

Council Meeting

held at the Council Chamber, 32 Civic Drive, Greensborough
on Tuesday 29 April 2025 commencing at 7:00 PM.

Minutes

Carl Cowie
Chief Executive Officer

Friday 2 May 2025

Distribution: Public

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Nillumbik Shire Council

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17. Close of Meeting

Nillumbik Shire Council

**Minutes of the Meeting of Nillumbik Shire Council held Tuesday 29 April 2025.
The meeting commenced at 7.00pm.**

Councillors present:

| | |
|------------------|-------------------------------------|
| Cr John Dumaresq | Wingrove Ward (Mayor) |
| Cr Naomi Joiner | Bunjil Ward (Deputy Mayor) |
| Cr Grant Brooker | Blue Lake Ward |
| Cr Kelly Joy | Edendale Ward |
| Cr Peter Perkins | Ellis Ward |
| Cr Kim Cope | Sugarloaf Ward |
| Cr Kate McKay | Swipers Gully 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 |
| Frank Vassilacos | Director Planning, Environment and Strategy |
| Jeremy Livingston | Director Culture and Performance |
| Katia Croce | Manager Governance and Property |
| Michele Purtle | Manager Advocacy Communications and Engagement |
| Tania Treasure | Economic Development & Tourism Lead |

1. Welcome

2. Acknowledgement

Acknowledgement of Country was read by the Mayor, Cr John Dumaresq.

3. Good Governance Pledge

The Good Governance Pledge was read by Cr Naomi Joiner.

4. Prayer

An apology was received from the scheduled Prayer reader.

5. Apologies\Leave of Absence

To accept apologies from any Councillors not in attendance at the meeting.

Nil

6. Declarations of conflict of interest

Nil

7. Presentations

Sporting Grants

Asher Andrews (Bunjil Ward) receives \$200 for being selected to represent Victoria in Decathlon at the Australian Athletics Championships in Perth.

Jack Beddoe (Ellis Ward) receives \$200 as a contribution for being selected to represent Victoria at the Australian Youth Beach Volleyball Championships in Queensland.

James Beddoe (Ellis Ward) receives \$200 as a contribution for being selected to represent Victoria at the Australian Youth Beach Volleyball Championships in Queensland.

Jamie Ritchie (Swipers Gully Ward) receives \$200 as a contribution for being selected to represent Victoria in athletics at the 2025 Australian Junior Athletics Championships in Western Australia.

Lawson Franzmann (Wingrove Ward) was an apology and will attend a Council Meeting at a later date.

The recipients thanked Council and photos were taken with their ward Councillor.

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

Michele Purtle - Manager Advocacy Communications and Engagement left the meeting at the conclusion of this item – 7.12pm

8. Confirmation of Minutes

COM.001/25 Confirmation of Minutes Council Meeting held Tuesday 25 March 2025

Confirmation of the Minutes of the Council Meeting held on Tuesday 25 March 2025.

Council Resolution

MOVED: Cr Kate McKay

SECONDED: Cr Kim Cope

That Council confirms the Minutes of the Council Meeting held on Tuesday 25 March 2025 (Attachment 1).

CARRIED UNANIMOUSLY

9. Petitions

Nil

10. Questions from the gallery

Nil

11. Reports of Advisory Committees

AC.002/25 Advisory Committee Report - 29 April 2025

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. Arts & Cultural Advisory Committee Minutes meeting held 19 August 2024; and
2. Health and Wellbeing Advisory Committee Minutes meeting held 20 March 2025.

Council Resolution

MOVED: Cr Kelly Joy

SECONDED: Cr Naomi Joiner

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

CARRIED UNANIMOUSLY

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12. Officers' reports

CM.036/25 Draft Planning Scheme Review (PSR) 2025 - Findings and Recommendations (for Community Engagement)

Distribution: Public

Manager: Frank Vassilacos, Director Planning, Environment and Strategy

Author: Emrys Williams, Senior Strategic Planner

Sarah Shehata, Senior Strategic Planner

Summary

This report presents the Draft Planning Scheme Review (PSR) 2025 (**Attachment 1**), outlining its findings and proposed recommendations for consideration and endorsement for public exhibition.

A review of the Nillumbik Planning Scheme is required every 4 years to enhance the effectiveness and efficiency of the planning scheme to ensure current issues relevant to Nillumbik are addressed and local policies are consistent with state planning policies.

Overall, the Nillumbik Planning Scheme is operating effectively, with most planned projects and amendments completed since the last review in 2019. Planning Services and Compliance functions are being delivered satisfactorily, with continuous improvement yielding positive outcomes. However, the draft PSR 2025 has identified opportunities to enhance and strengthen policy objectives and where future strategic work is required.

The Review has identified 24 recommendations to guide the strategic planning program over the next four years and shape the new Council Plan (2025–2029). These 24 recommendations are categorised by priority: 8 high, 10 medium, and 6 low. The high-priority items are to:

- Complete the Nillumbik Housing Strategy
- Implement the Housing and Neighbourhood Character Strategy
- Implement the Eltham Major Activity Centre Structure Plan into the Planning Scheme
- Implement the Diamond Creek Major Activity Centre Structure Plan into the Planning Scheme
- Finalise the Heritage Review
- Complete the Diamond Creek Community Infrastructure Master Plan
- Review and implement the Municipal Planning Strategy
- Progress work on Flood Modelling and Mapping

The draft PSR 2025 has been informed by feedback gathered from previous community engagement on various projects and strategies. It is recommended that the draft PSR 2025 be published on Council's Participate Nillumbik page where the community will be informed on the review's findings and recommendations.

Any feedback received during the exhibition period (May–June 2025) will inform the final version of the PSR 2025, which will be presented for Council adoption in September 2025.

12. Officers' reports**CM.036/25 Draft Planning Scheme Review (PSR) 2025 - Findings and Recommendations (for Community Engagement)**

It should be noted that endorsing the PSR 2025 does not give officers authority to implement all recommendations. Actions identified in the PSR 2025 (starting with high priority actions) will each follow their own detailed process, including further programming, community engagement, and formal decision-making. Officers will return to Council and consult with the community before progressing any significant action to ensure full transparency.

Following the adoption of the PSR 2025, Council officers plan to immediately advance high-priority items, including the Eltham and Diamond Creek Activity Centre Amendments and the Nillumbik Housing Strategy (from late 2025). Council will receive separate briefings on these projects at that time.

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| Council Resolution |
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MOVED: Cr Grant Brooker

SECONDED: Cr Kim Cope

That Council:

1. Endorses the Draft Planning Scheme Review 2025 (**Attachments 1 and 2**) for the purposes of community engagement;
2. Notes that the adopted Draft Planning Scheme Review 2025 and Appendices be exhibited for community engagement for a period of 4 weeks commencing early May; and
3. Authorises the Director Planning, Environment and Strategy to make any typographical or minor corrections to the Draft Planning Scheme Review 2025 (**Attachment 1**) and Appendices (**Attachment 2**), that may be necessary and are inconsequential in nature.

CARRIED UNANIMOUSLY

12. Officers' reports

CM.037/25 March Quarter Financial Report

File:

Distribution: Public

Manager: Melika Sukunda, Acting Chief Operating Officer

Summary

This report outlines Council's financial performance and financial position for the period ended 31 March 2025.

The Income Statement shows an overall favourable year to date (YTD) variance of \$2.53 million representing 7.47 per cent of YTD Budget. This reflects the combined result of higher than budgeted operating income of \$3.09 million, offset by higher than budgeted operating expenses of \$556,779.

Council's overall financial position at the end of this quarter is stable.

Council Resolution

MOVED: Cr Naomi Joiner

SECONDED: Cr Grant Brooker

That Council receives and notes the Financial Report for the period ended 31 March 2025 (**Attachment 1**).

CARRIED UNANIMOUSLY

12. Officers' reports

CM.037/25 March Quarter Financial Report

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12. Officers' reports

CM.038/25 Draft Revenue and Rating Plan 2025-2029

Distribution: Public

Manager: Melika Sukunda, Acting Chief Operating Officer

Summary

This report presents the draft Revenue and Rating Plan 2025-2029 (the Plan) for Council approval prior to exhibition for public consultation. The Revenue and Rating Plan 2025-2029 (the Plan) is a requirement under section 93 of the *Local Government Act 2020* (the 2020 Act).

The purpose of the Revenue and Rating Plan is to establish a rating and revenue strategy.

The Draft Revenue and Rating Plan outlines Council's most significant sources of income and provides a framework for informing the income projections in Council's Financial Plan 2025-2029.

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| Council Resolution |
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MOVED: Cr Grant Brooker

SECONDED: Cr Kate McKay

That Council:

1. Adopts the draft Revenue and Rating Plan 2025-2029 (**Attachment 1**) for the purposes of section 93 of the *Local Government Act 2020*.
2. Authorises the Chief Executive Officer to give public notice in accordance with section 223 of the *Local Government Act 1989* and section 96 of the *Local Government Act 2020* of Council's intention to adopt, at a Council meeting proposed to be held at 7:00 pm on Tuesday 17 June 2025, the Revenue and Rating Plan 2025-2029 (**Attachment 1**).
3. Notes that any person who makes a written submission in relation to the draft Revenue and Rating Plan 2025-2029 and requests to be heard in support of the written submission, be heard at the Planning and Consultation Committee meeting to be held in the Council Chamber, Civic Centre, at 7:00 pm on Tuesday 10 June 2025.
4. Authorises the Chief Executive Officer to undertake any and all administrative procedures necessary to enable Council to carry out its functions under section 223 of the *Local Government Act 1989*.

CARRIED UNANIMOUSLY

12. Officers' reports

CM.038/25 Draft Revenue and Rating Plan 2025-2029

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12. Officers' reports

CM.039/25 Draft Diamond Creek Dog Park Upgrade Concept Plan

Distribution: Public**Manager: Melika Sukunda, Acting Chief Operating Officer****Author: Mike Dean, Acting Manager Recreation and Leisure
Steven Blight, Manager Capital and Infrastructure****Summary**

The purpose of this report is to seek approval to consult on the project, in line with the Diamond Creek Dog Park Concept Plan (**Attachment 1**).

Community consultation on the dog park upgrade is proposed to commence on 30 April 2025 and conclude on 21 May 2025. Submissions received during this period will be considered by the Planning and Consultation Committee on 10 June 2025.

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| Council Resolution |
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MOVED: Cr Peter Perkins**SECONDED: Cr Kelly Joy****That Council:**

1. Endorses the draft Diamond Creek Dog Park Upgrade Concept Plan (**Attachment 1**) for the purpose of community consultation.
2. Approves Council officers to undertake community consultation for the period of 30 April 2025 to 21 May 2025 inviting written submissions for the Diamond Creek Dog Park Upgrade in line with the endorsed concept plan.
3. Considers all public submissions at the Planning and Consultation Committee meeting to be held on 10 June 2025

CARRIED UNANIMOUSLY

12. Officers' reports

CM.039/25 Draft Diamond Creek Dog Park Upgrade Concept Plan

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12. Officers' reports**CM.040/25 Endorsement of the Tourism East Visitor Economy Partnership**

Distribution: Public**Manager: Frank Vassilacos, Director Planning, Environment and Strategy****Author: Tania Treasure, Economic Development & Tourism Lead****Summary**

1. The purpose of this report is to seek Councillors endorsement for the establishment and support of the Tourism East Visitor Economy Partnership.
2. In 2021 the Victorian Government released the Visitor Economy Recovery and Reform Plan. The Plan outlined the Victorian Government's intention to support Victoria's visitor economy and transition Regional Tourism Boards into a network of Visitor Economy Partnerships (VEP's). Council has a partnership agreement with Yarra Ranges Tourism (YRT), Regional Tourism Board until June 2026.
3. This report details the transitioning of YRT, Regional Tourism Board, into a Visitor Economy Partnership (VEP), named Tourism East, for the local government areas of Yarra Ranges Council, Cardinia Shire Council and Nillumbik Shire Council.
4. The benefits of Nillumbik Shire participating in a VEP include working as a region to leverage into a \$1.2 million budget for regional tourism marketing and industry development and eligibility for the Shire and businesses to apply for tourism grants.
5. Should Council not to participate in a VEP Yarra Ranges Tourism, Yarra Ranges Council and Cardinia Shire Council will be unable to form a VEP due to State Government requirements to have a minimum of 3 Local Government Authorities (LGA) partner and financially contribute to a VEP. This will limit the regions' ability to access State Government funding for marketing and industry development to support the tourism sector and for the Shire and businesses to access tourism related grant funding.

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| Council Resolution |
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MOVED: Cr Naomi Joiner**SECONDED: Cr Grant Brooker****That Council:**

1. Endorses the establishment of the new Tourism East Visitor Economy Partnership for the region.
2. Provides support to transfer Nillumbik's agreement with Yarra Ranges Tourism to the new Tourism East Visitor Economy Partnership with an extension of the agreement to be for 3 years, until June 2028.
3. Supports the required funds of \$72,500 per year, with 0.2 FTE of Nillumbik Shire staff's time as a contribution to the Visitor Economy Partnership in the 2025/2026 Council budgetary process, and for the 3-year term of the agreement.

12. Officers' reports

CM.040/25 Endorsement of the Tourism East Visitor Economy Partnership

4. Delegates responsibility for the implementation of the new Visitor Economy Partnership, Tourism East, to the Chief Executive Officer.
5. Notes that both Yarra Ranges Council and Cardinia Shire Council have endorsed their respective Councils' participation on the Tourism East Visitor Economy Partnership.

CARRIED UNANIMOUSLY

12. Officers' reports**CM.041/25 Kangaroo Ground Landfill Rehabilitation - Project Management Services Contract Extension**

Distribution: Public**Manager: Melika Sukunda, Acting Chief Operating Officer****Author: Steven Blight, Manager Capital and Infrastructure
Lance Clark, Senior Procurement Specialist****Summary**

As part of the Kangaroo Ground Landfill Rehabilitation, it was necessary to appoint a suitably qualified and experienced project management consultant to oversee the delivery of the project on behalf of Council. Landfill rehabilitation is a technically complex project that is monitored by an independent auditor on behalf of the Environment Protection Authority Victoria (EPA) and Council does not have the technical experience or knowledge to ensure a compliant and safe project is delivered.

At the Ordinary Council Meeting of March, 2019, SMEC Pty Ltd were appointed as Project Managers for the Kangaroo Ground Landfill Rehabilitation project. The contract was for an initial two years, with the option to extend the contract on a yearly basis, for a further two years until April 2025. These options were exercised and the current contract will conclude at the end of April 2025.

As the landfill project still has approximately 18 months before construction works are scheduled to conclude and up to an additional 12 months to achieve compliance certification, it is necessary to appoint a project manager for the remainder of the project.

This report is seeking Council approval to extend the current contract arrangement with SMEC Pty Ltd, based on the rates and cost estimate provided for the remaining duration of the project.

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| Council Resolution |
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MOVED: Cr Grant Brooker**SECONDED: Cr Kim Cope****That Council:**

1. Extends the existing Kangaroo Ground Landfill Rehabilitation - Project Management Services Contract Extension with SMEC Pty Ltd from 1 May 2025 to 30 December, 2028 based on the rates outlined in Attachment 1.
2. Authorises the Acting Chief Operating Officer to finalise and execute the contract extension documents.
3. Makes public the decision regarding the Project Management Service Contract Extension and (**Attachment 1**) remain confidential on the grounds specified in the definition of confidential information in section 3(1)(g) of the *Local Government Act 2020*.

CARRIED UNANIMOUSLY

12. Officers' reports

CM.041/25 Kangaroo Ground Landfill Rehabilitation - Project Management Services Contract Extension

Tania Treasure, Economic Development & Tourism Lead left the meeting during discussion of this item at 7:47pm.

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12. Officers' reports

CM.042/25 Glass Collection Service (Purple Bin) Advocacy Position

Distribution: Public**Manager: Melika Sukunda, Acting Chief Operating Officer****Author: Hannah Burns, Senior Waste Management Specialist
Michele Purtle, Manager Advocacy Communications and Engagement****Summary**

This report provides an update on the legislated requirement to introduce a separate glass collection service (purple bin) to households, including findings from an independent report commissioned by a group of councils on the cost and benefits of separate glass collection. A growing number of councils are advocating to the Victorian Government to defer and reconsider the mandatory requirement to introduce the service.

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| Council Resolution |
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MOVED: Cr Kate McKay**SECONDED: Cr Peter Perkins****That Council:**

1. Notes its commitment to provide best value services for the community, reduce emissions from waste, divert waste from landfill and maximise resource recovery.
2. Advocates to the Victorian Government in partnership with other councils to defer and reconsider the mandatory requirement for a separate kerbside bin for glass.
3. Continues to collaborate with local members of Parliament, state and federal governments to advocate in our community's best interests.

CARRIED UNANIMOUSLY

12. Officers' reports

CM.042/25 Glass Collection Service (Purple Bin) Advocacy Position

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12. Officers' reports

CM.043/25 Sunsetting of the Panton Hill Bushland Reserves System Advisory Committee

Distribution: Public

Manager: Frank Vassilacos, Director Planning, Environment and Strategy

Author: Bridget Russell, Coordinator Environment Works and Land Management

Summary

1. This report is presented for Council to formally resolve to sunset the Panton Hill Bushland Reserves System (PHBRS) User Group Advisory Committee.
2. The PHBRS Advisory Committee was established in 2011 to facilitate community engagement on recreational trail development and ecological conservation within the PHBRS.
3. Over the past 14 years, the committee has effectively fostered collaboration among various user groups, balanced conservation efforts with recreational needs, and promoted the reserves as an important community asset.
4. The Committee formally concluded its most recent 2-year term as per the Terms of Reference in October 2024.
5. Council has considered that the Committee has achieved the outcomes and objectives set out when it established the Committee, and therefore, recommends that the Committee now be formally sunset.

Council Resolution

MOVED: Cr Naomi Joiner

SECONDED: Cr Kim Cope

That Council:

1. Formally sunset the Panton Hill Bushland Reserves System (PHBRS) User Group Advisory Committee as its purpose has been fulfilled.
2. Officers write to all previous committee members via letter to inform them of Council's decision to sunset the committee and thank them for their time and contribution to the Committee.
3. Notes that any minor matters that continue to arise from this former committee and/or the Panton Hill community can be addressed through Customer Service Requests (CSRs) or alternatively referred through Council's existing Environment and Sustainability Advisory Committee (ESAC).

CARRIED UNANIMOUSLY

12. Officers' reports

**CM.043/25 Sunsetting of the Panton Hill Bushland Reserves System Advisory
Committee**

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12. Officers' reports

CM.044/25 Notice of Change to June Council Meeting Dates

Distribution: Public

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

Author: Katia Croce, Manager Governance and Property

Summary

The 31st Australian Local Government Association (ALGA) National General Assembly (NGA), is taking place in Canberra from 24-27 June 2025. This major event provides councils with the opportunity to influence national local government policy.

This report seeks to reschedule the Council Meeting from 24 June to 17 June 2025 to enable Councillor attendance.

Council Resolution

MOVED: Cr Naomi Joiner

SECONDED: Cr Kate McKay

That Council:

1. Resolves to reschedule the Council Meeting from Tuesday 24 June to Tuesday 17 June 2025 to be held in the Council Chamber at Civic Drive, Greensborough at 7pm to allow Councillors to attend the Australian Local Government Association, National General Assembly.
2. Requests officers to update the 2025 schedule of meetings and Council website with the revised Council meeting date accordingly.

CARRIED UNANIMOUSLY

12. Officers' reports

CM.044/25 Notice of Change to June Council Meeting Dates

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12. Officers' reports

CM.045/25 Instrument of Appointment and Authorisation (Planning and Environment Act 1987)

File: GF/20/96
Distribution: Public
Manager: Blaga Naumoski, Director Governance, Communications and Community Safety
Author: Emma Christensen, Governance Coordinator

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 25 March 2025.

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.

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| Council Resolution |
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MOVED: Cr Kelly Joy
SECONDED: Cr Kim Cope

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

1. 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.
2. The common seal of Council be affixed to the Instrument.
3. 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.045/25 Instrument of Appointment and Authorisation (Planning and Environment Act 1987)

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12. Officers' reports**CM.046/25 Informal Meetings of Councillors Records - 29 April 2025**

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 25 March 2025.

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

1. Councillor Briefing held 18 March 2025;
2. Recreation Trails Advisory Committee held 19 March 2025;
3. Health and Wellbeing Advisory Committee held 20 March 2025;
4. Council Meeting Pre- Meet 25 March 2025;
5. Councillor Briefing held 1 April 2025;
6. Positive Ageing Advisory Committee held 4 April 2025;
7. Councillor Briefing held 8 April 2025; and
8. Planning and Consultation Committee Pre-Meet held 8 April 2025.

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| Council Resolution |
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MOVED: Cr Kate McKay**SECONDED: Cr Kelly Joy**

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.046/25 Informal Meetings of Councillors Records - 29 April 2025

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13. Notices of Motion

Nil

14. Delegates' Reports

Nil

15. Supplementary and urgent business

Nil

16. Confidential reports

Nil

17. Close of Meeting

The meeting closed at 8:11pm.

Confirmed: _____
Cr John Dumaresq, Mayor