

Council Meeting

held at the Council Chamber, 32 Civic Drive, Greensborough
on Tuesday 10 December 2024 commencing at 7pm.

Minutes

Carl Cowie
Chief Executive Officer

Friday 13 December 2024

Distribution: Public

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Nillumbik Shire Council

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Nillumbik Shire Council

Minutes of the Meeting of Nillumbik Shire Council held Tuesday 10 December 2024.
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
Vince Lombardi	Chief Operating Officer
Blaga Naumoski	Director Governance, Communications and Community Safety
Corrienne Nichols	Director Communities
Frank Vassilacos	Director Planning, Environment and Strategy
Craig King	Acting Director Culture and Performance
Emma Christensen	Acting Manager Governance and Property
Elisha Jansz	Municipal Recovery Manager, Community Safety
Tracey Varley	Manager Communications and Engagement
Ben Cash	Coordinator Emergency Management and Recovery
Scott Allen	Fire Management Officer

1. Welcome

2. Acknowledgement

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

3. Good Governance Pledge

The Good Governance Pledge was ready by Cr Kate McKay.

4. Prayer

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

Established in December 2009, the church opened its permanent location in October 2016 and serves around 500 constituents in the Nillumbik Shire. It offers diverse programs focusing on mental health, family mediation, child and youth development, and community engagement. St Macarius Church is known for its welcoming atmosphere and invites everyone to tour its facilities, meet the pastors, and participate in its services and activities.

5. Apologies\Leave of Absence

Nil

6. Declarations of conflict of interest

Nil

7. Presentations

CONDOLENCE – Ken Ramplin

We are deeply saddened to hear of the passing of Nillumbik resident Ken Ramplin in October.

Ken commenced voluntary community service work with the Scouts at the age of 13. He was Scout Patrol Leader in Diamond Creek where he moved regularly between scouts and clubs. He was Leader of the Methodist Church Youth Group in Diamond Creek for three years and undertook various roles at Diamond Creek Uniting Church where he was actively involved.

After retiring Ken discovered OM:NI (Older Men: New Ideas) and joined the Greensborough OM:NI group. Three years later he founded three new OM:NI groups in Nillumbik – Diamond Creek, Eltham and Hurstbridge and received a Jagajaga Community Australia Day Award in 2018 for establishing these groups.

Ken was a long-standing Council on the Ageing (COTA) Victoria member and key figure in their OM:NI men's discussion groups.

He represented OM:NI Victoria for an award at Government House and received a personal award from Diamond Creek Bendigo Bank and Rotary for his contribution to the community.

Ken was one of the main instigators of the Diamond Creek Playspace Labyrinth project. It was so important to him and his team to ensure that this project was built and in collaboration with Council and other community members this idea became a reality.

Ken also designed and developed the Diamond Creek Rangeview Community Garden at the end of his street for all the community to enjoy with many people visiting the space on a regular basis.

Ken was very humble of all his achievements and proud to see projects that provided opportunities for citizens to join the community and give them a sense of belonging.

He was always thinking about various ways of bringing the community together and was seen as a true community leader, connector, mentor and good friend to many.

On behalf of Nillumbik Shire Council, we pass on our condolences to Ken's loving wife Lorraine, his family and friends.

CFA Appreciation Awards

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

The Mayor will present each brigade with a certificate of appreciation and a cheque as a gesture of Council's gratitude.

The Mayor Cr John Dumaresq paid tribute to the local brigades as follows:

I warmly welcome representatives from our brigades and groups tonight. I want to take a moment to recognise that volunteers are the backbone of our community, particularly our incredible CFA volunteers. Your selfless dedication and hard work are truly commendable.

Living in such a picturesque environment brings risks, especially with the arrival of summer and the increased probability of bushfires. The Council is committed to working with you, our emergency services personnel, to safeguard lives and properties.

As we enter another bushfire season, on behalf of Nillumbik Shire Council, I extend our heartfelt thanks and appreciation for all that you do.

Mitigating fire risk is vital and requires a year-round commitment. This responsibility must be shared by the entire community, and I know that the CFA and all emergency services agencies prioritise this through the many community education initiatives.

The Council is dedicated to collaborating with the CFA and other partners to ensure our fire and emergency management arrangements meet the needs of our community.

We are pleased to provide \$49,000 in donations to assist our 15 brigades and two groups for their exceptional work.

As we head into summer, we extend our best wishes to all emergency services first responders. While we hope for a safe season, we also acknowledge the importance of being well-prepared for any challenges that may arise.

Thank you again for your dedication; you have our deepest appreciation and unwavering support.

The mayor called on Scott Allen, Municipal Fire Prevention officer to present the certificates.

Certificate Presentation: Attendees present are highlighted in yellow.

Arthurs Creek Fire Brigade – Captain Warren Rees

Christmas Hills Fire Brigade – Captain Michael Scroggie

Diamond Creek Fire Brigade – Captain Noel Farmer

Doreen Fire Brigade – Lt Dave Slattery

Eltham Fire Brigade – Community Safety Officer Steve Kilsby

Kangaroo Ground Fire Brigade – Captain Duncan Bucknell

Hurstbridge Fire Brigade – Lt Bernard Daly

Kinglake Fire Brigade – John Stewart (Apology)

North Warrandyte Fire Brigade – Captain Trent Burriss

Panton Hill Fire Brigade – Lt Mark Howard

Plenty Fire Brigade – Captain David Rumble

Research Fire Brigade – Lt Leigh Tronerud-McCarthy

St Andrews Fire Brigade – Lt Jason Earl

Wattle Glen Fire Brigade – Captain David Reuter

Yarrambat Fire Brigade – (Apology)

Whittlesea/Diamond Valley Group – Deputy Group Officer Adrian Marshman

Nillumbik Group – Group Officer Matthew Knight

Group Officer Matthew Knight acknowledged and thanked Council on behalf of the group for its continued support.

Photos were taken with the Appreciation Award recipients.

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

Nillumbik Shire Council 30 Year Anniversary

The Mayor Cr John Dumaresq delivered a speech for the Shire's 30th anniversary:

This week we celebrate the 30th anniversary of the Nillumbik Shire Council.

As a council, we trace our history back predominantly to two shires: the Shire of Eltham, formed on the 16th of April, 1871, and on the 30th of September, 1964, the north ward of the City of Heidelberg was separated to become the Diamond Valley Shire.

With the merger of these two shires, brought about by the state government's restructuring efforts in December 1994, parts of the former Shire of Eltham, the Shire of Diamond Valley, parts of Healesville, and the City of Heidelberg, emerged to form the new Shire of Nillumbik, provisionally called the Shire of Montsalvat. The Local Government Board later changed the name to the locally preferred Nillumbik.

I've heard a few different stories about what "Nillumbik" means. Some say it means platypus, but commonly, we think it means "shallow soil," which is certainly reflective of the land we have around here.

Local newspapers reported that the boundary restructure was met with shock and outrage, but over the years, the community has grown and become very proud to be known as the "Green Wedge Shire."

Commissioners initially oversaw the Shire, with Nillumbik's first council being elected in 1997. The commissioners returned briefly in 1998, and the new council was elected in March 1999. The population, from 47,000, has increased by almost a third in the past 30 years.

Over the decades, the council has taken the lead on many issues, involved the community in decision-making, and shown resilience in tough times. Major flooding has hit the Shire numerous times, and 2009 will forever be known for the devastating fires that hit the Shire on Black Saturday, and have had a lasting impact on our community.

There have also been many achievements—far too many to mention tonight. It has been an incredible 30 years for the Shire, going from strength to strength. I am very proud to be the mayor as we celebrate this important milestone and thank the community for being so actively and constructively engaged over the years.

I'd like to acknowledge the dedicated, hardworking staff and volunteers across these years. Much of the work gets done and goes unsung, and the same is true for our volunteers in the community.

I'd also like to thank the councillors, past and present. A total of 156 councillors have served on the Shire of Eltham, 63 on the Shire of Diamond Valley, and 47 have served on the Shire of Nillumbik. We have seven very capable councillors here starting their terms, and I'm looking forward to working with them and collaborating with the staff, the community, and carrying on the work that we have been building.

Again, congratulations to all, and I look forward to seeing what the next 30 years hold for this unique Shire we call Nillumbik. Thank you very much.

Additional presentations announcing funding arrangements were read after item 8. Confirmation of Minutes.

8. Confirmation of Minutes

COM.001/24 Confirmation of Minutes Council Meeting held Tuesday 27 August 2024

Summary

Confirmation of the Minutes of the Council Meeting and Confidential Council Meeting held on Tuesday 27 August 2024 and confirmation of the Minutes of the Extraordinary Council Meetings held on 10 September and 25 November 2024.

Council Resolution

MOVED: Cr Peter Perkins

SECONDED: Cr Grant Brooker

That Council:

- 1 Confirms the Minutes of the Council Meeting and Confidential Council Meeting held on Tuesday 27 August 2024 (**Attachment 1 & 4**).
- 2 Confirms the Minutes of the Extraordinary Council Meeting (**Attachment 2**) held on Tuesday 10 September 2024 and the Extraordinary Council Meeting held Tuesday 25 November 2024 (**Attachment 3**).
- 3 Resolves that the Confidential Council Meeting Minutes remain confidential in accordance with section 3(1) of the *Local Government Act 2020*.

CARRIED UNANIMOUSLY

Funding Announcements were delivered by Cr Peter Perkins and Cr Grant Brooker:

Cr Peter Perkins:

It was a pleasure to join fellow councillors and members of the Diamond Creek Men's Shed for a special announcement from Member for McEwen Rob Mitchell today.

The Federal Government will provide \$965,000 in funding through its Thriving Suburbs Program to renovate the Diamond Creek Men's Shed.

This is a much-needed project, and one that Council has been advocating for in partnership with the Member for McEwen.

The current building is no longer fit for purpose due to significant growth in membership numbers.

This funding will enable Council to comprehensively renovate and expand the existing facilities, while also diversifying the use of the space to cater to the needs of the broader community.

It's not just the Diamond Creek residents who use the Diamond Creek Men's Shed; it's people right across the Shire. Today, I noticed many people who have volunteered most of their lives. Volunteering seems to be in their genes. I know there are people from Yarrambat, Plenty, and even further streams than just Diamond Creek.

Council will match this funding dollar for dollar.

Works will include:

- *an expansion of the main hall to enable larger community gatherings and events*
- *installation of modern, accessible facilities, including accessible bathrooms and improved kitchen facilities to enhance usability for all community members.*
- *Creation of multi-functional spaces that can be adapted for workshops, educational programs and social activities, supporting a wider range of community uses.*
- *Enhancement of external areas to include green spaces and outdoor seating, promoting environmental sustainability and social interaction.*

Council advocated for increased funding for Men's Sheds in its 2022 Advocacy Priorities and more recently a November 2024 McEwen Advocacy Priorities document.

It's a great program, and the people involved do an enormous amount for themselves and for their partners. Thank you.

Cr Grant Brooker:

I had the pleasure of being present for another announcement today from the Member for McEwen Rob Mitchell, where we received the exciting news that Council's other application through the Federal Government's Thriving Suburbs Program – the redevelopment of the 'away' change rooms at Yarrambat War Memorial Park – was also successful.

Yarrambat War Memorial Park is home to the Yarrambat Junior Football Club and the Plenty Valley Cricket Club. Built in 1976, the current away change rooms at Yarrambat War Memorial Park are not in a state to support the growing participation rate of women in sport. I was speaking to both the president of the Yarrambat Football Club and the secretary of the Cricket Club down there today, and we talked about the increased participation and the women's teams there.

This new facility will have the capacity for four different change rooms, so four different teams can use them at one time, with additional space for more teams. The redevelopment of this facility will ensure it has appropriate infrastructure to provide equitable opportunities for players and umpires to participate.

The new facility, as I've said, will include four change rooms, unisex players' amenities, and an umpires' room and amenities, a dedicated first-aid room, storage room, and unisex accessible toilets. These improvements will make Yarrambat War Memorial Park an even more valuable asset to Yarrambat and to the wider Nillumbik Shire.

The project, as all of our projects do, and our grant applications align with our Health and Well-being Plan, our Fair Access Policy, our Recreation and Leisure Strategy, and even our Climate Action Plan. So, maybe there are going to be some LED lights and so on at these change rooms.

Our commitment to these plans is reflected in the dollar-for-dollar matching funding we will be contributing to the project. It's not just a case of us receiving the money and then doing the work, grabbing a design, and overseeing the construction – we will be putting our own dollars into the facilities as well. Thank you.

9. Petitions

Nil.

10. Questions from the gallery

Richard Pennell has submitted the following questions:

Question 1

In the light of the completion of the first part of the Greensborough to Eltham cycle and walking track alongside the railway line, what timetable does the Council have for rebuilding the pedestrian/ cycle bridge over the Diamond Creek at Bridge Street so that the second part of the track, between Montmorency and Eltham, can be completed in partnership with the State Government?

Response 1

The original scope of the Montmorency to Eltham Shared Trail extension by the State Government included all necessary works between the Montmorency and Eltham Railway stations.

This included a new shared trail bridge crossing in Alistair Knox Park, in the approximate location of the old low level pedestrian bridge removed following storm damage in late 2022.

In late 2023, Council were advised, the project would no longer extend to Eltham Station and would conclude at the start of Alistair Knox Park, north of the skate park which has resulted in the removal of the shared trail bridge.

Current design standards along with the Melbourne Water guidelines for bridge crossings dictates that any new shared trail bridge in the proposed location would need to be significantly higher and structurally more substantial compared to the original bridge. This requirement comes at a significant cost of an estimated \$2.6M, funding sources are currently being investigated to build the bridge as soon as practicable.

Question 2

When will the Council produce a plan to restructure the arrangements for collecting commercial rubbish from the public carpark behind Eltham Terrace which is also illegally used by members of the public for disposing of large pieces of hard rubbish that stay there for very long periods?

Response 2

Council will re-engage with the owner at Eltham Terrace to discuss and progress solutions to the commercial bin storage issues.

Community members are encouraged to continue to report dumped rubbish to Council.

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11. Reports of Advisory Committees

AC.008/24 Advisory Committee Report - 10 December 2024

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 20 May 2024;
2. Positive Ageing Advisory Committee meeting held 2 August 2024;
3. Environment & Sustainability Advisory Committee meeting held 21 August 2024;
4. Inclusion and Access Advisory Committee meeting held 23 August 2024;
5. Economic Development Advisory Committee meeting held 29 August 2024; and
6. Panton Hill Bushland Reserve System User Group - Advisory Committee meeting held 5 September 2024.

Council Resolution

MOVED: Cr Naomi Joiner

SECONDED: Cr Kim Cope

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

CARRIED UNANIMOUSLY

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12. Officers' reports

CM.102/24 Planning for development of Council Plan 2025-2029 and review of Community Vision - Nillumbik 2040 and Financial Plan

Distribution: Public

Manager: Jeremy Livingston, Director Culture and Performance

Author: Craig King, Manager Customer Experience and Business Performance

Summary

This report is seeking Council endorsement on the proposed community engagement proposal to support the development of the Council Plan 2025-2029, and the review of the Community Vision and Financial Plan.

By the end of October in the year following a Council election, each council is required to develop a four-year Council Plan defining how it will work towards achieving the adopted Community Vision, supported by an updated 10-year Financial Plan.

With the challenges of the COVID-19 pandemic behind us, a key objective is to develop a new Council Plan that better connects with the community. To ensure the 2025-2029 Council Plan truly aligns with what is important to the community, a community engagement process has been designed that meets the requirements of the *Local Government Act 2020*.

To develop and review these important strategic documents and meet the statutory timeframes as outlined under the *Local Government Act 2020*, the proposed community engagement process will need to commence in early February 2025.

This report provides an outline of the proposed community engagement process, including activities planned to best draw feedback from the community.

Council Resolution

MOVED: Cr Grant Brooker

SECONDED: Cr Kelly Joy

That Council:

1. Endorses the proposed community engagement approach to support the development of the Council Plan 2025-2029, review of the Community Vision – Nillumbik 2040, and the Financial Plan 2021-2031, including:
 - a) The three-phased engagement approach (**Attachment 1**);
 - b) The Community Forum as per the drafted Terms of Reference (**Attachment 3**), with participants of the forum recruited via a randomised selection process undertaken by an independent research company, with the final selection of participants informed by ensuring a representation of key demographics across the Shire; and
 - c) Project timeframes as set out in **Attachment 2**.

CARRIED UNANIMOUSLY

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12. Officers' reports

CM.103/24 Councillor appointments to Internal Advisory Committees

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 an important mechanism for consultation with the community and key stakeholders. Advisory committees provide advice to Council but do not make formal decisions.

Council appoints Councillors as representatives on its advisory committees and reviews these appointments annually.

Following consultation with Councillors, the appointments listed in the table below are recommended.

Officer Recommendation

That Council appoints Councillors as listed below as its representatives on advisory committees for the 2024/2025 Council year:

Advisory Committee	Councillor(s) appointed
Arts and Cultural Advisory Committee	Cr (Chair) Cr (Deputy Chair)
Audit and Risk Committee	Cr Cr
CEO Employment Matters Advisory Committee	All Councillors
Economic Development Advisory Committee	Cr (Chair) Cr Cr
Environment and Sustainability Advisory Committee	Cr (Chair) Cr (Alternate Chair)
Health and Wellbeing Advisory Committee	Cr (Chair) Cr

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CM.103/24 Councillor appointments to Internal Advisory Committees

Inclusion and Access Advisory Committee	Cr (Chair) Cr (Alternate Chair)
Living & Learning Advisory Committee	Cr (Chair)
Panton Hill Bushland Reserves System User Group Advisory Committee	Cr (Chair)
Positive Ageing Advisory Committee	Cr (Chair)
Recreation Trails Advisory Committee	Cr (Chair) Cr Cr
Youth Advisory Committee	Cr Youth Council Mayor chairs the meetings

Motion

MOVED: Cr Kelly Joy

SECONDED: Cr Grant Brooker

That Council appoints Councillors as listed below as its representatives on advisory committees for the 2024/2025 Council year:

Advisory Committee	Councillor(s) appointed
Arts and Cultural Advisory Committee	Cr Kim Cope
Audit and Risk Committee	Cr John Dumaresq Cr Naomi Joiner
CEO Employment Matters Advisory Committee	All Councillors
Economic Development Advisory Committee	Cr Grant Brooker (Chair) Cr Naomi Joiner
Environment and Sustainability Advisory Committee	Cr Kate McKay (Chair) Cr Kelly Joy (Alternate Chair)

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CM.103/24 Councillor appointments to Internal Advisory Committees

Health and Wellbeing Advisory Committee	Cr Kelly Joy (Chair) Cr Grant Brooker
Inclusion and Access Advisory Committee	Cr Peter Perkins (Chair)
Living & Learning Advisory Committee	Cr Grant Brooker
Panton Hill Bushland Reserves System User Group Advisory Committee	Cr Naomi Joiner (Chair)
Positive Ageing Advisory Committee	Cr Peter Perkins (Chair)
Recreation Trails Advisory Committee	Cr Kelly Joy (Chair) Cr Kim Cope
Youth Advisory Committee	Cr Kate McKay Youth Council Mayor chairs the meetings

CARRIED UNANIMOUSLY

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

Council Resolution

MOVED: Cr Kelly Joy
SECONDED: Cr Grant Brooker

That Council appoints Councillors as listed below as its representatives on advisory committees for the 2024/2025 Council year:

Advisory Committee	Councillor(s) appointed
Arts and Cultural Advisory Committee	Cr Kim Cope
Audit and Risk Committee	Cr John Dumaresq Cr Naomi Joiner
CEO Employment Matters Advisory Committee	All Councillors

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CM.103/24 Councillor appointments to Internal Advisory Committees

Economic Development Advisory Committee	Cr Grant Brooker (Chair) Cr Naomi Joiner
Environment and Sustainability Advisory Committee	Cr Kate McKay (Chair) Cr Kelly Joy (Alternate Chair)
Health and Wellbeing Advisory Committee	Cr Kelly Joy (Chair) Cr Grant Brooker
Inclusion and Access Advisory Committee	Cr Peter Perkins (Chair)
Living & Learning Advisory Committee	Cr Grant Brooker
Panton Hill Bushland Reserves System User Group Advisory Committee	Cr Naomi Joiner (Chair)
Positive Ageing Advisory Committee	Cr Peter Perkins (Chair)
Recreation Trails Advisory Committee	Cr Kelly Joy (Chair) Cr Kim Cope
Youth Advisory Committee	Cr Kate McKay Youth Council Mayor chairs the meetings

12. Officers' reports

CM.104/24 Councillor appointments to External Organisations

Distribution: Public**Manager: Blaga Naumoski, Director Governance, Communications and Community Safety****Author: Katia Croce, Manager Governance and Property****Summary**

Council is a member or participant in a range of external organisations at a local, regional or sector level.

Councillors are appointed to represent Council as delegates to those organisations. In some cases, an alternate is also appointed who can attend if the primary Councillor is not available.

Following consultation with Councillors, the appointments listed in the table below are recommended for 2024/2025 Council year.

Recommendation

That Council:

1. Appoints Councillors as listed below as its delegates to external organisations for the 2024/2025 Council year:

External Organisation	Councillor(s) appointed
Diamond Creek Traders' Association	Cr Cr
Eltham Chamber of Commerce and Industry	Cr Cr Cr
Hurstbridge Traders' Association	Cr Cr (Proxy)
Outer Melbourne Councils (formerly Interface Councils Group)	Cr (Mayor of the day) Cr (Deputy Mayor Proxy)
Metropolitan Transport Forum Inc.	Cr Cr (Proxy)
Municipal Association of Victoria	Cr Cr (Proxy)
Nillumbik Reconciliation Group	Cr Cr (Proxy) <i>NRG will allow proxy to attend if Councillor Representative can't attend.</i>
Nillumbik Tourism and Business	Cr Cr (Proxy)
Northern Alliance for Greenhouse Action	Cr Cr (Proxy)
Northern Council Alliance	Cr (Mayor of the day) Cr Proxy
Victorian Local Governance Association	Cr Cr (Proxy)
Yarra Plenty Regional Library Board	Cr Cr Director Communities (Proxy)

2. Resolves to not appoint a Councillor representative to Banyule/Nillumbik Local Learning and Employment Network Inc. Board.

12. Officers' reports

CM.104/24 Councillor appointments to External Organisations

3. Notes that Council’s organisational representative and sitting member on the Board is the Economic Development and Tourism Lead from Councils Economic Development Team, under Category 11 – Co-Opted member.

Motion

MOVED: Cr Grant Brooker

SECONDED: Cr Kim Cope

That Council:

1. Appoints Councillors as listed below as its delegates to external organisations for the 2024/2025 Council year:

External Organisation	Councillor(s) appointed
Diamond Creek Traders' Association	Cr Kelly Joy
	Cr Peter Perkins
Eltham Chamber of Commerce and Industry	Cr John Dumaresq
	Cr Kelly Joy
Hurstbridge Traders' Association	Cr Naomi Joiner
Outer Melbourne Councils (formerly Interface Councils Group)	Cr John Dumaresq (Mayor of the day)
Metropolitan Transport Forum Inc.	Cr Naomi Joiner
	Cr Kate McKay (Proxy)
Municipal Association of Victoria	Cr Naomi Joiner
Nillumbik Reconciliation Group	Cr Kate McKay
	Cr Kim Cope
Nillumbik Tourism and Business	Cr Kate McKay
Northern Alliance for Greenhouse Action	Cr John Dumaresq (Mayor of the day)
Northern Council Alliance	Cr John Dumaresq
Victorian Local Governance Association	Cr Grant Brooker (Chair)
Yarra Plenty Regional Library Board	Cr Peter Perkins
	Director Communities (Proxy)

2. Resolves to not appoint a Councillor representative to Banyule/Nillumbik Local Learning and Employment Network Inc. Board.
3. Notes that Council’s organisational representative and sitting member on the Board is the Economic Development and Tourism Lead from Councils Economic Development Team, under Category 11 – Co-Opted member.

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

12. Officers' reports

CM.104/24 Councillor appointments to External Organisations

Council Resolution

MOVED: Cr Grant Brooker

SECONDED: Cr Kim Cope

That Council:

1. Appoints Councillors as listed below as its delegates to external organisations for the 2024/2025 Council year:

External Organisation

Councillor(s) appointed

Diamond Creek Traders' Association

Cr Kelly Joy

Cr Peter Perkins

Eltham Chamber of Commerce and Industry

Cr John Dumaresq

Cr Kelly Joy

Hurstbridge Traders' Association

Cr Naomi Joiner

Outer Melbourne Councils (formerly Interface Councils Group)

Cr John Dumaresq (Mayor of the day)

Metropolitan Transport Forum Inc.

Cr Naomi Joiner

Cr Kate McKay (Proxy)

Municipal Association of Victoria

Cr Naomi Joiner

Nillumbik Reconciliation Group

Cr Kate McKay

Nillumbik Tourism and Business

Cr Kim Cope

Northern Alliance for Greenhouse Action

Cr Kate McKay

Northern Council Alliance

Cr John Dumaresq (Mayor of the day)

Victorian Local Governance Association

Cr John Dumaresq

Yarra Plenty Regional Library Board

Cr Grant Brooker (Chair)

Cr Peter Perkins

Director Communities (Proxy)

2. Resolves to not appoint a Councillor representative to Banyule/Nillumbik Local Learning and Employment Network Inc. Board.
3. Notes that Council's organisational representative and sitting member on the Board is the Economic Development and Tourism Lead from Councils Economic Development Team, under Category 11 – Co-Opted member.

CARRIED UNANIMOUSLY

12. Officers' reports

CM.104/24 Councillor appointments to External Organisations

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12. Officers' reports

CM.105/24 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, Acting 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.

Council Resolution

MOVED: Cr Peter Perkins

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:

- 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

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12. Officers' reports**CM.106/24 Neighbourhood Safer Places - Annual Update**

Distribution: Public**Manager: Blaga Naumoski, Director Governance, Communications and Community Safety****Author: Elishia Jansz, Manager Community Safety (Municipal Recovery Manager)****Summary****Neighbourhood Safer Places Summary**

This report is presented to Council to formally note that the Neighbourhood Safer Places - Bushfire Places of Last Resort (NSP-BPLR) within the Nillumbik Shire have been reassessed as being compliant and will maintain their status as designated NSP-BPLRs for the 2024/25 fire danger period. No additional NSP-BPLRs sites have been established for the 2024/25 fire danger period.

Annual audits have been completed for the existing seven (7) designated NSP-BPLR in Nillumbik. All NSP-BPLR are required to be assessed each year by the Country Fire Authority (CFA) and Council is required to record the outcome of these assessments.

The Neighbourhood Safer Places - Bushfire Places of Last Resort Plan has been prepared to outline the guidelines developed by Municipal Association of Victoria (MAV) to assist Council in identifying, designating, establishing, maintaining and decommissioning, if required.

Council Resolution

MOVED: Cr Peter Perkins**SECONDED: Cr Naomi Joiner**

That Council notes as part of the annual review process, the Neighbourhood Safer Places - Bushfire Places of Last Resort (NSP-BPLRS) are located at:

- a) Diamond Hills Reserve Oval, Greensborough
- b) The Outdoor Performance Centre, Greensborough
- c) Diamond Creek Community Centre, Diamond Creek
- d) Yarrambat Park Golf Course Clubrooms, Yarrambat
- e) Hurstbridge Basketball Stadium, Hurstbridge
- f) Carpark between Arthur and Dudley Streets, Eltham
- g) Collendina Reserve, Greensborough

all have been reassessed by the Country Fire Authority and have been confirmed to meet the criteria for designation as a NSP-BPLR.

CARRIED UNANIMOUSLY

12. Officers' reports

CM.106/24 Neighbourhood Safer Places - Annual Update

Elisha Jansz Municipal Recovery Manager Community Safety, Ben Cash Coordinator Emergency Management and Recovery and Scott Allen Fire Management Officer left the meeting at the conclusion of the above item at 8:08pm.

12. Officers' reports

CM.107/24 Tender Report - Contracts for 2425-011 - Play Space Renewal Projects – Six Sites

Distribution: Public

Manager: Vince Lombardi, Chief Operating Officer

Author: Lance Clark, Senior Procurement Specialist

Summary

This report recommends the awarding of contracts for 2425-011 Play Space Renewal Projects – Six Sites.

- Parry Reserve - 62 Allendale Road, Eltham North
- Diamond Hills Reserve - 11 Diamond Hills Drive, Greensborough
- Jacaranda Drive Reserve - 13A Lorikeet Court, Diamond Creek
- Pitt Street Reserve - 179 Pitt Street, Eltham
- Oldstead Road Reserve - 21 Oldstead Road, Greensborough
- Lower Eltham Park - 570 Main Road, Eltham

The renewal projects allow for like-for-like replacements of existing play equipment including diverse play opportunities encompassing sensory and imaginative play as well as accessible features.

There will be two contracts issued for the projects, based on the outcome of the tender and evaluation process.

It is intended that Contracts will be awarded in December 2024 and the play space renewal projects completed by 1 June 2025.

The timeline is based on product supply chains and planning for works on each site.

The Tender Evaluation Panel (TEP) has assessed all submissions and this report provides a summary of their evaluation in recommending the awarding of the contracts for 2425-011 Play Space Renewal Projects – Six Sites.

Pursuant to the Instrument of Delegation to the Chief Executive Officer, the value of this contract exceeds the specified financial limits and a Council resolution is therefore required to award the contract.

Recommendation

That Council:

1. Accepts the tenders submitted by the **preferred tenderers** for the total sums of **#[Redacted]** and enter into the following contracts:

Number: 2425-011-1

Title: Play Space Renewal Projects – Five Sites

Awarded Sites: Parry Reserve, Diamond Hills Reserve, Jacaranda Drive Reserve, Oldstead Road Reserve and Lower Eltham Park Reserve.

Term: 11 December 2024 to 1 June 2025

12. Officers' reports

CM.107/24 Tender Report - Contracts for 2425-011 - Play Space Renewal Projects – Six Sites

Number: 2425-011-2
 Title: Play Space Renewal Projects – One Site
 Awarded Site: Pitt Street Reserve.
 Term: 11 December 2024 to 1 June 2025

2. Authorises the Chief Operating Officer to finalise and execute the contracts documentation.
3. Authorises the Chief Operating Officer to approve cost variations that are a result of unknown latent site conditions or changes to operational requirements throughout the term of the contract with a value of no more than the approved budget.
4. Notes that any variations that exceed the agreed approved budget will require a further Council resolution.
5. Advises all tenderers accordingly.
6. Makes public the decision regarding these contracts but the Tender Evaluation Report 2425-011 (**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*.
7. Resolves that the preferred tenderer be named.

Council Resolution

MOVED: Cr Kim Cope
SECONDED: Cr Grant Brooker

That Council:

1. Accepts the tenders submitted by the **Omnitech Playgrounds and A Space Australia Pty Ltd** for the total sum of **\$305,000.00 ex gst** and enter into the following contracts:

Number: 2425-011-1 **Omnitech Playgrounds**
 Title: Play Space Renewal Projects – Five Sites

Awarded Sites: Parry Reserve, Diamond Hills Reserve, Jacaranda Drive Reserve, Oldstead Road Reserve and Lower Eltham Park Reserve.

Term: 11 December 2024 to 1 June 2025

Number: 2425-011-2 **A Space Australia Pty Ltd**
 Title: Play Space Renewal Projects – One Site

Awarded Site: Pitt Street Reserve.

Term: 11 December 2024 to 1 June 2025

12. Officers' reports

**CM.107/24 Tender Report - Contracts for 2425-011 - Play Space Renewal Projects
– Six Sites**

2. Authorises the Chief Operating Officer to finalise and execute the contracts documentation.
3. Authorises the Chief Operating Officer to approve cost variations that are a result of unknown latent site conditions or changes to operational requirements throughout the term of the contract with a value of no more than the approved budget.
4. Notes that any variations that exceed the agreed approved budget will require a further Council resolution.
5. Advises all tenderers accordingly.
6. Makes public the decision regarding these contracts but the Tender Evaluation Report 2425-011 (**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*.
7. Resolves that the preferred tenderer be named.

CARRIED UNANIMOUSLY

12. Officers' reports

**CM.107/24 Tender Report - Contracts for 2425-011 - Play Space Renewal Projects
 - Six Sites**

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12. Officers' reports

CM.108/24 Quarterly Risk and Safety Report - September 2024

Distribution: Public**Manager: Jeremy Livingston, Director Culture and Performance****Author: Craig Commene, Risk and Safety Lead****Summary**

This report provides a summary of Council's Risk and Safety Report for the financial year ending September 2024.

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 in this quarter occurred on 18 November 2024.

The full confidential Risk and Safety Report for September 2024 is attached to this report (**Attachment 1**) and provides detailed information for Council's consideration.

Council Resolution

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

1. Notes the summary of the confidential Risk and Safety Report (**Attachment 1**) for the year ending September 2024.
2. Resolves that the Risk and Safety Report (**Attachment 1**) remains confidential in accordance with section 3(1)(a) and (f) of the *Local Government Act 2020*.

CARRIED UNANIMOUSLY

12. Officers' reports

CM.108/24 Quarterly Risk and Safety Report - September 2024

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12. Officers' reports

CM.109/24 Council Plan Quarterly Performance Report 2024-2025 - Quarter 1

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 for noting.

These reporting updates are received by Council on a quarterly basis to exhibit in a practicable and tangible way how the Council Plan 2021-2025 is being delivered to the community.

The Council Plan Quarterly Performance Report provides the first update on delivery progress and performance of the 2024-2025 Annual Action Plan actions, which align to delivery of the fourth and final year of the Council Plan 2021-2025.

Of the 30 actions in the 2024-2025 Annual Action Plan, 28 actions are 'on track' for completion, one action is experiencing minor issues, and one action is yet to commence (**Attachment 1**).

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.

In early 2025, Council will commence developing the 2025-2029 Council Plan, which will be a key strategy document reflecting Council's priorities, aspirations and outcomes in the 2025-2029 Council term.

Council Resolution

MOVED: Cr Kelly Joy

SECONDED: Cr Kim Cope

That Council receives and notes the Council Plan Quarterly Performance Report for the first quarter of 2024-2025.

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12. Officers' reports

CM.110/24 September Quarter Financial Report

Distribution: Public

Manager: Vince Lombardi, Chief Operating Officer

Author: Melika Sukunda, Manager Finance, Assets and Procurement

Summary

This report outlines Council's financial performance and financial position for the period ended 30 September 2024.

The Income Statement shows an overall favourable year to date (YTD) variance of \$1.93 million representing 2.76 per cent of YTD Budget. This reflects the combined result of higher than budgeted operating income of \$1.41 million and higher than budgeted operating expenses of \$515,495.

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

Council Resolution

MOVED: Cr Kate McKay

SECONDED: Cr Naomi Joiner

That Council receives and notes the Financial Report for the period ended 30 September 2024 (**Attachment 1**).

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12. Officers' reports

CM.111/24 Informal Meetings of Councillors Records - 10 December 2024

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 27 August 2024.

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

1. Environment and Sustainability Advisory Committee Meeting held 12 August 2024;
2. Arts and Cultural Advisory Committee meeting held 19 August 2024;
3. Councillor Briefing held meeting 20 August 2024;
4. Council Meeting Pre-Meet held 27 August 2024;
5. Councillor Briefing held 3 September 2024;
6. Panton Hill bushland Reserve System User Group meeting held 5 Sept 2024;
7. Extraordinary Council Meeting Pre-Meet held 10 September 2024; and
8. Extraordinary Council Meeting Pre-Meet held 25 November 2024.

Council Resolution

MOVED: Cr Peter Perkins**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.

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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 8:27pm.

Confirmed: _____
Cr John Dumaresq, Mayor