

Council Meeting

to be held at the Council Chamber, 32 Civic Drive, Greensborough
on Tuesday 24 February 2026 commencing at 7:00 PM.

Attachments

Carl Cowie
Chief Executive Officer

Thursday 19 February 2026

Distribution: Public

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Nillumbik Shire Council

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Council Meeting

held at the Council Chamber, 32 Civic Drive, Greensborough
on Tuesday 9 December 2025 commencing at 7:00pm.

Minutes

Carl Cowie
Chief Executive Officer

Friday 12 December 2025

Distribution: Public

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Nillumbik Shire Council

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9 December 2025

Nillumbik Shire Council

**Minutes of the Meeting of Nillumbik Shire Council held Tuesday 9 December 2025.
The meeting commenced at 7.00pm.**

Councillors present:

Cr Naomi Joiner	Bunjil Ward (Mayor)
Cr Kate McKay	Swipers Gully 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 John Dumaresq	Wingrove Ward

Officers in attendance:

Carl Cowie	Chief Executive Officer
Jeremy Livingston	Acting Chief Operating Officer
Blaga Naumoski	Director Governance, Communications and Community Safety
Corrienne Nichols	Director Communities
Frank Vassilacos	Director Planning, Environment and Strategy
Bulent Oz	Acting Director Culture and Performance
Katia Croce	Manager Governance and Property
Tania Treasure	Economic Development and Tourism Lead
Kasey Lawrence	Economic Development and Tourism Officer

1. Welcome

2. Acknowledgement

Acknowledgement of Country was read by the Mayor, Cr Naomi Joiner.

3. Good Governance Pledge

The Good Governance Pledge was read by Cr Peter Perkins.

4. Prayer

A prayer was read by Father Stephen Mankarious from St Macarius Coptic Orthodox Church Yarrambat.

5. Apologies\Leave of Absence

Nil

6. Declarations of conflict of interest

Carl Cowie, Chief Executive Officer declared a general conflict of interest in item CM.161/25 Appointment of Independent Advisor and Chair to CEO Employment Matter Advisory Committee.

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7. Presentations

Sporting Grants

Diamond Creek Primary School 'Spirit of Diamond Creek' Energy Breakthrough team (Ellis Ward) receives \$500 for being selected to participate at the Energy Breakthrough event in Maryborough.

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

A representative of Diamond Creek Primary School thanked Council.

Acknowledgements made by Cr Grant Brooker

Diamond Valley Basketball Association – Association of the year

Patrick Di Lizio – Administrator of the year

I wanted to acknowledge this evening, the Diamond Valley Basketball Association announced Association of the year and their Chief Executive Officer, Administrator of the year.

We wanted to acknowledge the outstanding achievements of the Diamond Valley basketball Association named the association of the year for 2025.

DVBA, they certainly don't seek recognition, but they most definitely have earned it, so I would say that this honour reflects the dedication and passion of their community.

The volunteers, board members, referees, coaches, clubs, players, parents, staff, and sponsors whose commitment has built one of Victoria's leading sporting associations.

You must always refer to the metrics with the DVBA because 9943 participants, almost 10,000. 4852 junior domestic players, 1976 senior domestic, 500 junior representative, 80 senior representative, 2500 community program participants They have a diverse base participation made up at 66 per cent boys and 34 per cent girls, and in senior competitions 83 per cent men and 17 per cent women.

The recognition comes as the association approaches 50th anniversary in 2026 and that is also 50 years since the original Diamond Valley sports stadium commenced, it's a completely different looking beast now. But a milestone that celebrates five decades of growth, resilience and community connection

It marks significant progress of the past five years during which the board has strengthened the organisation and honoured its history.

I also want to congratulate Pat Di Lizio, awarded administrator of the year whose leadership and commitment has made him serve at every layer of the DVBA from grass roots to NBL1 and transformed the way they operate.

This award again is not sort, but it is most definitely earned these achievements reflect what is possible when a community works together with shared purpose.

Congratulations to everyone who contributes to the spirit of the Diamond Valley Basketball Association. Go Eagles.

Council Meeting Minutes

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8. Confirmation of Minutes

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

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

Council Resolution

MOVED: Cr Kate McKay

SECONDED: Cr Kim Cope

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

CARRIED UNANIMOUSLY

Council Meeting Minutes

9 December 2025

9. Petitions

Nil

10. Questions from the gallery

Tonight's public questions all relate to the proposed BMX Park project at Challenger Street Reserve in Diamond Creek.

Before answering each of the questions, I want to let all those interested in the project know that the Participate Nillumbik webpage for the project has recently been updated with all the current information, as well as easy links to previous Council reports on the project. A number of the answers to tonight's questions can already be found on that webpage and a link to the answers to tonight's questions will be added to that site.

I would encourage all those interested in the project to sign up for updates as the site will continue to be updated ahead of Council's planning application in 2026. A reminder that the planning application process will be the next opportunity for community consultation on the project. This will involve Council advertising the project and inviting the community to make a submission, written objection or letter of support, on the more detailed proposal.

Rebecca Bosch has submitted the following questions:

Question 1

On 30th September BMX Jumps and Community Recreation Park Concept Plan Consultation under Sustainability implications point 20. "Protection measures for high value vegetation and the existing wetlands will be incorporated in a site-specific Environmental Management Plan which will be developed prior to construction"

My question is "In council meetings since 30th September reference made by Councillors to the Challenger Street Reserve continues to only mention grassy areas and tree canopies. Has there been a full environmental impact assessment or is NSC planning to undertake a full environmental impact assessment to determine the negative effects to the surrounding wetlands during construction and once the BMX site is in use?"

Response

Further environmental studies are currently underway. These studies will guide the environmental impact assessment which will inform a future planning application in 2026.

Question 2

In the online feedback survey lighting was mentioned "Minimum lighting required for public safety is being proposed. The consultation asks respondents where safety lighting should be prioritised.

My question is "How will safety lighting be possible without artificial lighting and is the impact of artificial lighting being considered with respect to the impact on nocturnal fauna in the surrounding wetland and bush areas?"

Response

The impact of any proposed lighting will be considered as part of the environmental impact assessment which will inform a future planning application in 2026.

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Matthew Atwell has submitted the following questions:

Question 1

The Diamond Creek Recreation Precinct (BMX Park) planned for Challenger St Reserve is in a designated Bushfire Prone Area. This plan restricts emergency vehicle access throughout the Reserve. The 'Council's Bushfire Mitigation Strategy 2019-2023 covers private and public land bushfire mitigation, building stronger and more resilient communities and working to strengthen the ability of agencies to deliver coordinated bushfire mitigation programs. The strategy is underpinned by community-centric outcomes, including shared responsibility, shared obligation and building strong relationships with agencies.'

How does The Diamond Creek Recreation Precinct (BMX Park) planned for Challenger St Reserve align with this strategy?

Response

Council officers are currently completing further investigative, planning and design work to prepare a final concept plan. As this work is ongoing, there is no confirmed restricted emergency vehicle access. The CFA will be consulted at later stages of the project.

Question 2

With regards to the he Diamond Creek Recreation Precinct (BMX Park) planned for Challenger St Reserve we (local residents) have continually asked about the alternative sites that were considered. We have written requests for this list in order to find a more appropriate site but have not received written responses. Cr Brooker provided this list reading from his phone after the PCC meeting on 11th Nov. Challenger St, 145 Allendale Rd, Lot 1/73 Dering St, DC Regional Playspace, Alan Marshall Reserve, Alistair Know Park and Pitt St (BMX). Challenger St Reserve is more biodiverse and of higher core habitat value than any of these other sites. Objectives in NSC Biodiversity Strategy 2024-2034, Consider biodiversity impacts and opportunities in day-to-day operations and when making Council decisions and b. Embed consideration of biodiversity protection and enhancement within Council's decision-making processes, and into new Council policies, strategies and plans. The selection criteria did not include current use of site or environmental significance.

How does selecting Challenger St Reserve align with the NSC Biodiversity Strategy?

Response

The aforementioned sites were considered as part of the original site selection in 2022. This site selection process was prior to Council being successful in its Growing Suburbs fund grant application.

Council's further assessment of alternative sites in 2025 has been based on the following criteria:

- Located within Diamond Creek
- Close proximity to the original informal BMX jumps site
- Outside the 1:100-year floodplain (as determined by Melbourne Water), recognising relevant heritage and planning overlays
- Outside the 200-metre buffer from Diamond Creek, thereby avoiding areas of cultural heritage sensitivity and removing the need for a Cultural Heritage Management Plan (CHMP).

Based on these criteria, the other sites considered in 2022 were not viable. Challenger Street Reserve is the only Council owned and managed site that met all four criteria.

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These criteria have and will continue to guide the project's scope, site feasibility, and regulatory compliance requirements.

Further environmental studies are currently underway. These studies will guide the environmental impact assessment which will inform a future planning application in 2026.

Jacinda Brown has submitted the following questions:

Question 1

As a resident whose property adjoins Challenger St Reserve I have not received any notification from Council about The Diamond Creek Recreation Precinct (BMX Park) plan. Nor was I notified about, or directed to the Participate Nillumbik survey to have my say on the plan. I receive letters for speed humps and tree trimming. This plan directly impacts my family as the entrance is just 3.5 metres from the wall of my house and I found out about this plan by word of mouth as have many other residents.

How does this align with the Council Plan 2025-2029 under Responsible governance and community leadership We strengthen governance and community leadership to ensure transparent, inclusive decision-making processes that engage all residents, build trust, and create sustainable solutions for Nillumbik's future?

Response

The recent public consultation involved a letter titled "Notice of development at Challenger Street Reserve" sent via Australia Post to properties that bordered the Challenger St Reserve. Of the 47 letters sent, Council only received one letter returned to sender.

Further advertising of the proposed BMX Park included:

- On-site signage (total of 3 corflute signs)
- Social media
- Participate Nillumbik e-newsletter
- Direct e-mails to those who signed up to receive updates on the project
- Signage at other Council facilities including Eltham Dirt Jumps, Diamond Creek Skate Park and Hurstbridge Skate Park.

Question 2

A Site Environment Management Plan is currently underway for the Diamond Creek Recreation Precinct (BMX Park) planned for Challenger St Reserve which is subject to ESO1, is a Critical Conservation Area and is a Strategic and regional habitat link covering 190 hectares. The SEMPS plan is assessing the site and adjoining wetlands for minimal impact of the plan itself and does not take into account the appropriateness of the site in accordance with the NSC Biodiversity Strategy 2024-2034, 1.2 Demonstrate leadership by improving the biodiversity values of Council-owned and managed land a. Actively avoid and minimise the impact of Council operations (such as capital works projects and maintenance activity) on native vegetation and biodiversity. b. Increase the conservation values (e.g. restoration and improved connectivity) of Council's reserves, wetlands and roadsides. (Also covered in focus area 3). Wildlife who live and breed within the Reserve are often observed in all different areas of the reserve, including, crossing the planned access road, foraging in the planned car park and BMX track site itself.

If improving biodiversity values, minimising impacts on biodiversity and increasing conservation values is in your no 1 Focus area, how can this plan possibly align with the NSC Biodiversity Strategy?

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Response

Further environmental studies are currently underway. These studies will guide the environmental impact assessment which will inform a future planning application in 2026.

Jason Morrison has submitted the following questions:

Question 1

Given that Nillumbik council has stated a commitment to providing responsible governance and community leadership by ensuring "transparent, inclusive decision making that engages all residents", what reasons can the councillors offer to explain the ongoing, seemingly deliberate, absence of information provided to rate payers to inform them of the intention to direct both rate payers and state government funds toward the destruction of the Challenger Street wetlands for the purposes of establishing a BMX jumps track without any justification in the form of environmental impact assessment or cultural heritage assessment.

Response

Further environmental studies are currently underway. These studies will guide the environmental impact assessment which will inform a future planning permit application in 2026.

The proposed development area sits outside of the buffer zone of cultural sensitivity from Diamond Creek and does not require a mandatory Cultural Heritage Management Plan (CHMP).

Question 2

Given that the development of a BMX track facility will result in additional traffic and carparking in the immediate proximity, what environmental impacts have the councillors considered regarding waste pollution and contaminant run offs into the wetlands and what costs to rate payers have been considered for the protection of the current ecological balance.

Response

Further environmental studies are currently underway. These studies will guide the environmental impact assessment which will inform a future planning application in 2026.

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11. Reports of Advisory Committees

AC.010/25 Advisory Committee Report 9 December 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 meeting held 25 August 2025.

Council Resolution

MOVED: Cr Kim Cope

SECONDED: Cr Grant Brooker

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

CARRIED UNANIMOUSLY

Council Meeting Minutes

9 December 2025

11. Reports of Advisory Committees

AC.010/25 Advisory Committee Report 9 December 2025

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12. Officers' reports

CM.148/25 Risk and Safety Quarterly Report - September 2025

Distribution: Public

Manager: Jeremy Livingston, Acting Chief Operating Officer

Author: David Taylor, Risk and Safety Lead

Summary

This report provides a summary of Council's Risk and Safety Report for the quarter ending June 2025.

The report is presented in accordance with the *Local Government (Planning and Reporting) Regulations 2020*, which requires the presentation of a report to Council at least every six months, detailing the strategic risks, operational risks, the consequences and likelihood of occurrence, and risk mitigation strategies.

Risk and Safety reporting to Council is tabled each quarter following consideration by Council's Audit and Risk Committee, which occurred on 17 November 2025.

The full confidential Risk and Safety Report for September 2025 is attached to this report (**Attachment 1**) and provides detailed information for Council's consideration.

Council Resolution

MOVED: Cr John Dumaresq

SECONDED: Cr Kate McKay

That Council:

1. Notes the summary of the confidential Risk and Safety Report for the quarter ending September 2025.
2. Resolves that the Quarterly Risk and Safety Report – September 2025 (**Attachment 1**) remains confidential in accordance with section 3(1)(a) and (f) of the *Local Government Act 2020*.

CARRIED UNANIMOUSLY

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CM.148/25 Risk and Safety Quarterly Report - September 2025

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CM.149/25 Audit and Risk Committee Minutes (November 2025), Audit and Risk Committee Charter and Annual Self Assessment

Distribution: Public

Manager: Jeremy Livingston, Acting Chief Operating Officer

Author: Bulent Oz, Chief Financial Officer

Summary

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

As resolved at the 25 June 2024 Ordinary Council Meeting, the minutes of an Audit and Risk Committee meeting are to be reported and presented to a subsequent Council Meeting.

The Audit and Risk Committee met on 17 November 2025, and the minutes for that meeting are shown in **Attachment 1**.

As requested at the 1 September 2025 Committee meeting, the Audit and Risk Committee Charter has been updated to reinforce that Committee members must not upload, share, or input any confidential Committee papers or materials into Artificial Intelligence (AI) tools or platforms for any purpose. The updated Audit and Risk Committee Charter (**Attachment 2**) was received and noted by the Audit and Risk Committee, with a recommendation for Council to adopt.

As required by Section 54(3)(a), the Audit and Risk Committee must undertake an annual assessment of its performance against the Audit and Risk Committee Charter. This assessment has recently been completed (**Attachment 3**). The outcomes have been used to inform and update the Committee's Annual Work Plan for the next year.

Council Resolution

MOVED: Cr John Dumaresq

SECONDED: Cr Kim Cope

That Council:

- 1) Notes the Minutes of the Audit and Risk Committee meeting held on 17 November 2025 (**Attachment 1**).
- 2) Endorses the updated Audit and Risk Charter (**Attachment 2**).
- 3) Notes the Audit and Risk Committee Annual Self-Assessment (**Attachment 3**).

CARRIED UNANIMOUSLY

Cr John Dumaresq noted that Cr Naomi Joiner was listed as being both present and an apology in the meeting Minutes (Attachment 1). Cr Naomi Joiner was a late apology to the Audit and Risk Committee meeting held on 17 November 2025.

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CM.149/25 Audit and Risk Committee Minutes (November 2025), Audit and Risk Committee Charter and Annual Self Assessment

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CM.150/25 Community Engagement Policy

Distribution: Public

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

Author: Michele Purtle, Manager Advocacy Communications and Engagement

Summary

Nillumbik's Community Engagement Policy is Council's commitment to engaging the Nillumbik community in planning and decision-making using appropriate, effective and inclusive practices.

Two phases of community engagement were conducted in 2020 to develop the Community Engagement Policy, and it was formally adopted at a Council Meeting in February 2021.

The Advocacy, Communications and Engagement team has reviewed the Community Engagement Policy (**Attachment 1**) and made changes to support consistent, effective engagement that gives our community a voice in shaping Council decisions.

The review has taken onboard internal and external commentary and the evolution of community involvement throughout the life of 2021-2025 policy. The revised policy reflects these and strengthens our commitment to meaningful, inclusive, and transparent engagement.

On 26 August 2025, Council authorised the Draft Community Engagement Policy 2025 (Draft CE Policy) to be placed on community consultation from 1-30 September 2025 and for engagement initiatives to be undertaken to receive community feedback.

Following completion of the consultation period, the feedback confirms that the amendments made accurately reflect community expectations, sentiment and contemporary engagement practice. A report on the community engagement findings can be found at **Attachment 2**, with a summary page at **Attachment 3**.

The review considered feedback from both internal and external stakeholders, as well as the evolution of community participation during the life of the 2021–2025 Policy.

The revised Policy strengthens Council's commitment to meaningful, inclusive, and transparent engagement.

Council Resolution

MOVED: Cr Kate McKay

SECONDED: Cr Grant Brooker

That Council:

1. Adopts the Community Engagement Policy 2025 (**Attachment 1**).
2. Authorises the Director Governance, Communications and Community Safety to make any further minor changes to the Community Engagement Policy 2025 that may be necessary and are inconsequential in nature.
3. Makes the adopted Community Engagement Policy 2025 publicly available on Council's website.

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12. Officers' reports

CM.150/25 Community Engagement Policy

4. Thanks submitters and advises them of the outcome of the consultation process.

CARRIED UNANIMOUSLY

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12. Officers' reports

CM.151/25 Eltham Town Activity Centre Special Rate Levy (2026 - 2029)

Distribution: Public

Manager: Frank Vassilacos, Director Planning, Environment and Strategy

Author: Tania Treasure, Economic Development & Tourism Lead

Summary

The purpose of this report is to seek Council endorsement to Declare the intention to raise a Special Rate Levy (SRL) for Eltham Town Activity Centre and to commence the statutory process to raise the levy. Money collected through the SRL will be provided to the Eltham Chamber of Commerce and Industry (ECCI) who have an existing SRL in place with an annual value of \$143,000. The SRL is used to fund events, marketing campaigns, business development and digital activities to promote Eltham as an attractive place to visit, shop and dine.

The current 5-year scheme will expire on 30 June 2026. Consultation undertaken by ECCI with businesses affected by the SRL resulted in 38 respondents, of which 76% supported the SRL renewal. ECCI has formally requested (**Attachment 1**) Council commence the process to renew the SRL for a 3-year period, from 1 July 2026 until 30 June 2029.

This report recommends to progress the statutory process for Council to declare its intention to raise a SRL of \$143,000 per year for the Eltham Town Activity Centre, commencing 1 July 2026 for a 3-year period.

Council Resolution

MOVED: Cr John Dumaresq

SECONDED: Cr Peter Perkins

That Council:

1. Pursuant to section 163 of the *Local Government Act 1989* gives notice of its Intention to Declare a Special Rate Levy for the Eltham Town Activity Centre for a three year period commencing on 1 July 2026 and concluding on 30 June 2029.
2. Resolves the Special Rate Levy is to be used for the purpose of defraying marketing, promotion and other incidental expenses associated with the encouragement of commerce in the Eltham Town Activity Centre, which:
 - a) Council considers will be a special benefit to those persons required to pay the special levy; and
 - b) Arises out of Council's function of encouraging commerce and employment within its municipal district.
3. Resolves that the properties affected by the Special Rate Levy known as the Eltham Town Activity Centre are all rateable properties located within and including:
 - a) 9 – 20 Arthur Street inclusive
 - b) 8 – 80 Commercial Place inclusive
 - c) 1 – 23 Dudley Street inclusive

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12. Officers' reports

CM.151/25 Eltham Town Activity Centre Special Rate Levy (2026 - 2029)

- d) 900 – 1050 Main Road inclusive
 - e) 1 – 6 Pryor Street inclusive
 - f) 2 – 20 Luck Street inclusive.
4. Resolves that the Eltham Town Activity Centre Special Rate Levy will raise an annual value of \$143,000. A percentage of the annual value will proportionally be applied to each property in **Attachments 2 and 3** based on the Net Annual Value and Property Square Meter Area. With 70% of the Net Annual Value and 30% of the Property Square Meter Area for each rateable land.
 5. Resolves the total cost of performing the function of the Special Rate Levy described in Recommendation 2 between 1 July 2026 and 30 June 2029, and the total cost of the special rate levied in this period will be \$429,000, with no increase during this period.
 6. Resolves for the purposes of Recommendation 4, the Net Annual Value of each rateable land is the Net Annual Value of that parcel of land at the time of levying the special rate (so that the Net Annual Value may alter during the period in which the special charge is in force, reflecting any revaluations and supplementary valuations which take place).
 7. Resolves in instances of non-payment of the Special Rate Levy, interest may accrue in accordance with section 172 of the Local Government Act 1989 and standard Shire practice on non-payment of rates and charges will apply.
 8. Authorises the Chief Executive Officer to publicly advertise the required Public Notice of Council's intention to declare the Special Rate Levy as required by section 163 of the Local Government Act 1989.
 9. Authorises the Economic Development and Tourism Lead to send individual letters with a copy of the public notice to all property owners and property occupiers who will be made liable for the Special Rate Levy.
 10. Hears and considers submissions at its Planning and Consultation Committee meeting to be held in early/mid 2026.
 11. Following the hearing of submissions received Council will decide whether to adopt as proposed or to modify, defer or abandon the Special Rate Levy at its meeting in mid 2026.

CARRIED UNANIMOUSLY

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12. Officers' reports

CM.152/25 Community Assessment Panel

Distribution: Public

Manager: Corrienne Nichols, Director Communities

Author: Nichole Johnson, Manager Community Partnerships

Summary

This report presents Council with the seven recommended nominees for appointment to the Community Assessment Panel for a one-year term (**Attachment 1**).

The Terms of Reference (**Attachment 2**) were endorsed by Council on 29 July 2025.

Expressions of Interest for the Community Assessment Panel were open for eleven weeks during which eight submissions were received, noting one later withdrew. The seven remaining nominees were assessed against selection criteria (**Attachment 1**) by an internal assessment panel.

Recommendation

That Council:

1. Endorses the seven applicants listed (**Attachment 1**) onto the Community Assessment Panel:
 - a) Applicant 1 _____ for their role as a Community Assessment Panel member
 - b) Applicant 2 _____ for their role as a Community Assessment Panel member
 - c) Applicant 3 _____ for their role as a Community Assessment Panel member
 - d) Applicant 4 _____ for their role as a Community Assessment Panel member
 - e) Applicant 5 _____ for their role as a Community Assessment Panel member
 - f) Applicant 6 _____ for their role as a Community Assessment Panel member
 - g) Applicant 7 _____ for their role as a Community Assessment Panel member
2. Resolves that the Nominee Assessment Summary (**Attachment 1**) remain confidential on the grounds specified in the definition of confidential information in section 3(1)(f) of the *Local Government Act 2020*.
3. Resolves that the successful applicants be named.

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12. Officers' reports

CM.152/25 Community Assessment Panel

Council Resolution

MOVED: Cr Kate McKay
SECONDED: Cr Grant Brooker

That Council:

1. Endorses the seven applicants listed (**Attachment 1**) onto the Community Assessment Panel:
 - a) Applicant 1 Naomi Bishop for their role as a Community Assessment Panel member
 - b) Applicant 2 Kate Puls for their role as a Community Assessment Panel member
 - c) Applicant 3 Ann Lynch for their role as a Community Assessment Panel member
 - d) Applicant 4 Silvia Josephine Zele for their role as a Community Assessment Panel member
 - e) Applicant 5 Rachel Busbridge for their role as a Community Assessment Panel member
 - f) Applicant 6 Marlwood Ryder for their role as a Community Assessment Panel member
 - g) Applicant 7 David Chasemore for their role as a Community Assessment Panel member
2. Resolves that the Nominee Assessment Summary (**Attachment 1**) remain confidential on the grounds specified in the definition of confidential information in section 3(1)(f) of the *Local Government Act 2020*.
3. Resolves that the successful applicants be named.

CARRIED

For: Crs Grant Brooker, Kim Cope, John Dumaresq, Naomi Joiner, Kate McKay and Peter Perkins

Against: Cr Kelly Joy

Tania Treasure, Economic Development and Tourism Lead and Kasey Lawrence, Economic Development and Tourism Officer left the meeting at 7:45pm during discussion of this item and did not return.

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CM.153/25 Council Expenses Policy 2025

Distribution: Public

Manager: Jeremy Livingston, Acting Chief Operating Officer

Author: Bulent Oz, Chief Financial Officer

Summary

This report presents the Council Expenses Policy 2025 for Council's adoption.

The policy has been reviewed to ensure compliance with the *Local Government Act 2020*, including the review of eligible reimbursements and resources available during the course of performing the duties of a councillor or delegated committee member.

The Council Expenses Policy (*Local Government Act 2020*, section 41) outlines the procedures and policy for reimbursement of out-of-pocket expenses of councillors and members of delegated committees. The policy also establishes support and resources to be made available during the Council term.

This policy replaces and updates the Council Expenses Policy 2020.

Council Resolution

MOVED: Cr Kelly Joy

SECONDED: Cr Kim Cope

That Council adopts the Council Expenses Policy 2025 (**Attachment 1**).

CARRIED UNANIMOUSLY

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CM.154/25 Nillumbik Festival and Event Triennial Program 2026-2029

Distribution: Public

Manager: Corrienne Nichols, Director Communities

Author: Nichole Johnson, Manager Community Partnerships

Summary

The Triennial Festival and Event Program 2026-2029 supports large-scale festivals and events that foster community connection, celebrate local identity, and enhance Nillumbik's cultural and economic vibrancy.

This report provides Council with an overview of the outcomes of the Expression of Interest (EOI) process for the Nillumbik Festival and Event Triennial Program 2026–2029. It provides Council with a full copy of the assessment outcomes against the applications received and outlines the assessment methodology, proposed funding allocations, and how these align with Council's strategic objectives (**Attachment 1**).

The Expression of Interest process commenced on 6 May 2025 and closed on 30 June 2025, offering three-year funding between \$10,000 and \$65,000 per event, from a total annual pool of \$320,000.

A total of 15 applications were received, assessed, and reviewed against the assessment criteria provided in Nillumbik Triennial Festival and Event Program 2026-2029 Guidelines (**Attachment 2**) by an external assessment panel.

A total of 15 applications were received, requesting \$672,813.00 in annual funding. Of these, a total of eight applications have been recommended for funding. Two are recommended for full funding, six for partial funding, three are not recommended, and three were deemed ineligible.

On 28 October, the Triennial Festival and Event Program 2026-2029 report was presented to Council for endorsement. Council voted to defer the report to the 9 December Council meeting so they had enough time to further review the report.

Recommendation

That Council:

1. Endorses the eight community events listed in **Attachment 1** for the Triennial Festival and Event Program 2026-2029:
 - a) Applicant 1 _____ for the sum of \$[Redacted] (inclusive of GST) disclosed in (**Attachment 1**).
 - b) Applicant 2 _____ for the sum of \$[Redacted] (inclusive of GST) disclosed in (**Attachment 1**).
 - c) Applicant 3 _____ for the sum of \$[Redacted] (inclusive of GST) disclosed in (**Attachment 1**).
 - d) Applicant 4 _____ for the sum of \$[Redacted] (inclusive of GST) disclosed in (**Attachment 1**).

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- e) Applicant 5 _____ for the sum of \$[Redacted] (inclusive of GST) disclosed in **(Attachment 1)**.
 - f) Applicant 6 _____ for the sum of \$[Redacted] (inclusive of GST) disclosed in **(Attachment 1)**.
 - g) Applicant 7 _____ for the sum of \$[Redacted] (inclusive of GST) disclosed in **(Attachment 1)**.
 - h) Applicant 8 _____ for the sum of \$[Redacted] (inclusive of GST) disclosed in **(Attachment 1)**.
2. Acknowledges and thanks all community event organisers who submitted an application for the Triennial Festival and Event Program 2026-2029.
 3. Resolves that the Assessment Outcome **(Attachment 1)** is to remain confidential on the grounds specified in the definition of confidential information in section 3(1)(g) of the *Local Government Act 2020*.

Motion

MOVED: Cr Peter Perkins
SECONDED: Cr Grant Brooker

That Council:

1. Ceases the current process to allocate new three-year funding agreements for Events and Festivals, noting that:
 - the internal audit of the grants program has been completed and identified structural improvements required in Council's policy, assessment framework, governance controls and documentation;
 - the Parliamentary Public Accounts and Estimates Committee (PAEC) report reinforces the need for strengthened oversight and best-practice grant management; and
 - Council's strategic context and funding priorities have evolved since the EOI was released.
2. Extends all existing grant recipients for a further 12 months under their current arrangements plus CPI to ensure continuity of service, fairness, and community benefit while the policy and framework are reviewed and strengthened.
3. Requests officers to undertake a full review and update of the Events and Festivals Policy, associated procedures, assessment criteria and governance processes, ensuring alignment with:
 - relevant findings from the Internal Audit recommendations and the PAEC inquiry;
 - Council's statutory obligations under the Local Government Act; and
 - principles of equity, diversity, fairness and community outcomes, ensuring these are clearly embedded and measurable within the revised framework.

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4. Receives a revised Events and Festivals funding framework and updated Policy by July 2026 for consideration prior to initiating a new Expression of Interest process.
5. Advises all affected stakeholders, including existing recipients and EOI applicants of Council's decision and outline the review process, timing to ensure transparency and fairness to all stakeholders.

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

Council Resolution

MOVED: Cr Peter Perkins
SECONDED: Cr Grant Brooker

That Council:

1. Ceases the current process to allocate new three-year funding agreements for Events and Festivals, noting that:
 - the internal audit of the grants program has been completed and identified structural improvements required in Council's policy, assessment framework, governance controls and documentation;
 - the Parliamentary Public Accounts and Estimates Committee (PAEC) report reinforces the need for strengthened oversight and best-practice grant management; and
 - Council's strategic context and funding priorities have evolved since the EOI was released.
2. Extends all existing grant recipients for a further 12 months under their current arrangements plus CPI to ensure continuity of service, fairness, and community benefit while the policy and framework are reviewed and strengthened.
3. Requests officers to undertake a full review and update of the Events and Festivals Policy, associated procedures, assessment criteria and governance processes, ensuring alignment with:
 - relevant findings from the Internal Audit recommendations and the PAEC inquiry;
 - Council's statutory obligations under the Local Government Act; and
 - principles of equity, diversity, fairness and community outcomes, ensuring these are clearly embedded and measurable within the revised framework.
4. Receives a revised Events and Festivals funding framework and updated Policy by July 2026 for consideration prior to initiating a new Expression of Interest process.
5. Advises all affected stakeholders, including existing recipients and EOI applicants of Council's decision and outline the review process, timing to ensure transparency and fairness to all stakeholders.

CARRIED UNANIMOUSLY

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CM.155/25 Jayson Avenue Special Charge Scheme, Eltham - Intention to Declare

Distribution: Public

Manager: Jeremy Livingston, Acting Chief Operating Officer

Author: Steven Blight, Manager Capital and Infrastructure

Summary

Council received a petition on 24 November 2022 from property owners in Jayson Avenue, Eltham, requesting that the road be sealed.

After preparing a concept design and cost estimate and conducting a questionnaire, it was determined that 5 of 8 (62.5%) of property owners supported road sealing. Consequently, Council resolved on 25 March 2025 to proceed with the development process for the Jayson Avenue Special Charge Scheme, Eltham (Item CM.023/25). This process has now been completed.

This report commences the statutory process to declare and levy the special charge. Council must first give notice of its intention to declare a special charge, and subsequently hear any submissions and/or objections to the special charge scheme. Following this, Council may resolve to declare, vary or abandon the scheme.

Council Resolution

MOVED: Cr John Dumaresq

SECONDED: Cr Kate McKay

That Council:

1. Gives public notice of its intention to declare a special charge in accordance with Section 163(1) of the *Local Government Act 1989* for the purposes of defraying the expenses to be incurred by Council for the sealing and upgrade of Jayson Avenue, Eltham, subject to the following conditions:
 - a) The works include sealing of the road with a thin asphalt layer at a typical width of 4 metres, with increased width at the bend on Jayson Avenue, and upgrades to the drainage and vehicle crossovers along the road and the intersection at Homestead Road.
 - b) The Special Charge Scheme shall apply to the eight properties at 2, 3, 4, 5, 6, 24 and 26 Jayson Avenue and 15 Homestead Road in Eltham (refer to **Attachment 1**), which will receive access and amenity benefits.
 - c) The estimated total project cost is \$389,000 and the amount levied between the eight properties is \$320,623.79 (**Attachment 2**). The Council contribution for the Crown Land at 560 Main Road is \$68,376.21.
 - d) The total estimated cost to each property may be paid as a lump sum within 30 days of invoice, or by quarterly instalments over a ten year period with interest as provided by Section 163(1)(b) of the *Local Government Act 1989*.
 - e) The Special Charge Scheme for Jayson Avenue, Eltham, shall remain in force for ten years.

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2. Notes that Council officers will send a copy of the intention to declare notice to each person who will be liable to pay the special charge.

CARRIED UNANIMOUSLY

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CM.156/25 Kindergarten Infrastructure Services Plan Update

Distribution: Public

Manager: Corrienne Nichols, Director Communities

Author: Narelle Hart, Manager Community Programs

Summary

The provision of infrastructure is a key component to delivering the State Government's Best Start Best Life (BSBL) reforms and will require an increase and expansion of kindergarten facilities across the State.

Kindergarten Infrastructure and Services Plans (KISP), which are developed by the Victorian School Building Authority (VSBA), Victorian Department of Education (DE) and the individual Local Government, indicate where and when new infrastructure will be required to support both reform implementation and population growth within the local government area (LGA).

KISPs are intended to support service planning and identify if there is a need for future capital works. Information included in a Council's KISP includes:

- Current and future supply and demand for funded kindergarten
- Any planned infrastructure projects to meet future demand for kindergarten places
- Forecasting of any 'unmet demand' for kindergarten statistical areas (SA2) within the municipality
- Information specific to the local government area and its early childhood education and care landscape – the 'Local Context'.

KISPs are intended to support planning. They are not funding documents and do not commit any party to addressing the unmet demand identified.

The State Government expects that any future investment or funding requests through Building Blocks funding would align with any unmet demand that has been identified in the Council's KISP (**Attachment 1**).

Since reporting to Council on 5 November 2025, Council officers met with the VSBA and DE's regional office on 11 November 2025 to discuss Councillor and Officer concerns being that the KISP data suggests a low level of unmet demand across the Shire when the local context and the allocation of places indicate that families are not accessing kindergarten where they want to.

The advice from the VSBA was that:

- the Local Context will be considered in conjunction with supply and demand data when assessing funding applications and,
- funding applications would not be considered favourably without a signed KISP from the applying Council

Following this meeting, VSBA has reviewed and strengthened the local context within the KISP.

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CM.009/26 **Draft Terms of Reference and proposed EOI process for the Living & Learning Advisory Committee.**
Attachment 1. **Living & Learning Advisory Committee Terms of Reference Draft 2026**

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