 6 above) by the relevant rates indicated in the following table:

Category	Rate in Dollar
Farm Land	0.002021 (or 0.2021 cents in the dollar of Capital Improved Value)
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**CM.046/24 Adoption of Budget 2024-2025, declaration of Rates and Charges and Council Plan - Annual Action Plan 2024-2025**

Residential Zone and Specified Low Density Residential Zones	
General Rate / Other Land	0.002378 (or 0.2378 cents in the dollar of Capital Improved Value)

8. That it be recorded that Council considers that each differential rate will contribute to the equitable and efficient carrying out of Council functions, and that the:
  - I. respective objectives, uses and levels of each differential rate be those specified in section 4.1.1 of the Budget document (**Attachment 1**).
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    - 120 litre green waste bin



**12. Officers' reports****CM.046/24 Adoption of Budget 2024-2025, declaration of Rates and Charges and Council Plan - Annual Action Plan 2024-2025**

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- 240 litre recycling bin
- 2 x 120 litre landfill bins.

Option 4: \$724.19 per service in respect of the following three bins:

- 120 litre green waste bin
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Option 5: \$1,185.03 per service in respect of the following three bins:

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**Rebates – Sustainable Agricultural Land**

18. That it be recorded that subject to point 6 of this recommendation, Council may grant a rebate to each owner (or, where applicable, occupier) of land which:
  - i) is not less than 30 hectares in area.
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  - iii) restore or maintain places of environmental importance within the municipal district.
  - iv) more generally achieve the objectives outlined in the Sustainable Agricultural Rebate (SAR) Guidelines.
20. That the grant of the rebate be:
  - i) subject to the criteria detailed in the SAR Guidelines.
  - ii) set at a level based on the following two components:

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**CM.046/24 Adoption of Budget 2024-2025, declaration of Rates and Charges and Council Plan - Annual Action Plan 2024-2025**

- 
- Component A - a single fixed amount of \$100 per eligible property (or per single aggregate of 'continuous' properties, as defined in section 13 DC (6) of the *Valuation of Land Act 1960*).
  - Component B - \$15 per hectare of 'productive agricultural land' across each eligible property. The area of productive agricultural land is calculated for each property by subtracting the apparent area of bushland and domestic use from the total property area. Landowners will be given a single opportunity to challenge this area calculation, after which that figure will be set and documented within the relevant Property Management Plan. Any future change in bushland area will not change the set figure for productive agricultural land.
- iii) subject to development of an approved Property Management Plan (PMP) for each eligible property. The development of a PMP will replace the need for an annual SAR application form, yet each Plan must satisfy the following conditions:
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  - PMP Condition C - Landowners who have previously received the SAR must return their PMP by the date indicated in correspondence that has been sent to the recipient (further detail regarding this point can be obtained from the Sustainability and Environment Unit of Council).
  - PMP Condition D - All SAR applicants who have not previously received the SAR will require an approved PMP prior to being eligible for the rebate.
  - PMP Condition E - All PMPs will need to be revised by the owner and submitted for re-approval every four years (approximately). Council's Environment Team will notify landholders when PMP revision is required and will allow ample time and assistance to facilitate this process. The approval date for the revised ratified PMP will be noted and a copy of the document will be retained for Council records.

**Payment**

21. That in accordance with section 167 of the *Local Government Act 1989*, Council determines that rates and charges may be paid by four equal quarterly instalments due on:

30 September 2024

30 November 2024

12. Officers' reports

CM.046/24 Adoption of Budget 2024-2025, declaration of Rates and Charges and Council Plan - Annual Action Plan 2024-2025

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28 February 2025

31 May 2025

**Consequential further actions**

22. That the Finance Manager be authorised to levy and recover the general rates and annual service charge in accordance with the *Local Government Act 1989 and the Local Government Act 2020*.
23. That pursuant to section 172(1) of the *Local Government Act 1989*, Council records that it will require the payment of interest on any amounts of rates and charges which have not been paid by the date specified under section 167 of the said Act for their payment.
24. To authorise the Finance Manager to write to all those who have made a submission on the 2024-2025 Budget, thanking them for their input and advising them of Council's decision and reasons for the decision.
25. To adopt the Annual Action Plan 2024-2025 (**Attachment 2**), including its 30 actions which will support the fourth and final year delivery of the Council Plan 2021-2025, and receives quarterly updates on the progress of this plan.

**CARRIED UNANIMOUSLY**

**12. Officers' reports**

**CM.046/24      Adoption of Budget 2024-2025, declaration of Rates and Charges and Council Plan - Annual Action Plan 2024-2025**

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## 12. Officers' reports

**CM.047/24 Council Plan Quarterly Performance Report 2023-2024 – Quarter 3**

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**Distribution: Public****Manager: Jeremy Livingston, Director Culture and Performance****Author: Craig King, Manager Customer Experience and Business Performance****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 third update on delivery progress and performance of the 2023-2024 Annual Action Plan actions, which align to delivery of the third year of the Council Plan 2021-2025.

Of the 37 actions in the 2023-2024 Annual Action Plan, 17 of those actions are reported quarterly, with the remaining actions reported on an annual basis in the final quarterly report for the financial year.

Of the 17 actions reported quarterly, one action is 'completed', 12 actions are 'on track', three actions are experiencing minor issues, and one action is yet to commence.

The overall position reflected in the report suggests that Council continues to make solid progress in delivering on key actions of the Council Plan and significant outcomes for the community.

<b>Council Resolution</b>
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**MOVED: Cr Peter Perkins****SECONDED: Cr Natalie Duffy**

**That** Council receives and notes the Council Plan Quarterly Performance Report (**Attachment 1**) for the third quarter of 2023-2024.

**CARRIED UNANIMOUSLY**

**12. Officers' reports**

**CM.047/24 Council Plan Quarterly Performance Report 2023-2024 – Quarter 3**

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**12. Officers' reports****CM.048/24 2024 Annual Community Survey results**

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**Distribution: Public****Manager: Jeremy Livingston, Director Culture and Performance****Author: Craig King, Manager Customer Experience and Business Performance****Summary**

The results of the 2024 Annual Community Survey have been received (**Attachment 1**). This annual survey was conducted by Metropolis Research in February 2024. It is designed to measure community satisfaction with a range of Council services, facilities and activities, and to measure community sentiment on key issues affecting the community.

The survey also assists Council in meeting the Victorian Government's mandatory performance reporting requirements for councils by measuring community satisfaction in a number of areas covered by this survey.

The 2024 survey findings are generally positive, with community satisfaction with Council's overall performance rated a 6.90 out of 10 (categorised as 'good'), an increase of 0.3% compared to the 2023 result. This overall score is the equal highest result achieved by Nillumbik since this annual survey commenced in 2011, and is now up 10% over the life of the survey since 2011.

Beyond this headline statistic, the survey provides a rich amount of data on community sentiment. With the level of data and information provided in this survey, Council will be able to analyse the results as they apply to individual areas and activities, and identify service improvement opportunities. The survey's findings can also be used by Council when undertaking future planning and making budgetary decisions.

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

**MOVED: Cr Natalie Duffy****SECONDED: Cr Peter Perkins****That Council:**

1. Receives and notes the results of the 2024 Annual Community Survey (**Attachment 1**).
2. Makes the report's findings available to the public on Council's website.

**CARRIED UNANIMOUSLY**

**12. Officers' reports**

**CM.048/24      2024 Annual Community Survey results**

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## 12. Officers' reports

CM.049/24 Seeking Adoption of Council's Governance Rule - Election Period Policy

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**Distribution:** Public

**Manager:** Blaga Naumoski, Director Governance, Communications and Community Safety

**Author:** Katia Croce, Manager Governance and Property

**Summary**

Following endorsement for public consultation at the 27 February 2024 Council Meeting, the draft Governance Rule - Election Period Policy was open for community consultation for the period 1 March 2024 to 24 March 2024.

A report was presented the Planning and Consultation Committee on 16 April 2024 outlining the feedback received and providing the opportunity for community members to be heard by the Committee.

The purpose of this report is to request that Council considers adoption of the Governance Rule – Election Period Policy (Election Period Policy) (**Attachment 1**).

The Governance Rule – Election Period Policy outlines the election period as it applies to Council.

The Minister for Local Government introduced the Local Government Amendment (Governance and Integrity) Bill 2024 (**the Bill**) into Parliament on 30 April 2024. If passed, the Bill will amend the *Local Government Act 2020* (**the Act**) in a number of key areas which has the potential to change the dates as referred to as the 'election period' in the Election Period policy being considered.

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

**MOVED:** Cr Frances Eyre

**SECONDED:** Cr Geoff Paine

**That Council:**

1. Notes that one submission in relation to the draft Governance Rule – Election Period Policy was received, and that this submission was considered and the submitter was provided with the opportunity to be heard by the Planning and Consultation Committee on 16 April 2024.
2. Having considered the written submission, adopts the Governance Rule – Election Period Policy shown as **Attachment 1**.
3. Authorises Officers to amend the election period dates within the Governance Rule – Election Period Policy shown as **Attachment 1** in accordance with legislative changes to the *Local Government Act 2020* and the Local Government (Electoral) Regulations 2020 affecting the election period dates prior the 2024 election.
4. Notes that Council's existing Governance Rule – Election Period Policy adopted on 25 August 2020 ceases to apply.

**12. Officers' reports**

**CM.049/24 Seeking Adoption of Council's Governance Rule - Election Period Policy**

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5. Requests that Officers write to the submitter to the public engagement to advise them of the Council's resolution.

**CARRIED UNANIMOUSLY**

**12. Officers' reports**

*Cr Ben Ramcharan declared a material conflict of interest in the following item and temporarily left the meeting prior to the item being heard at 8:09pm.*

*The Deputy Mayor, Cr Karen Egan assumed the chair at 8:09pm.*

**CM.050/24 Boyd Street, North Warrandyte - Proposed Special Charge Scheme**

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**Distribution: Public**

**Manager: Melika Sukunda, Acting Chief Operating Officer**

**Author: Steven Blight, Manager Capital and Infrastructure**

**Summary**

On 21 February 2020, investigation of a Special Charge Scheme for a section of Boyd Street was initiated by a Councillor due to complaints about dust from the road. An initial questionnaire was sent to property owners between the northern boundary of 4 Boyd Street and the southern boundary of 21 Boyd Street to gauge interest on sealing this section of Boyd Street via a Special Charge Scheme.

The results of the initial questionnaire confirmed sufficient support to proceed further with an investigation into a Special Charge Scheme to seal the section of Boyd Street.

On 9 October 2023, a formal questionnaire and cost apportionment were sent to property owners to determine their support for sealing a section of Boyd Street. The level of support for a Special Charge Scheme for Boyd Street was 53 percent (9 out of 17 property owners).

The level of support is below the 60 percent threshold in Council's policy for a Special Charge Scheme.

Therefore, it is recommended that Council abandon the Scheme for Boyd Street and place further investigation for sealing of Boyd Street on a three year moratorium.

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

**SECONDED: Cr Peter Perkins**

**That Council:**

1. Abandons further investigations into the Special Charge Scheme for the section of Boyd Street, North Warrandyte, between 4 and 21 Boyd Street.
2. Places any further investigations into a Special Charge Scheme for this section of Boyd Street on a three year moratorium.
3. Notifies affected property owners accordingly.

**CARRIED UNANIMOUSLY**

*The Mayor, Cr Ben Ramcharan returned to the meeting at the conclusion of this item and assumed the chair at 8:11pm.*

**12. Officers' reports**

**CM.050/24 Boyd Street, North Warrandyte - Proposed Special Charge Scheme**

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12. Officers' reports

**CM.051/24 Terms of Reference and Expression of Interest Process for Arts and Culture Advisory Committee 2024 - 2026**

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**Distribution: Public**

**Manager: Corrienne Nichols, Director Communities**

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

**Summary**

In June 2024, the current two year term for nine committee members will end, and Council will call for Expressions of Interest for Arts and Cultural Advisory Committee for members to serve two year terms from 2024-2026.

The purpose of this is to seek endorsement of the Terms of Reference 2024-2026 (**Attachment 1**) and recruitment process that will open on 30 May and close on 20 June 2024.

**Council Resolution**

**MOVED: Cr Geoff Paine**

**SECONDED: Cr Frances Eyre**

**That Council:**

1. Thanks and acknowledges the nine outgoing members of the Arts and Cultural Advisory Committee 2022-24 for their advice and contribution to Council's work to represent the diverse views, ideas and needs of the community.
2. Endorses the updated Arts and Cultural Advisory Committee Terms of Reference 2024-2026 (**Attachment 1**).
3. Endorses the recruitment process for the Arts and Cultural Advisory Committee 2024-2026 open on 30 May and close on 20 June 2024.
4. Instructs Officers to report nominations to the Arts and Cultural Advisory Committee to Council for endorsement in August 2024.

**CARRIED UNANIMOUSLY**

**12. Officers' reports**

**CM.051/24      Terms of Reference and Expression of Interest Process for Arts and  
Culture Advisory Committee 2024 - 2026**

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## 12. Officers' reports

## CM.052/24 Domestic Animal Management Plan Review

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**Distribution:** Public

**Manager:** Blaga Naumoski, Director Governance, Communications and Community Safety

**Author:** Elishia Jansz, Manager Community Safety (Municipal Recovery Manager)

**Summary**

The current Domestic Animal Management Plan 2021-2025 (DAMP 2021-2025) (**Attachment 1**) was developed in line with section 68A of the *Domestic Animal Act* 1994 (the Act). Council has a legislated responsibility under the Act to ensure compliance and delivery of animal management services related to community expectations around responsible pet ownership.

The current DAMP 2021-2025 provides Council with a strategic framework, policy direction and action plan for domestic animal management practices throughout the municipality over the lifetime of the plan.

The purpose of this report is to seek endorsement on the proposal to initiate consultation and interaction with the community to better understand the needs and perspectives of the community and key stakeholders on the core areas of animal management, animal welfare, responsible pet ownership, Local Laws (including the cat curfew), as well as the importance of educating the community of desexing and microchipping.

This comprehensive understanding gained from the initial phase of community engagement will support the development of new Domestic Animal Management Plan 2025-2029 (DAMP 2025-2029) and enable officers to tailor the new DAMP 2025-2029 effectively.

**Recommendation**

**That** Council resolves to commence Phase 1 Community Consultation from 3 June to 7 July 2024 (5 weeks) to support the development of Nillumbik Shire Council's Draft Domestic Animal Management Plan 2025 -2029, in line with the attached Community Engagement Plan (**Attachment 2**).

**Motion**

**MOVED:** Cr Natalie Duffy

**SECONDED:** Cr Karen Egan

**That** Council resolves to commence Phase 1 Community Consultation from 3 June to **14 July 2024 (6 weeks)** to support the development of Nillumbik Shire Council's Draft Domestic Animal Management Plan 2025 -2029, in line with the attached Community Engagement Plan (**Attachment 2**).

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

12. Officers' reports

CM.052/24 Domestic Animal Management Plan Review

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**Council Resolution**

**MOVED: Cr Natalie Duffy**

**SECONDED: Cr Karen Egan**

**That** Council resolves to commence Phase 1 Community Consultation from 3 June to 14 July 2024 (6 weeks) to support the development of Nillumbik Shire Council's Draft Domestic Animal Management Plan 2025 -2029, in line with the attached Community Engagement Plan (**Attachment 2**).

**CARRIED UNANIMOUSLY**



## 12. Officers' reports

## CM.053/24 Jalna Court Special Charge Scheme - Declaration

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**Distribution:** Public

**Manager:** Melika Sukunda, Acting Chief Operating Officer

**Author:** Steven Blight, Manager Capital and Infrastructure

**Summary**

Council resolved on 27 February 2024 (Item CM.005/24) its Intention to Declare a Special Charge Scheme for the construction of the partial length Jalna Court, Eltham (between the western boundary of 1 Jalna Court and Sweeneys Lane).

Council's notice of its Intention to Declare a scheme was publicly advertised in the *Herald Sun* newspaper on 14 March 2024. A notice of the Intention to Declare was sent to all property owners with a liability under the scheme.

Council has not received any submissions or objections for the Special Charge Scheme under the Local Government Act 1989 (the Act).

This report recommends that Council formally declares the Jalna Court Special Charge Scheme, Eltham (between the western boundary of 1 Jalna Court and Sweeneys Lane) and levies the special charge.

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

**SECONDED:** Cr Peter Perkins

**That Council:**

1. Notes that no submissions or objections were received for this scheme.
2. Gives notice under Section 163(1) of the *Local Government Act 1989* of the declaration of a special charge for the purposes of defraying the expenses to be incurred by Council for road construction works in Jalna Court, Eltham between the western boundary of 1 Jalna Court and Sweeneys Lane.
3. Bases the declaration on the following key matters:
  - a) The Special Charge Scheme for road sealing works in Jalna Court shall apply to the properties at 1 and 6 Jalna Court, as shown in **Attachment 1**.
  - b) The estimated total project cost is \$46,070 with a benefit ratio of one. The total amount to be levied under the special charge is \$46,070.
  - c) The total estimated cost to each property is shown in **Attachment 2** and may be paid as a lump sum within 30 days of invoice or by quarterly instalments over a 10 year period with interest.
  - d) The scheme shall remain in force for 10 years.
4. Levies the special charge to each person liable to pay it by giving notice under Section 163(4) of the *Local Government Act 1989*.

**CARRIED UNANIMOUSLY**

**12. Officers' reports**

**CM.053/24 Jalna Court Special Charge Scheme - Declaration**

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## 12. Officers' reports

CM.054/24 Instrument of Appointment and Authorisation (Planning and Environment Act 1987)

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**File:** GF/20/96

**Distribution:** Public

**Manager:** Blaga Naumoski, Director Governance, Communications and Community Safety

**Author:** Katia Croce, Manager Governance and Property

**Summary**

Section 224 of the *Local Government Act 1989* provides for the appointment of Authorised Officers for the purposes of the administration and enforcement of any Act, regulations or local laws which relate to the functions and powers of the Council.

The Chief Executive Officer makes these appointments by authority conferred by Instrument of Delegation by Council dated 26 March 2024.

Section 147(4) of the *Planning and Environment Act 1987* provides for the appointment and authorisation of Council Officers for the purpose of the *Planning and Environment Act 1987*.

To strengthen Council's decision making and enforcement processes, appointment of authorisation under the *Planning and Environment Act 1987* is being recommended by Council Resolution.

<b>Council Resolution</b>
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**MOVED:** Cr Peter Perkins

**SECONDED:** Cr Karen Egan

**That** Council in the exercise of the powers conferred by s147(4) of the *Planning and Environment Act 1987*, resolves that:

- a) The Nillumbik Shire Council staff referred to in the Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*) (**Attachment 1**) be appointed and authorised as set out in the instrument.
- b) The common seal of Council be affixed to the Instrument.
- c) The Instrument comes into force immediately after the common seal of Council is affixed to the Instrument and remains in force until Council determines to vary or revoke it.

**CARRIED UNANIMOUSLY**

**12. Officers' reports**

**CM.054/24 Instrument of Appointment and Authorisation (Planning and Environment Act 1987)**

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## 12. Officers' reports

## CM.055/24 Informal Meetings of Councillors Records - 28 May 2024

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**Distribution:** Public

**Manager:** Blaga Naumoski, Director Governance, Communications and Community Safety

**Author:** Katia Croce, Manager Governance and Property

**Summary**

In accordance with *Item 20 of Council's Governance Rule – Meeting Procedures*, adopted on 25 July 2023, Council is required to report as soon as practicable to a Council Meeting a record of each Informal Meeting of Councillors held.

This report lists Informal Meetings of Councillors Records submitted since the matter was last reported to Council on 30 April 2024.

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

1. Living & Learning Nillumbik Advisory Committee held 15 April 2024;
2. Councillor Briefing held 23 April 2024;
3. Council Meeting Pre-Meet held 30 April 2024;
4. Inclusion and Access Advisory Committee held 3 May 2024;
5. Youth Council Meeting held 6 May 2024;
6. Councillor Briefing held 7 May 2024;and
7. Planning and Consulation Committee Pre-Meet held 14 May 2024.

<b>Council Resolution</b>
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**MOVED:** Cr Frances Eyre

**SECONDED:** Cr Natalie Duffy

**That** Council, in accordance with *Item 20 of Council's Governance Rule – Meeting Procedures*, receives the Informal Meetings of Councillors Records (**Attachment 1**) for the meetings held.

**CARRIED UNANIMOUSLY**

**12. Officers' reports**

**CM.055/24 Informal Meetings of Councillors Records - 28 May 2024**

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**13. Notices of Motion**

**NOM.002/24 Pedestrian & Traffic Safety around Eltham North Primary School**

Cr Natalie Duffy advised of her intention to move the following:

**Council Resolution**

**MOVED: Cr Natalie Duffy**

**SECONDED: Cr Frances Eyre**

**That Council:**

1. Notes the concerns regarding pedestrian safety around supervised school crossing sites, particularly at the supervised school crossing on Wattletree Road, Eltham North, near Eltham North Primary School, where a recent near miss incident occurred.
2. Requests Council Officers to provide a report to Council regarding pedestrian safety and traffic safety in the vicinity around Eltham North Primary School with consideration given to any recommendations for improvement that Council can undertake or could advocate for with the Victorian Government's Department of Transport and the Federal Government's Black Spot program, including:
  - a. The urgent extension of traffic bumpers in front of the wire fencing at the Wattletree Road traffic lights:
  - b. Possible traffic calming measures:
  - c. Signage treatments, including southbound from Banks Road: and
  - d. Assessing traffic and pedestrian flows around Lower Road
3. Requests the CEO to write to the Principal of Eltham North Primary School to seek input from the school and school community to help in getting students to/from school safely.

**CARRIED UNANIMOUSLY**

**14. Delegates' Reports**

Nil

**15. Supplementary and urgent business**

Nil

**16. Confidential reports**

Nil

**17. Close of Meeting**

The meeting closed at 8:39pm.

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

Cr Ben Ramcharan, Mayor